

to be the Chief Financial Officer of HUD; Eva M. Plaza, of Maryland, to be Assistant Secretary of HUD for Fair Housing and Equal Opportunity; Gail W. Laster, of New York, to be the General Counsel of HUD; Jo Ann Jay Howard, of Texas, to be the Federal Insurance Administrator at the Federal Emergency Management Agency; F. Amanda Debusk, of Maryland, to be Assistant Secretary of Commerce; R. Roger Majak, of Virginia, to be Assistant Secretary of Commerce for Export.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, October 23, for purposes of conducting a full committee hearing which is scheduled to begin at 10 a.m. The purpose of this oversight hearing is to receive testimony on the issue of peaceful nuclear cooperation with China.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON FINANCE

Mr. LOTT. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Thursday, October 23, 1997, beginning at 10 a.m. in room 215 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON FOREIGN RELATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, October 23, 1997 at 2 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent on behalf of the Government Affairs Committee Special Investigation to meet on Thursday, October 23, at 10 a.m. for a hearing on campaign financing issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON THE JUDICIARY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary, be authorized to hold an executive business meeting during the session of the Senate on Thursday, October 23, 1997, at 10 a.m. in room 226 of the Senate Dirksen Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, October 23, for purposes of conducting a subcommittee hearing which is sched-

uled to begin at 2 p.m. The purpose of this hearing is to receive testimony on S. 633, a bill to amend the Petroglyph National Monument Establishment Act of 1990 to adjust the boundary of the monument; and S. 1132, a bill to modify the boundaries of the Banderier National Monument to include the lands within the headwaters of the Upper Alamo Watershed which drain into the monument and which are not currently within the jurisdiction of a Federal land management agency, to authorize purchase or donation of those lands, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ADDITIONAL STATEMENTS

#### EMPLOYMENT NONDISCRIMINATION ACT

• Mr. KERRY. Mr. President, I am not a member of the Senate Labor and Human Resources Committee, so I wanted to take a moment to address an issue that was a subject of a hearing in that Committee this morning.

The Chairman of the Committee, Senator JEFFORDS, and my good friend and colleague, the senior Senator from Massachusetts, have co-sponsored an important and much-needed piece of legislation, the Employment Nondiscrimination Act of 1997. I am an original co-sponsor of that bill.

Mr. President, when I was first sworn in as a United States Senator in 1985, I authored the gay and lesbian civil rights bill. At that time, only five other Senators would join me as co-sponsors of that legislation. In the 103rd Congress, I testified before the Armed Services Committee to lift the ban on gay men and lesbians serving in the military.

I agree with those who testified today before the Labor Committee, including Raymond Smith, the chief executive officer of Bell Atlantic, and Herbert Valentine of the Presbyterian Church that ENDA is a solution to a serious problem in our society. I have heard from many Americans who have suffered discrimination in the workplace because of their sexual orientation. It is time for these Americans to have recourse against blatant discrimination, just as Americans who are fired on the basis of their religion, national origin or gender. Massachusetts has recognized the problems of anti-gay and lesbian discrimination in the workplace and already has an ENDA-like law.

Mr. President, last year, I joined 65 of our colleagues in signing a pledge that I would not discriminate on the basis of sexual orientation in hiring, promotion and firing. I personally will not tolerate discrimination in my office. Like the majority of our colleagues, signing this pledge came easy to me. I have always had openly gay and lesbian staff and they have served the people of Massachusetts with effective and committed distinction.

So, now, Mr. President, I urge our colleagues to live up to the pledge they signed and support this important legislation. It is my hope that the Committee will report the bill out as soon as possible and I call upon the Majority Leader to find time to bring this important legislation to the floor for debate. It was voted on last year and wound up in a de facto tie. This year, I am confident it will pass.

Mr. President, for years, groups like the Human Rights Campaign, the National Gay and Lesbian Task Force, Parents, Families and Friends of Lesbians and Gays, and the Leadership Conference on Civil Rights, as well as members of the religious communities across this country, have educated us on the need for this bill. They have worked tirelessly with us to improve this legislation, and I applaud their tenacity and appreciate their friendship. They are dogged advocates for justice and fairness.

