

Pfiesteria piscicida and other aquatic toxins; to the Committee on Commerce, Science, and Transportation.

By Mr. DEWINE:

S. 1481. A bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the medicare program, to provide for continued entitlement for such drugs for certain individuals after medicare benefits end, and to extend certain medicare secondary payer requirements; to the Committee on Finance.

By Mr. COATS:

S. 1482. A bill to amend section 223 of the Communications Act of 1934 to establish a prohibition on commercial distribution on the World Wide Web of material that is harmful to minors, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MURKOWSKI:

S. 1483. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of tax-exempt bond financing of certain electrical output facilities; to the Committee on Finance.

By Mr. BINGAMAN:

S. 1484. A bill to increase the number of qualified teachers; to the Committee on Labor and Human Resources.

By Mr. DASCHLE (for himself and Ms. MOSELEY-BRAUN):

S. 1485. A bill to require the Secretary of the Treasury to mint coins in commemoration of Associate Justice Thurgood Marshall, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself and Mr. STEVENS):

S. 1486. A bill to authorize acquisition of certain real property for the Library of Congress, and for other purposes; to the Committee on Rules and Administration.

By Mr. CRAIG (for himself, Mr. LEVIN, Mr. MCCAIN, and Ms. LANDRIEU):

S. 1487. A bill to establish a National Voluntary Mutual Reunion Registry; considered and passed.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1488. A bill to ratify an agreement between the Aleut Corporation and the United States of America to exchange land rights received under the Alaska Native Claims Settlement Act for certain land interests on Adak Island, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRAIG (for himself and Mr. WYDEN):

S. 1489. A bill to provide the public with access to outfitted activities on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JEFFORDS:

S. 1490. A bill to improve the quality of child care provided through Federal facilities and programs, and for other purposes; to the Committee on Governmental Affairs.

By Mr. KENNEDY (for himself, Mr. LAUTENBERG, Mr. DURBIN, Mr. REED, and Mr. KERRY):

S. 1491. A bill to increase the excise tax rate on tobacco products; to the Committee on Finance.

S. 1492. A bill to amend the Public Health Act and the Federal Food, Drug and Cosmetic Act to prevent the use of tobacco products by minors, to reduce the level of tobacco addiction, to compensate Federal and State Governments for a portion of the health costs of tobacco-related illnesses, to enhance the national investment in biomedical and basic scientific research, and to expand programs to address the needs of children, and for other purposes; to the Committee on Labor and Human Resources.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. Res. 148. A resolution designating 1998 as the "Oñate Cuatrocenenario", the 400th anniversary commemoration of the first permanent Spanish settlement in New Mexico; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. THOMAS, Mr. KERRY, Mr. SMITH of Oregon, Mrs. MURRAY, Mr. HAGEL, Mr. GRAMS, Mr. ROBB, and Mr. ROTH):

S. Res. 149. A resolution expressing the sense of the Senate regarding the state visit to the United States of the President of the People's Republic of China; to the Committee on Foreign Relations.

By Mr. MCCAIN:

S. Con. Res. 66. A concurrent resolution to correct the enrollment of S. 399; considered and agreed to.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MOSELEY-BRAUN:

S. 1457. A bill to amend the Harmonized Tariff Schedule of the United States to extend to certain fine jewelry certain trade benefits of insular possessions of the United States; to the Committee on Finance.

### HARMONIZED TARIFF SCHEDULE AMENDMENT ACT OF 1997

Ms. MOSELEY-BRAUN. Mr. President, today I am pleased to introduce a bill to amend the Harmonized Tariff Schedule of the United States to extend certain trade benefits to fine jewelry produced in the U.S. Virgin Islands, Guam, and American Samoa.

Under current law, additional U.S. Note 5 to Chapter 91 of the Harmonized Tariff Schedule provides limited duty-free treatment and duty refunds to certain watches and watch movements produced in the U.S. Virgin Islands, Guam, and American Samoa. The bill I am introducing today would also make certain articles of fine jewelry produced in these insular possessions, eligible for certain note 5 benefits, thereby significantly expanding economic opportunities for insular possession manufacturers and their workers. At the same time, this bill expressly provides that the extension of note 5 benefits to jewelry may not result in any increase in the authorized amount of benefits established by note 5.

This legislation will promote needed employment and economic development in the U.S. insular possessions, particularly the U.S. Virgin Islands, by providing insular possession manufacturers with greater flexibility in the use of certain existing trade benefits.

Mr. President, I ask unanimous consent that the entire text of the bill be placed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1457

*Be it enacted by the Senate and House of Representatives of the United States of America in*

*Congress assembled*, That the additional U.S. notes to chapter 71 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following new note:

"3.(a) Notwithstanding any other provision in additional U.S. note 5 to chapter 91, any article of jewelry provided for in heading 7113 which is the product of the Virgin Islands, Guam, or American Samoa (including any such article which contains any foreign component) shall be eligible for the benefits provided in paragraph (h) of additional U.S. note 5 to chapter 91, subject to the provisions and limitations of that note and of paragraphs (b), (c), and (d) of this note.

"(b) Nothing provided for in this note shall result in an increase or a decrease in the aggregate amount referred to in paragraph (h)(iii) of, or quantitative limitation otherwise established pursuant to the requirements of, additional U.S. note 5 to chapter 91.

"(c) Nothing provided for in this note shall be construed to permit a reduction in the amount available to watch producers under paragraph (h)(iv) of additional U.S. note 5 to chapter 91.

"(d) The Secretary of Commerce and the Secretary of the Interior shall issue such regulations, not inconsistent with the provisions of this note and additional U.S. note 5 to chapter 91, as they determine necessary to carry out their respective duties under this note. Such regulations shall not be inconsistent with substantial transformation requirements established by the United States Customs Service but may define the circumstances under which articles of jewelry shall be deemed to be 'units' for purposes of the benefits, provisions, and limitations of additional U.S. note 5 to chapter 91."

By Mr. GRASSLEY (for himself, Mr. JEFFORDS, Mr. MURKOWSKI, Mr. CONRAD, Mr. HARKIN, Mr. KERREY, Mrs. FEINSTEIN, Mrs. BOXER, and Mr. JOHNSON):

S. 1459. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for producing electricity from wind and closed-loop biomass; to the Committee on Finance.

### WIND PRODUCTION TAX CREDIT LEGISLATION

Mr. GRASSLEY. Mr. President, I rise today to introduce important tax legislation for myself, Senator JEFFORDS, Senator MURKOWSKI, Senator CONRAD, Senator KERREY, Senator HARKIN, Senator FEINSTEIN, Senator BOXER, and Senator JOHNSON.

Our legislation extends the production tax credit for energy produced from wind. This legislation is similar to that which passed the Senate as part of the Senate's tax bill attached to the balanced budget reconciliation bill this summer. Unfortunately, it was dropped in conference between the House and the Senate, and did not become part of the Taxpayer Relief Act of 1997.

Since the Senate has acted favorably on this wind energy production tax credit legislation in the past, I would like to ask Senators to consider it again next year. I am introducing it this year because I want to make sure that it gets an opportunity for cosponsorship.

As we all know, our Nation's energy supply is both limited and controversial. However, energy produced from

wind is clean, renewable and home-grown. There is nothing limited or controversial about this source of energy, the wind. Americans need only to make the necessary investments in order to capture it for power.

Our legislation extends the production tax credit and the focus on energy produced from wind through the month of June, 2004. Scientists blame excessive carbon dioxide for global warming. The chief sources of environmentally dangerous carbon dioxide are emissions from the burning of fossil fuels. Obviously, we need other safer sources. Wind energy is clean, abundant, and a U.S. resource that produces electricity with virtually no carbon dioxide emissions.

Every 10,000 megawatts of wind energy can reduce carbon dioxide emissions by 33 million metric tons. Today, our Nation produces only 1,700 megawatts of wind energy. However, the American Wind Energy Association estimates that U.S. wind capacity can reach 30,000 megawatts by the year 2010. This is enough electricity to meet the needs of 10 million homes, while reducing pollution in every State in the Nation.

Americans naturally find abundant wind in every State in the Union. Wind is a homegrown energy. No foreign powers can control our source of wind energy. No American soldiers or sailors will ever need to fight in foreign wars to protect our supply of wind energy, as they must in the case of oil. For example, consider the Persian Gulf war. No supertankers will ever crack up in the sea and pollute our beaches because of energy produced from wind.

In short, wind energy is a good investment in the present and the future. Our legislation extends the successful wind energy production tax credit. It is a very successful way of promoting this source of energy. It is a cheap investment with high returns for ourselves, our children, our grandchildren and their grandchildren. The Senate needs to again pass this important legislation to ensure the wind energy production tax credit into the next century. I encourage all of my colleagues to cosponsor.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1459

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. 5-YEAR EXTENSION OF CREDIT FOR PRODUCING ELECTRICITY FROM WIND AND BIOMASS.**

Paragraph (3) of section 45(c) of the Internal Revenue Code of 1986 (defining qualified facility) is amended by striking "1999" and inserting "2004".

Mr. JEFFORDS. Madam President, I enthusiastically join my colleagues in offering legislation that would allow

wind and biomass energy to continue to advance as commercially viable renewable energy sources. This legislation will allow wind and biomass energy to play a competitive role in the growing domestic energy market.

Through the Energy Policy Act of 1992, Congress established a mechanism to increase investments in new or emerging energy technologies. In 2 years, this credit will expire. Companies developing wind energy, who require a 2-3 year lead time for installing new wind machines, were not able to take advantage of the available credit before it expired. Congress should extend the credit program to allow continued efforts to increase production of electricity from wind and biomass.

To date, significant progress has been made in the development of wind energy, and this industry is poised to further increase its production capacity. With support from Congress through research and development funding and tax credits wind energy has become more competitive and the technology has improved in designs and operation. Generation costs from wind have dropped from 25 cents per kilowatt hour in 1980 to a low of 7 cents per kilowatt hour today for wind power. Investments in new technological improvements will further reduce the cost of this energy source and will enable the industry to play a key role in the new competitive electric utility environment.

Likewise, biomass energy technologies, which are derived from any plant material and some forms of animal waste, are continuously improving in performance and cost.

Madam President, I want to emphasize the importance of using renewable energy to meet our growing demand for energy. Renewable energy is important for several reasons: First, it does not produce harmful, life-threatening pollution; second, it is capable of providing ample energy to meet the huge amount of demand that is forecasted; third, it increases our energy and economic security; and fourth, since more than 2 billion people in the world live without electricity, it creates jobs in the United States.

I thank my colleagues for working with me to extend the credit program for producing energy from wind and biomass.

Mr. CONRAD. Mr. President, I rise today to join Senators GRASSLEY and JEFFORDS as a proud cosponsor of legislation to extend the wind energy production tax credit. I want to commend the primary sponsors of this legislation for their leadership in developing this bill. The bill we are introducing today takes an important next step in encouraging the development of this very important source of renewable energy. Wind energy offers great promise for putting America on the road to greater energy independence and economic prosperity.

I have been a long-time supporter of developing additional sources of renew-

able energy, particularly energy from wind and crops. In 1993, Senator GRASSLEY and I introduced S. 1180, the Wind Energy Incentives Act of 1993, to provide additional incentives for developing our wind energy resources. My home State of North Dakota has abundant wind energy resources, more than any other State. I have often referred to North Dakota as the "Saudi Arabia of wind energy."

I strongly support encouraging development of additional sources of energy because I am extremely concerned that the United States continues to face a serious energy problem. While we do not see the long gas lines of the 1970's, today we import more than half the oil we use, up from about 30 percent in 1974. While we no longer depend on just a few sources for that oil, it remains a dangerous dependence, and makes up a significant portion of our trade deficit.

In 1992, Congress passed and the President signed the Energy Policy Act, which took a number of important steps toward developing our own energy resources here at home. One provision was the production tax credit of 1.5 cents per kilowatt hour for wind energy. This credit is meant to reduce the cost of these renewable energy sources to make them competitive with conventional energy sources. It is also meant to encourage the development of these new resources to the point where economies of scale enable them to compete in their own right.

The wind production tax credit established by the 1992 Energy Policy Act is set to expire in just 2 years. However, the financing and permitting required for a typical new wind facility requires 2- to 3-years of lead time. Because the wind production tax credit will expire in 2 years without the extension we are introducing today, investment funds to develop new wind projects are drying up, unnecessarily halting future project planning. Additionally, the cost of wind energy production has dropped significantly from its earlier days, and as the technology matures the cost will continue to drop.

I urge my colleagues to join us in taking this step toward energy independence by cosponsoring this legislation.

Mrs. FEINSTEIN. Mr. President, I rise this afternoon to cosponsor legislation introduced by my colleagues Senator GRASSLEY and Senator JEFFORDS to extend the production tax credit, a tax incentive to encourage wind-generated energy.

Today, California's Tehachapi-Mojave area is the world's largest producer of wind-generated electricity. The New York Times has described the area's 5,000 electricity producing wind turbines as a vision of the future. Wind generation energy provides a renewable, clean, environmentally sound source of energy in California. I am pleased to lend my support to the Grassley-Jeffords legislation.

The production tax credit provides a 1.5 cent tax credit for each kilowatt of

electricity produced in the United States during the first ten years a new wind energy production facility is in service. The legislation is an inexpensive way to encourage clean, efficient and sustainable energy future for our children and grandchildren.

Under current law, the production tax credit is scheduled to expire in 1999, complicating the planning and development of new wind energy generation facilities. New wind energy facilities, like any major construction project, take several years to move from planning to operation. Without the certainty of the credit after 1999, investors will be reluctant to commit funds for the development of new wind energy facilities. Industry officials have already noticed a decline in investment, which can be attributed to the credit's uncertainty.

Wind energy is the world's fastest growing energy technology. The amount of wind-generated power has increased by 25 percent each year during the last 5 years, growth which is expected to accelerate through 2010. Wind-generated energy is expected to become a \$400 billion industry worldwide by 2020. However, most of the growth is occurring in Europe, rather than here in the United States. No new wind power generation development has occurred in the United States since 1991.