Voices as eloquent as those of Coretta Scott King and Senator Barry Goldwater have spoken up in support of ENDA. The President of the United States has signaled his approval of the bill. Let us debate it and pass it soon, Mr. President. Let us send a strong message that all Americans matter, and that no one should suffer discrimination in the work place. Let us move forward in the fight for civil rights.●

#### BRAIN TUMOR AWARENESS WEEK

• Mr. BIDEN. Mr. President, on Tuesday, Americans from around the country gathered here at the Capitol to hold a rally in conjunction with Brain Tumor Awareness Week. I want to add my voice to those calling attention to this debilitating disease and to the calls for continuing to increase our funding for medical research.

It sounds wrong to call one debilitating disease more important than another. After all, a life-threatening disease is a life-threatening disease. However, as a society, we often get caught up in the rhetoric and publicity surrounding one of these terrible afflictions and forget that, unfortunately, there are a number of other terminal illnesses. While brain tumors do not receive as much press as other terminal illnesses, their impact on the lives of brain tumor patients and their families is equally devastating.

One of those people is a constituent of mine, Ms. Kathy Delledonne-Minutola. She and her husband attended the rally on Tuesday because, four years ago, their son Joseph was diagnosed with a brain stem tumor. The roots of the tumor have wrapped around Joseph's brain stem, a condition which makes removal of the tumor impossible.

Mr. President, there are thousands of people across this country who have been diagnosed with brain tumors, just like Joseph. In fact, each year approximately 100,000 people in the United States are diagnosed with a brain

tumor. Brain tumors are the second leading cause of cancer death for children and young adults up to age 34, and they are one of the fastest growing causes of cancer death in the elderly.

Furthermore, each patient is different, and potential for recovery depends on a number of factors. The type of tumor, its location, the area of the brain involved, and the forms of therapy the patient will receive all contribute to a patient's prognosis. Currently, there is no cure for most malignant brain tumors. Surgery, radiation therapy, and chemotherapy are the three most common treatments. However, because brain tumors are located at the control center for human thought, emotion, and movement, both the tumor and its treatment can have devastating effects on a person's physical and cognitive abilities.

Despite often bleak projections for recovery, however, the community of people who have been affected by this disease has refused to give up. Their courage and support for one another in the face of tragedy is truly inspirational. They are proof that the power of the human spirit can triumph over adversity in even the darkest of moments.

So, Mr. President, in this, Brain Tumor Awareness Week, I rise today to applaud the tireless commitment that brain tumor patients and their families have made to beating this disease. This is a remarkable group of people. However, they cannot take on the burden of finding a cure on their own. We in Congress need to help, and I look forward to working with my colleagues, as I have in the past, to support medical research funding. While Brain Tumor Awareness Week may only last seven days, our commitment to finding a cure must be a year-round endeavor.●

#### ONE HUNDRED YEARS OF BOSTON'S SUBWAY

● Mr. KERRY. Mr. President, I rise to call attention today to the centennial of the first subway in the United States. On September 1, 1897, the first ride took place from Boylston Street to Park Street in Boston, MA.

Anyone who has ever lived in Boston has experienced the excellent service that this subway system provides. Students in the higher education capital of the United States—if not of the entire world—have long utilized the subways. Just to cite several examples: the Green Line goes to Boston College, Boston University, and Northeastern University; and the Red Line has stops at or near Harvard University, the Massachusetts Institute of Technology, and Tufts University. In fact, the Red Line derives its name from the Crimson of Harvard University.

Green is not only a color of a line in the Boston subway system, but an important symbol of the benefits of public transportation—namely community revitalization, economic development, and environmental protection. This

historic occasion makes this a propitious moment to take a look at how these benefits have played out over the past century.