I am pleased that California companies, including those in south and central California, are among the world's leading manufacturers and developers of wind energy facilities. If domestic firms are able to capture even one-fourth of the jobs associated with serving the growing market, the growth would support approximately 150,000 jobs. These are high-technology engineering jobs, traditional areas of strength for California, providing a solid economic foundation.

The Grassley-Jeffords legislation will have important environmental consequences as well. The President's initiative against global warming includes \$5 billion program of tax incentives, which could include the extension of the production tax credit. Coal is currently the Nation's largest source of power, providing 55 percent of the Nation's energy needs. However, coal has the highest level of carbon dioxide, when compared with the amount of electricity produced. Wind production energy is a significantly cleaner alternative, helping to decrease carbon dioxide emissions. Wind energy could supply 30,000 megawatts of energy by 2010, rather than current 1,700 megawatts today, reducing carbon dioxide emissions by 18%. These are cost-effective steps for our energy future.

I am pleased to join Senator GRASSLEY, who has demonstrated his longstanding commitment to this important issue, and cosponsor the Grassley-Jeffords legislation. Without an extension, I am concerned wind energy production will not be able to develop, undermining economic, environmental and clean air goals. Wind generation energy provides a renewable, clean, en-

vironmentally sound source of energy for California's future. I am pleased to lend my support to the legislation.

By Mr. FAIRCLOTH:

S. 1458. A bill to restrict the use of the exchange stabilization fund; to the Committee on Banking, Housing, and Urban Affairs.

THE ACCOUNTABILITY FOR INTERNATIONAL  
BAILOUTS ACT OF 1997

Mr. FAIRCLOTH. Mr. President, last week, the Treasury Department announced that it planned to use \$3 billion from the exchange stabilization fund for a bailout of Indonesia. This fund was established in the 1930's to protect the U.S. dollar. It was not designed to be the personal piggy bank of the Secretary of the Treasury to bail out other countries whenever he desires.

The legislation I am introducing would require that, when this fund is used to be part of an international bailout in excess of \$250 million, such use would require congressional approval.

Using this fund for Indonesia is the same procedure that was used to bypass the Congress for the bailout of Mexico. At the time we were told that the emergency bailout of Mexico was needed because they were our neighbor, friend, and that economic instability would spill thousands of immigrants into the United States.

I find no such rationale for Indonesia. In fact, what is occurring is that we are seeing a tidal wave of bailouts coming our way from Asia.

Apparently, the need for the bailouts is greater than the resources of the IMF. This is the reason the United States has had to resort to taking money from our own reserves to bail out Indonesia.

In fact, the tidal wave has already started. The Philippines in July for \$1 billion. Thailand for \$16 billion in September. Now comes Indonesia for \$23 billion in November. The price tag keeps getting bigger and we don't know where it is going to stop. The Treasury Secretary tried to keep us out of the first two bailouts—but the price tag is getting too big—now direct United States dollars are being called upon for the Asian bailouts.

This week Business Week is suggesting the price tag is as high as \$100 billion. Who is next? South Korea, Malaysia? Perhaps China and Japan—whose banks are holding billions in bad loans?

What is really outrageous about this situation is that these are the very same countries that we have been running massive trade deficits for years.

With Thailand we have a \$4.6 billion trade deficit. Indonesia a \$4 billion deficit. Philippines a \$2 billion deficit. South Korea a \$1 billion trade deficit—and China and Japan are off the charts.

These are the same countries that have kept out U.S. imports with phony trade rules and insider deals. These are the same countries that have closed banking systems.

Indonesia, in particular, was so flush with cash apparently, that they could afford to funnel millions in campaign

contributions to influence U.S. elections—and here we are, the United States, bailing them out. Is it any wonder that the average American worker has no faith that the Federal Government in Washington cares about him or her.

We have got people living paycheck to paycheck in this country. We don't need to bail out foreign ministers, foreign banks and securities firms, and rich Wall Street bankers that lent too much money to developing nations.

The average American has to tell half his life story just to get a mortgage loan—and yet Wall Street is loaning billions to these Asian countries on the nod of some foreign finance minister.

Now the bill for the bailout is being handed to the U.S. taxpayer. I find it deplorable. The auto plant worker, the secretary, the small town banker—all are being asked to turn over their tax dollars so we can ship them to Asia.

I think President Clinton and Robert Rubin need to realize that Wall Street and Indonesia did not elect them—the people of the United States did, and that is who they own their loyalties to. They need to remember that.

Mr. President, I can promise you that in the next session of Congress—this will not continue. I plan to subject every foreign bailout dollar to congressional approval. This legislation is the first step in that process.

By Mr. LAUTENBERG:

S. 1460. A bill for the relief of Alexandre Malofienko, Olga Matsko, and their son Vladimir Malofienko; to the Committee on the Judiciary.

PRIVATE RELIEF LEGISLATION

Mr. LAUTENBERG. Mr. President, today I am introducing legislation to provide permanent residency in the United States for 13-year-old Vova Malofienko and his family, residents of Short Hills, NJ. An identical bill is being introduced in the House of Representatives today by Congressman STEVE ROTHMAN and Congressman BOB FRANKS. Vova Malofienko has leukemia from his having lived 30 miles from the Chernobyl nuclear reactor in Ukraine during and after the infamous disaster. His leukemia is in remission only because of the emergency medical treatment he's received in the United States.

Were Vova forced to return to Ukraine, the United States would be placing an innocent child near the front of the line on death row. Vova was one of eight children of Chernobyl who came to the United States in 1990—and when the seven others later returned to Ukraine, they died one by one because of inadequate cancer treatment. Not a child survived.

On behalf of the Malofienkos, I ask my colleagues for their invaluable support for this legislation. We are a compassionate nation that should open its

heart to Vova and his family, who came in dire medical need.

Mr. President, I would like to take this opportunity to tell my colleagues a bit more about Vova and his family. Vladimir "Vova" Malofienko was born on 6/29/84 in Chernigov, Ukraine. His mother, Olga Matsko, was born on 9/29/59 in Piratin, Ukraine, and his father, Alexander Malofienko, was born on 12/25/57 in Chernigov, Ukraine.

Vova was only 2 when the Chornobyl reactor exploded in 1986 and exposed him to radiation. He was diagnosed with leukemia in June 1990 at age 6. Vova and his mother came to the United States later in 1990 on a B-1 visitor's visa so that Vova could attend a cancer treatment camp for children, sponsored by the Children of Chornobyl Relief Fund. Vova was invited to stay in the United States to receive more extensive treatment and chemotherapy. In November of 1992, Vova's cancer went into remission. Vova's father, Alexander Malofienko joined the family in 1992, also on a B-1 visa.

The Malofienko family is currently in the United States with extended voluntary departure through March of 1998. Alexander Malofienko's second application for labor certification is pending before the New Jersey Department of Labor. The first application for Labor certification was denied.

Vova and his family desire to remain in the United States because of the extraordinary health concerns facing Vova. Regrettably, as I mentioned earlier, Vova is the only survivor from a group of eight children of Chornobyl who came to the United States together in 1990. The seven other children returned to Ukraine and have since died. Now that Vova is in remission, it would indeed be tragic to return him to an environment which would once again endanger his life. The air, food, and water in Ukraine are contaminated with radiation that people residing there for several years have grown accustomed to, but which could be perilous to Vova's weakened immune system.

Furthermore, treatment available in Ukraine is not as sophisticated and up to date as treatment available in the United States. Before Vova came to the United States, no aggressive treatment for his leukemia had been provided. Although Vova completed his chemotherapy in 1992, he continues to need medical follow-up on a consistent basis, including physical examinations, lab work and radiological examinations to assure early detection and prompt and appropriate therapy in the unfortunate event the leukemia recurs.

According to Dr. Peri Kamalakar, Director of the Valerie Fund Children's Center at Newark Beth Israel hospital, where Vova has received care, Vova's cancer is considered high risk with a threat of relapse. He is also at risk to develop significant late complications secondary to the intensive chemotherapy he received, including heart problems and secondary cancers. An-

other significant risk is relapse in the bone marrow, testis, or central nervous system. Dr. Kamalakar has concluded that Vova's chance for a permanent cure is considerably better if he stays in the United States.

Every one of the risks to Vova's health would be magnified by what is only the recent emergence of the full effects of Chornobyl. Birth defects in the Chornobyl area have doubled. Thyroid cancer has increased 80 times—a rate too horrifying to comprehend. And the total number of children whose health will be at risk for the rest of their lives is over a million.

Vova Malofienko has been embraced by all those who know him for his grace, dignity, and courage. He has also gained national attention by assisting with the philanthropic efforts of the Children of Chornobyl Relief Fund. It would be extremely disruptive to him and his family, in addition to causing great financial and emotional hardship, if they are not allowed to remain together in the United States in order to protect Vova's health. I ask unanimous consent that the text of the bill be included in the RECORD.

Mr. President, I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1460

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. PERMANENT RESIDENCE.

Notwithstanding any other provision of law, for purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees.

#### SEC. 2. REDUCTION OF NUMBER OF AVAILABLE VISAS.

Upon the granting of permanent residence to Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko, as provided in this Act, the Secretary of State shall instruct the proper officer to reduce by the appropriate number during the current fiscal year the total number of immigrant visas available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)).

[From the Star-Ledger, Newark, NJ, Oct. 9, 1997]

CHORNOBYL VICTIM FIGHTS TO STAY AND LIVE;  
LAUTENBERG WORKS TO WIN RESIDENCY FOR  
FAMILY

(By Allison Freeman)

A 13-year-old boy who contracted cancer from exposure to radiation after the Chornobyl nuclear disaster in Ukraine may get to remain in the United States.

Sen. Frank Lautenberg said yesterday that he will introduce legislation expressly to grant Vova Malofienko of Millburn and his family permanent residency.

Lautenberg plans to introduce the "emergency relief bill" during the week of Oct. 20,

following the Columbus Day recess. In the spring, the senator pressured the Immigration and Naturalization Service to grant the Malofienkos a one-year emergency extension to stay in America.

Vova, whose cancer is in remission, could suffer a relapse if he returns to Ukraine because he is not used to the radiation-contaminated air, food and water, according to his physician, Dr. Peri Kamalakar of the Newark Beth Israel Medical Center. "My concern is, God forbid, he gets a relapse back in Ukraine. I do not think they have the facilities to give him the proper treatment to save his life," the doctor said.

Vova also received chemotherapy to treat his cancer, which puts him at a greater risk for leukemia or another malady if he is exposed to radiation, Kamalakar noted. "I feel it is very important for Vova's life to remain in this country."

Lautenberg yesterday expressed hope that the legislation will pass before the family's emergency visa runs out in April.

"I am introducing this bill not only to keep my promise to Vova and his family, but also to keep the promise to America," the senator said. "We are a compassionate nation that has to open our hearts and borders to all those like Vova who came here legally and in dire medical need."

Vova came to America in 1990 with seven other Ukrainian children, all sick from radiation exposure. Their trip to actor Paul Newman's camp in Connecticut was sponsored by the Children of Chornobyl Relief Fund of Short Hills, which airlifts medical treatment and supplies to children afflicted by the 1986 disaster.

The seven other children in the group all returned to Ukraine and have since died.

"They basically got a death sentence," Lautenberg said. "And I will never, ever let that happen to Vova."

Lautenberg said he is introducing the legislation now, six months before the family is forced to return to Ukraine, "to avoid the kind of last-minute life or death situation that the bureaucracy put the Malofienkos through before."

Vova yesterday said he is very happy the senator is introducing special legislation on his behalf and is "very grateful to him," but the serious 13-year-old said, "I do not know if it will be approved or not," so he did not want to get his hopes up.

"At first it was like a dream," said Vova's mother Olga Matsko, who received a phone call from Lautenberg's office yesterday afternoon. "How grateful I am to what the senator has done for our family."

Matsko, who uses her maiden name, said she only hopes that the bill passes in Congress. "I cannot believe that our hard fight is probably over."

Vova's family has been struggling to remain in America with both parents working full-time jobs and sharing a superintendent's job at their Millburn apartment building. Matsko works as an accountant during the day, and the father works as a mechanic for Lea & Perrins Inc. of Fair Lawn at night.

Alexander Malofienko, Vova's father, lost his job at Tetley Tea of Morris Plains last spring. He then had to find not only a job, but a company to sponsor him for his labor certificate so the family could remain in the United States.

He found a company to sponsor him, but his application got stuck in "gridlock" at the state Labor Department in Trenton, where there is a 30 percent increase in alien labor certificate applications, Lautenberg said. The department is one year behind in processing these applications, not enough time for the Malofienkos.

The labor certificate, once approved by the state, is then forwarded to the U.S. Department of Labor in New York for its review.

Joshua Rosenblum, a spokesman for the state Labor Department, was not aware of Vova's plight or the father's application. He said his office was searching for the application and had not located it by late yesterday afternoon.

Lautenberg also sent a letter to Gov. Christie Whitman appealing to her "to do everything possible to assure that the Malofienko family does not face deportation due to administrative inertia and bureaucratic entanglements."

A spokesman for Whitman, Gene Herman, said the Governor's Office would investigate. He said delays in the state's processing of the application may have been caused by cuts in federal funds.

[From the Star-Ledger, Newark, NJ, March 14, 1997]

**CHERNOBYL VICTIM GETS EXTENDED STAY IN U.S.; SENATOR HELPS YOUTH IN LIFE-OR-DEATH FIGHT**

(By Allison Freeman)

"Today we saw what can be done when a compassionate America opens its heart."

A 12-year-old boy, in remission from leukemia he contracted from exposure to the Chernobyl nuclear disaster in Ukraine, will get to remain in the United States for at least another year, thanks to the help of Senator Frank Lautenberg.

Vova Malofienko and his parents, who were scheduled to be deported April 10, will get another year to obtain permanent residency in this country.

For Vova, it could be the difference between life and death. "My heart fills with joy for the work everybody has done," the boy said last night. "I want to stay in this country."

The articulate young man, an honors student in Millburn Middle School, said he is thankful to Lautenberg and everyone else who has helped him.