Greater Boston faced a choice of continuing to build highway arteries through the living heart of the city or to improve mass transit systems out to what we called the "subway suburbs." We in Massachusetts made the right choice by developing the new Orange Line along the Southwest corridor in the 1980's and reviving the Old Colony commuter rail line in this decade. These choices preserved communities, led to new economic growth, and minimized the environmental damage caused by automobiles stuck in rush-hour traffic.

These choices have not come, however, without incurring significant costs. For example, fares have increased from a nickel a century ago to a dime in 1919, a quarter in 1968, and a half-dollar in 1980. Today, a subway ride costs \$0.85, although monthly commuters can travel more cheaply.

Looking at the cost issue in a larger sense, in 1897, the subway system cost \$4.4 million. On September 25 of this year, I announced Senate committee approval of a 6-year reauthorization of mass transit programs that will bring more than \$300 million in additional ISTEA transit funds to Massachusetts. I am pleased that Massachusetts received its fair share of transit spending; I look forward to working with all of my colleagues to ensure that my State and others will receive their fair shares of highway funds as well.

This is an extraordinarily exciting time for mass transit in Massachusetts. While everyone knows about the Central Artery Project that will revolutionize automobile travel in Boston, other cities in Massachusetts, like Worcester and Springfield, are rebuilding their historic train stations, creating true multimodal centers to restore available, efficient, and flexible transportation for working people. The Federal commitment to transit that was announced last month will ensure improved services are available for years to come not only for Boston, but also for cities around the Commonwealth and across our country.

Mass transit systems like Boston's are also important for enhancing the lives of individuals with disabilities. I am pleased with the recent reauthorization of an initiative of mine called Project Action, which helps disabled people gain access to public transportation by working with transit operators and the disabled community to implement the transportation provisions of the Americans with Disabilities Act. Project Action has increased accessibility to buses and trains nationwide.

Excellent mass transit systems like the one that we are fortunate to have in Boston play critical roles in the welfare reform effort. As we attempt to create more jobs so that welfare recipients can enter into the working world,

we must not lose sight of the fact that these employees will need an affordable and reliable means of transportation so that they can get to their jobs. Those who took part in the first subway ride a century ago could not have envisioned the important economic role that the subway system would play; those of us who know about this need today must remain ever vigilant against attacks that would cut Federal support for mass transportation.

If Washington did cut transit funding, then how would Charlie ever get out of the subway? Almost 40 years ago, passengers who switched from subway to trolley lines had to pay another nickel to exit the system. The Kingston Trio popularized the plight of a Boston subway passenger in their song "The MTA." Its lyrics include the following verse:

Charlie's wife goes down to the Scollay Square Station,  
Every day at a quarter past two.  
And through the open window she hands  
Charlie a sandwich,  
As the train comes rumbling through.

Mr. President, Scollay Square Station is now Government Center at Scollay Square, but the Boston subway system continues to thrive. I urge all of my colleagues to join me today in hailing all of the women and men who, over the last 100 years, have worked and traveled on Boston's subway system. Even now, the subway is more than a historical landmark; rather, it is the lifeblood of the historic and vital metropolis that is Boston.●

#### ORDER OF BUSINESS

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. I thank the Chair.

(The remarks of Mr. LOTT pertaining to the introduction of S. 1310 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### UNANIMOUS-CONSENT AGREEMENT—CONFIRMATION OF ALGENON L. MARBLEY

Mr. LOTT. Mr. President, as in executive session, I ask unanimous consent that at 5 p.m. on Monday, October 27, the Senate immediately proceed to executive session and a vote on the confirmation of the nomination of Calendar No. 329, Algenon L. Marbley, to be U.S. District Judge for the Southern District of Ohio. I further ask unanimous consent that immediately following the vote the motion to reconsider be laid upon the table and the President immediately be notified of the Senate's action and the Senate then return to legislative session.

I emphasize this is a vote that would occur at 5 p.m. on Monday. This is for Judge Marbley in the Southern District of Ohio. I believe Senator DASCHLE and I have talked about this vote on this judge occurring on Monday.