"This is a great day," the New Jersey Democrat said as he smiled at the boy during a press conference in the Senator's Newark office. "Today we saw what can be done when a compassionate America opens its heart."

Vova's parents need green cards to work in the United States. Getting them is almost impossible due to recent federal legislation that requires people to remain in this country for 10 years before they can apply, yet makes it difficult to remain in the country that long.

Lautenberg attributed the tougher immigration laws to the "U.S. turning more and more inward" and tightening the rules so there is not enough room for everyone who wants to say.

The Senator credited Monica Slater of his staff for working with Immigration and Naturalization Service officials to help extend the Malofienkos's stay in the country. "Our work has paid off," Lautenberg said.

Vova, a mature sixth-grader, came to America in 1990 at the age of 5 with a group of seven other Ukrainian children, all sick from radiation exposure. Their trip to actor Paul Newman's camp was sponsored by the Children of Chernobyl Relief Fund of Short Hills, which airlifts medical treatment and supplies to the sick children of Chernobyl. The seven other children in the group all returned to Ukraine and have since died.

The air, water and food in Ukraine are contaminated with radiation that people there have grown accustomed to, but which could make Vova very sick, his father said. Ukraine also does not have the medical care or equipment needed to save the boy if he suffers a relapse.

Vova's parents said they were certain that if their son returned to Chernihiv, their

home three miles from Chernobyl, he would die.

Lautenberg said he hopes to help the Malofienkos find a more permanent solution in their quest to remain in the United States.

Alexander Malofienko, Vova's father, was laid off Feb. 28 from his job at Tetley Tea in Morris Plains. The company was sponsoring him for his work permit. The mechanical engineer in Ukraine is working as a maintenance mechanic in New Jersey and hopes to find new employment soon and resume his effort to secure a work permit.

Olga Matsko plans to graduate from Essex County College in Newark in May with an accounting degree so she can continue her work as an accountant, which she was in Ukraine.

The mother smiled broadly at Lautenberg last night. "This is one of the happiest days of my life," she said, her voice cracking with emotion. "Thank you so much for giving us a chance," she told the Senator.

Matsko also reiterated her thanks to all of her son's doctors, many of whom work in Beth Israel Medical Center in Newark, for donating their services to help her son.

When asked if his office could help Malofienko seek a work permit, Lautenberg said his office is not an employment agency but would do everything it can to help the family.

"We will do what we have to do to try to get them permanent residency here," he said. Lautenberg said his office has already received a few calls with job offers for Vova's father.

The boy also thanked all of his friends at Millburn Middle School who wrote letters to legislators, First Lady Hillary Rodham Clinton and Secretary of State Madeleine Albright and even created a Web site at <http://schools.millburn.org/vova/>.

By Mr. LAUTENBERG (for himself and Mr. COATS):

S. 1461. A bill to establish a youth mentoring program; to the Committee on the Judiciary.

**THE JUMP AHEAD ACT OF 1997**

Mr. LAUTENBERG. Mr. President, millions of young people cry out for help. It would be irresponsible to turn our backs and do nothing when a solution is not only at hand—but has already proven a helping hand. The problem is "at-risk" youth. The solution is mentoring.

Mr. President, let me give you some idea of the scope of the problem. Last month the census released a report that said half of America's 16 and 17 year olds are at-risk children. Half. That's 3.7 million children at just those two ages. Other estimates run as high as 15 million for children of all ages.

Among the factors putting these children at risk are poverty and being raised in a single-parent family. Twenty-one percent of our children live in poverty—a six point increase since 1970. Twenty-eight percent live in one-parent households—a 16-percent increase since 1970. These "at-risk" children are more likely to drop out of school and be unable to find work. And that, Mr. President, is the path to drugs and crime. Mentoring is a proven way to reach out to these kids and provide them with caring role models who can help turn their lives around.

Earlier this month, Attorney General Janet Reno reported that violent crime

by teenagers had dropped for the second straight year. Among the reasons for the drop, General Reno cited the community mentoring programs that we created with the original Juvenile Mentoring Program, or JUMP, in 1992.

Since its enactment, JUMP has funded 93 separate mentoring programs in more than half the states. The competition for JUMP awards is great: Over 479 communities submitted applications for the recent round of grants.

JUMP grantees use a variety of program designs. Mentors include law enforcement and fire department personnel, college students, senior citizens, Federal employees, business people, professionals, and other diverse volunteers.

The children are of all races. They come from urban, suburban, and rural communities, ranging in age from 5 to 20. In its first year, JUMP helped to keep thousands of at-risk young people in 25 States in school and off the streets through one-to-one mentoring.

Mr. President, this program has proved popular and effective and that is why today Senator COATS and I are introducing the JUMP Ahead Act of 1997. I want to thank Senator COATS for his commitment and I am pleased that he is an original cosponsor of this bill.

General Reno was not speaking idly when she touted the benefits of mentoring. A 1995 scientific study of the Big Brothers/Big Sisters Programs bears this out.

The study tracked 959 children in eight cities. Of the children studied, 40 percent came from broken homes, 27 percent had been abused, 28 percent came from homes where the spouse was abused, and 15 percent had suffered the death of a parent. This was a classic pool of at-risk children.

The results after just 1 year were startling. Compared to children who were on a waiting list to enter the program, the children in the study abused alcohol 27 percent less, were 32 percent less likely to engage in violent behavior, and missed 52 percent fewer school days.

These dramatic results were achieved at a cost of just \$1,000 a match. Compare that to the \$24,000 a year we're willing to spend to put someone in jail once they've dropped out of school and turned to crime or drugs. You are going to hear a lot of statistics today. But too often we lose sight of the human aspect of these numbers. So let me tell you the story of a single child.

Recently, I hosted a conference on mentoring in my home State of New Jersey. There I met 11-year-old Kenneth Jackson. Once Kenneth had been a troubled student who was considered likely to drop out. Now, thanks to his mentor, Kenneth reads and does arithmetic at two grades above his actual sixth grade level. And the best news—Kenneth told me that now he thinks school is cool and that he never thinks about dropping out. It's hard to argue with success like that.

Sadly, Kenneth's mentor—Dwight Giles—is no longer with us. He recently

died of a heart attack. Dwight was a good friend and I mourn his passing. And I would like to dedicate this bill to his memory.

Mr. President, we need to take this successful program to the next level. The JUMP Ahead Act reforms the basic successful structure of JUMP and increases funding to \$50 million per year for four years and increases awards to up to \$200,000.

This initiative will not only vastly increase the number of mentoring programs able to receive grants, but will also create a new category of grants to enable experienced national organizations to provide technical assistance to emerging mentoring programs nationwide. The legislation also requires the Justice Department to rigorously evaluate the programs and document what is effective, and what is not.

Finally, Mr. President, we like to talk a lot about pulling yourself up by your boot straps. But that doesn't mean much for a child unless you also provide a solid path to walk on. I grew up poor in Paterson, NJ. But I had rich role models in both my hard-working parents. Too many children today don't have that same blessing.

Mentoring tells our at-risk kids that we as a nation care about them—that their lives are precious to us. Mentoring tells them that if they are willing to pull on those boots and try to walk away from a dead end life, they will not have to walk alone.

Mr. President, I have told you the scope of the problem. And in America, when we have a problem we don't just wring our hands and say nothing can be done. We roll up our sleeves and get to work.

Mr. President, with this bill we get to work for our children. I hope my colleagues will support the bill, and ask unanimous consent that a copy of the legislation be printed in the RECORD and a summary of the study by the Big Brothers/Big Sisters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1461

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "JUMP Ahead Act of 1997".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) millions of young people in America live in areas in which drug use and violent and property crimes are pervasive;

(2) unfortunately, many of these same young people come from single parent homes, or from environments in which there is no responsible, caring adult supervision;

(3) all children and adolescents need caring adults in their lives, and mentoring is an effective way to fill this special need for at-risk children. The special bond of commitment fostered by the mutual respect inherent in effective mentoring can be the tie that binds a young person to a better future;

(4) through a mentoring relationship, adult volunteers and participating youth make a significant commitment of time and energy to develop relationships devoted to personal, academic, or career development and social, artistic, or athletic growth;

(5) rigorous independent studies have confirmed that effective mentoring programs can significantly reduce and prevent the use of alcohol and drugs by young people, improve school attendance and performance, improve peer and family and peer relationships, and reduce violent behavior;

(6) since the inception of the Federal JUMP program, dozens of innovative, effective mentoring programs have received funding grants;

(7) unfortunately, despite the recent growth in public and private mentoring initiatives, it is reported that between 5,000,000 and 15,000,000 additional children in the United States could benefit from being matched with a mentor; and

(8) although great strides have been made in reaching at-risk youth since the inception of the JUMP program, millions of vulnerable American children are not being reached, and without an increased commitment to connect these young people to responsible adult role models, our country risks losing an entire generation to drugs, crime, and unproductive lives.

#### SEC. 3. JUVENILE MENTORING GRANTS.

(a) IN GENERAL.—Section 288B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) is amended—

(1) by inserting "(a) IN GENERAL.—" before "The Administrator shall";

(2) by striking paragraph (2) and inserting the following:

"(2) are intended to achieve 1 or more of the following goals:

"(A) Discourage at-risk youth from—

"(i) using illegal drugs and alcohol;

"(ii) engaging in violence;

"(iii) using guns and other dangerous weapons;

"(iv) engaging in other criminal and antisocial behavior; and

"(v) becoming involved in gangs.

"(B) Promote personal and social responsibility among at-risk youth.

"(C) Increase at-risk youth's participation in, and enhance the ability of those youth to benefit from, elementary and secondary education.

"(D) Encourage at-risk youth participation in community service and community activities.

"(E) Provide general guidance to at-risk youth."; and

(3) by adding at the end the following:

"(b) AMOUNT AND DURATION.—Each grant under this part shall be awarded in an amount not to exceed a total of \$200,000 over a period of not more than 3 years.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$50,000,000 for each of fiscal years 1999, 2000, 2001, and 2002 to carry out this part."

#### SEC. 4. IMPLEMENTATION AND EVALUATION GRANTS.

(a) IN GENERAL.—The Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice may make grants to national organizations or agencies serving youth, in order to enable those organizations or agencies—

(1) to conduct a multisite demonstration project, involving between 5 and 10 project sites, that—

(A) provides an opportunity to compare various mentoring models for the purpose of evaluating the effectiveness and efficiency of those models;

(B) allows for innovative programs designed under the oversight of a national organization or agency serving youth, which programs may include—

(i) technical assistance;

(ii) training; and

(iii) research and evaluation; and

(C) disseminates the results of such demonstration project to allow for the determination of the best practices for various mentoring programs;

(2) to develop and evaluate screening standards for mentoring programs; and

(3) to develop and evaluate volunteer recruitment techniques and activities for mentoring programs.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$5,000,000 for each of the fiscal years 1999, 2000, 2001, and 2002 to carry out this section.

#### SEC. 5. EVALUATIONS; REPORTS.

(a) EVALUATIONS.—

(1) IN GENERAL.—The Attorney General shall enter into a contract with an evaluating organization that has demonstrated experience in conducting evaluations, for the conduct of an ongoing rigorous evaluation of the programs and activities assisted under this Act or under section 228B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) (as amended by this Act).

(2) CRITERIA.—The Attorney General shall establish a minimum criteria for evaluating the programs and activities assisted under this Act or under section 228B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) (as amended by this Act), which shall provide for a description of the implementation of the program or activity, and the effect of the program or activity on participants, schools, communities, and youth served by the program or activity.

(3) MENTORING PROGRAM OF THE YEAR.—The Attorney General shall, on an annual basis, based on the most recent evaluation under this subsection and such other criteria as the Attorney General shall establish by regulation—

(A) designate 1 program or activity assisted under this Act as the "Juvenile Mentoring Program of the Year"; and

(B) publish notice of such designation in the Federal Register.

(b) REPORTS.—

(1) GRANT RECIPIENTS.—Each entity receiving a grant under this Act or under section 228B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) (as amended by this Act) shall submit to the evaluating organization entering into the contract under subsection (a)(1), an annual report regarding any program or activity assisted under this Act or under section 228B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) (as amended by this Act). Each report under this paragraph shall be submitted at such time, in such a manner, and shall be accompanied by such information, as the evaluating organization may reasonably require.

(2) COMPTROLLER GENERAL.—Not later than 4 years after the date of enactment of this Act, the Attorney General shall submit to Congress a report evaluating the effectiveness of grants awarded under this Act and under section 228B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) (as amended by this Act), in—

(A) reducing juvenile delinquency and gang participation;

(B) reducing the school dropout rate; and

(C) improving academic performance of juveniles.



[From the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, April 1997]

MENTORING—A PROVEN DELINQUENCY PREVENTION STRATEGY

(By Jean Baldwin Grossman and Eileen M. Garry)

In the past decade, mentoring programs for disadvantaged children and adolescents have received serious attention as a promising approach to enriching children's lives, addressing their need for positive adult contact, and providing one-on-one support and advocacy for those who need it. Mentoring is also recognized as an excellent way to use volunteers to address the problems created by poverty (Freedman, 1992).

Through a mentoring relationship, adult volunteers and participating youth make a significant commitment of time and energy to develop relationships devoted to personal, academic, or career development and social, athletic, or artistic growth (Becker, 1994). Programs historically have been based in churches, colleges, communities, courts, or schools and have focused on careers or hobbies.

The child mentoring movement had its roots in the late 19th century with "friendly visitors" who would serve as role models for children of the poor. In 1904 Ernest K. Coulter founded a new movement that used "big brothers" to reach out to children who were in need of socialization, firm guidance, and connection with positive adult role models. The resulting program, Big Brothers/Big Sisters (BB/BS) of America, continues to operate today as the largest mentoring organization of its kind.

BB/BS programs across the Nation provide screening and training to volunteer mentors and carefully match the mentors with "little brothers" and "little sisters" in need of guidance. Public/Private Ventures (P/PV) performed an 18-month experimental evaluation of eight BB/BS mentoring programs that considered social activities, academic performance, attitudes and behaviors, relationships with family and friends, self-concept, and social and cultural enrichment. The study found that mentored youth were less likely to engage in drug or alcohol use, resort to violence, or skip school. In addition, mentored youth were more likely to improve their grades and their relationships with family and friends.

FROM THE ADMINISTRATOR

All children need caring adults in their lives, and mentoring is one way to fill this need for at-risk children. The special bond of commitment fostered by the mutual respect inherent in effective mentoring can be the tie that binds a young person to a better future.

OJJDP's Juvenile Mentoring Program (JUMP) is designed to reduce delinquency and improve school attendance for at-risk youth. Mentoring is also one component of our SafeFutures initiative, which assists communities to combat delinquency by developing a full range of coordinated services. In addition to JUMP and SafeFutures, OJJDP supports mentoring efforts in individual States through our Formula Grants Program funding.

With nearly a century of experience, Big Brothers/Big Sisters of America is probably the best known mentoring program in the United States. The extensive evaluation of this pioneer program by Public/Private Ventures (P/PV), described in this Bulletin, provides new insights that merit our attention.

The P/PV evaluation and OJJDP's 2-year experience with JUMP suggest that strengthening the role of mentoring as a component of youth programming may pay

handsome dividends in improved school performance and reduced antisocial behavior, including alcohol and other drug abuse.

SHAY BILCHIK,  
Administrator.

THE FEDERAL ROLE

The Juvenile Mentoring Program (JUMP) is a Federal program administered by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). As supported by JUMP, mentoring is a one-on-one relationship between a pair of unrelated individuals, one adult and one juvenile, which takes place on a regular basis over an extended period of time. It is almost always characterized by a "special bond of mutual commitment" and "an emotional character of respect, loyalty, and identification" (Hamilton, 1990). Although mentoring also is a popular concept for success in the corporate world, this Bulletin focuses on the mentoring of children by adults.

JUMP is designed to reduce juvenile delinquency and gang participation, improve academic performance, and reduce school dropout rates. To achieve these purposes, JUMP brings together caring, responsible adults and at-risk young people in need of positive role models.

In the 1992 Reauthorization of the Juvenile Justice and Delinquency Prevention Act of 1974, Congress added Part G—Mentoring. This was done in recognition of mentoring's potential as a tool for addressing two critical concerns in regard to America's children—poor school performance and delinquent activity. Senator Frank Lautenberg and Congressman William Goodling were the primary sponsors of this new provision. In Part G, Congress also recognized the importance of school collaboration in mentoring programs, whether as a primary source or as a partner with other public or private non-profit entities.

To date Congress has made \$19 million available to fund JUMP: \$4 million each year in fiscal years (FY's) 1994, 1995, and 1996 and \$7 million in FY 1997. OJJDP funded 41 separate mentoring programs under the JUMP umbrella with FY 1994 and 1995 funding. JUMP awards for FY 1996 and FY 1997 will be announced in spring 1997.

While adhering to the basic requirements of JUMP, the grantees are using a variety of program designs. Mentors are law enforcement and fire department personnel, college students, senior citizens, Federal employees, businessmen, and other private citizens. The young people are of all races and range in age from 5 to 20. Some are incarcerated or on probation, some are in school, and some are dropouts. Some programs emphasize tutoring and academic assistance, while others stress vocational counseling and training. In its first year (July 1995 to July 1996), JUMP was involved in attempting to keep more than 2,000 at-risk young people in 25 States in school and off the streets through one-to-one mentoring.

Additional FY 1995 funding for mentoring was provided through OJJDP's SafeFutures initiative, which operates in six sites (Boston, Massachusetts; Contra Costa County, California; Fort Belknap Indian Reservation, Harlem, Montana; Imperial County, California; Seattle, Washington; and St. Louis, Missouri). The SafeFutures program assists these communities in developing a coordinated continuum of care to reduce youth violence and delinquency. Mentoring is a component of this coordinated effort in each of the SafeFutures sites.

In addition to the funding for JUMP and SafeFutures grantees, OJJDP supports mentoring programs through its Formula Grants program to the States. In FY 1995, for example, Formula Grants funds in 28 States sup-

ported 91 programs that included mentoring as part or all of the program.

BIG BROTHERS/BIG SISTERS (BB/BS) OF AMERICA

BB/BS is a federation of more than 500 agencies that serve children and adolescents. Its mission is to make a difference in the lives of young people, primarily through a professionally supported one-to-one relationship with a caring adult, and to assist them in reaching their highest potential as they grow into responsible men and women by providing committed volunteers, national leadership, and standards of excellence. The organization's current goals include increasing the number of children served; improving the effectiveness, efficiency, and impact of services to children; and achieving a greater racial and ethnic diversity among volunteers and staff. BB/BS volunteer mentors come from all walks of life, but they share the goal of being a caring adult who can make a difference in the life of a child.

For more than 90 years, the BB/BS program has paired unrelated adult volunteers with youth from single-parent households. BB/BS does not seek to ameliorate specific problems but to provide support to all aspects of young people's lives. The volunteer mentor and the youth make a substantial time commitment, meeting for about 4 hours, two to four times a month, for at least 1 year.

Developmentally appropriate activities shared by the mentor and the young person may include taking walks; attending a play, movie, school activity, or sporting event; playing catch; visiting the library; washing the car; grocery shopping; watching television; or just sharing thoughts and ideas about life. Such activities enhance communication skills, develop relationship skills, and support positive decisionmaking.

The BB/BS mentor relationships between mentors and youth are achieved through professional staff and national operating standards that provide a level of uniformity in recruitment, screening, matching, and supervision of volunteers and youth. BB/BS agencies provide orientation for volunteers, parents, and youth to assist the individuals in determining if involvement in the program is appropriate for them. Opportunities to participate in volunteer education and development programs such as relationship building, communication skills, values clarification, child development, and problem solving are available to local affiliates.

Supervision includes contact with all parties within the first 2 weeks following a match. BB/BS maintains monthly contact with the volunteer and parent or child for the first year. In addition, inperson or telephone contact is maintained quarterly between case managers and both the volunteer and the parent, guardian, and/or child for the duration of the match. Although its standards are reinforced through national training, national and regional conferences, and periodic agency evaluations, BB/BS is not monolithic. Individual agencies adhere to national guidelines, but they customize their programs to fit the circumstances in their area.

*How youth benefit from big brothers/big sisters relative to similar nonprogram youth 18 months after applying*

(In percent)

Outcome	Change
Antisocial activities:	
Initiating Drug Use .....	-45.8
Initiating Alcohol Use .....	-27.4
Number of Times Hit Someone ....	-31.7
Academic outcomes:	
Grades .....	3.0
Scholastic Competence .....	4.3
Skipped Class .....	-36.7

Outcome	Change
Skipped Day of School .....	-52.2
Family relationships:	
Summary Measure of Quality of the Relationship .....	2.1
Trust .....	2.7
Lying to Parent .....	-36.6
Peer Relationships: Emotional Support .....	2.3

<sup>1</sup>For ease of presentation, we will refer to the group that was immediately eligible for a mentor as "mentored youth" or "Little Brothers and Little Sisters," even though this group includes some youth (22 percent) who were never matched. The wait-list youth are called the "control" youth.

Note.—All impacts in this table are statistically significant at least at a 90 percent level of confidence.

#### PUBLIC/PRIVATE VENTURES (P/PV) EVALUATION OF BIG BROTHERS/BIG SISTERS

At the same time that Congress was considering Federal support for juvenile mentoring programs, P/PV was beginning a carefully designed evaluation of BB/BS mentoring programs (Tierney and Grossman, 1995). OJJDP followed the progress of this 18-month experimental evaluation closely, believing that the results would confirm the generally accepted proposition that mentoring benefits at-risk youth and would support further national expansion of this activity.

P/PV chose eight local BB/BS agencies for the study, using two criteria: large caseload (to ensure an adequate number of youth for the research sample) and geographic diversity. The sites selected were in Columbus, Ohio; Houston, Texas; Minneapolis, Minnesota; Philadelphia, Pennsylvania; Phoenix, Arizona; Rochester, New York; San Antonio, Texas; and Wichita, Kansas.

The young people in the study were between 10 and 16 years old (with 93 percent between 10 and 14). Slightly more than 60 percent were boys, and more than 50 percent were minority group members (of those, about 70 percent were African American). Almost all lived with one parent (usually the mother), the rest with a guardian or relatives. Many were from low-income households, and a significant number came from households with a history of either family violence or substance abuse. For the study, youth were randomly assigned to be immediately eligible for a mentor or put on a waiting list.<sup>1</sup>

The goal of the research was to determine whether a one-to-one mentoring experience made a tangible difference in the lives of these young people. The researchers considered six broad areas that mentoring might affect: antisocial activities, academic performance, attitudes and behaviors, relationships with family, relationships with friends, self-concept, and social and cultural enrichment. The findings presented below were based on self-reported data obtained from baseline and following up interviews or from forms completed by agency staff.

The overall findings, summarized in the table, are positive. The most noteworthy results are these:

Mentored youth were 46 percent less likely than controls to initiate drug use during the study period. An even stronger effect was found for minority Little Brothers and Little Sisters, who were 70 percent less likely to initiate drug use than similar minority youth.

Mentored youth were 27 percent less likely than were controls to initiate alcohol use during the study period, and minority Little Sisters were only about one-half as likely to initiate alcohol use.

Mentored youth were almost one-third less likely than were controls to hit someone.

Mentored youth skipped half as many days of school as control youth, felt more com-

petent about doing schoolwork, skipped fewer classes, and showed modest gains in their grade point averages. These gains were strongest among Little Sisters, particularly minority Little Sisters.

The quality of their relationship with their parents was better for mentored youth than for controls at the end of the study period, primarily due to a higher level of trust between parent and child. This effect was strongest for white Little Brothers.

Mentored youth, especially minority Little Brothers, had improved relationships with their peers.

P/PV did not find statistically significant improvements in self-concept or the number of social and cultural activities in which Little Brothers and Little Sisters participated.

P/PV concluded that the research presented clear and encouraging evidence that mentoring programs can create and support caring relationships between adults and youth, resulting in a wide range of tangible benefits. It was the researchers' judgment that the successes they observed are unlikely without both the relationship with the mentor and the support from the BB/BS program.

The study did not find evidence that any mentoring programming will work but that programs that facilitate the specific types of relationships observed in BB/BS work well. The researchers noted that following about the relationships between Little Brothers and Little Sisters and their Big Brothers and Big Sisters:

They had a high level of contact, typically meeting three times per month for 4 hours per meeting. Many had additional contact by telephone.

The relationship were built using an approach that defines the mentor as a friend, not a teacher or preacher. The mentor's role is to support the young person in his or her various endeavors, not explicitly to change the youth's behavior or character.

The study lists the following elements as prerequisites for an effective mentoring program:

Thorough volunteer screening that weeds out adults who are unlikely to keep their time commitment or who might pose a safety risk to youth.

Mentor training that includes communication and limit-setting skills, tips on relationship-building, and recommendations on the best way to interact with a young person.

Procedures that take into account the preferences of the youth, their families, and volunteers and that use a professional case manager to determine which volunteer would work best with each youth.

Intensive supervision and support of each match by a case manager who has frequent contact with the parent or guardian, volunteer, and youth and who provides assistance as difficulties arise.

One of the strongest conclusions of the P/PV study is the importance of providing mentors with support in building trust and developing positive relationships with youth. Many of the relationships between the volunteers and youth would have faltered and dissolved if they had not been nurtured by BB/BS's caseworkers. Thus to be effective, mentoring programs should provide an infrastructure that fosters and supports the development of effective relationships.

Over 8 years, P/PV studied numerous mentoring programs other than BB/BS. The extent to which these mentoring programs included standardized procedures in the areas of screening, orientation, training, match supervision and support, matching practices, and regular meeting times varied tremendously. Some programs included virtually none of these elements, while others were

highly structured. The researchers identified three of these areas as vitally important to the success of any mentoring program: screening, orientation and training, and support and supervision.

The screening process provides programs with an opportunity to select adults who are most likely to be successful as mentors by looking for individuals who already understand that a mentor's primary role is to develop a friendship with the youth. Orientation and prematch training provide important opportunities to ensure that youth and their mentors share a common understanding of the adult's role in these programmatically created relationships and to help mentors develop realistic expectations of what they can accomplish. Ongoing staff supervision and support of matches is critical to ensuring that mentors and youth meet regularly over a substantial period of time and develop positive relationships.

It is interesting to note that matching did not turn out to be one of the most critical elements. None of the objective factors (e.g., age, race, and gender) that staff take into account when making a match correlate very strongly with the frequency of meetings, length of the match, or its effectiveness. Programs may prefer to make same-race matches, and parents and youth sometimes prefer a mentor of the same race. Programs should continue to honor these preferences and make same-race matches whenever possible. At the same time, it is clear that youth who wait a long time for a same-race mentor are in most cases only delaying the benefits that a mentor of any race can provide.

There are two obstacles to replication of effective mentoring programs: the limited number of adults available to serve as mentors and the scarcity of organizational resources necessary to carry out a successful program. The researchers report that between 5 million and 15 million children could benefit from being matched with a mentor; the organization matches only about 75,000 youth in a year. Even with the multitude of smaller mentoring programs around the country, it seems reasonable to conclude that at best just a small percentage of young people are benefiting from mentoring.

In regard to organizational resources, the study notes that effective programs require agencies that take substantial care in recruiting, screening, matching, and supporting volunteers. Paid caseworkers carry out these critical functions for BB/BS at a program cost of approximately \$1,000 per year per match.

#### OJJDP AND THE P/PV RESULTS

The P/PV evaluation, plus its 2 years of experience with JUMP, led OJJDP to modify the project design guidelines in its 1996 JUMP solicitation to reflect the latest knowledge about what works—and does not work—in mentoring. Based on the P/PV study, OJJDP expanded the guideline on mentor support and training, emphasizing that the program coordinator should have frequent contact with parents of guardians, volunteers, and youth and should provide assistance when requested or as problems arise. This guideline also specifies the type of training mentors should receive. From its JUMP experience, OJJDP inserted a guideline on the role of the mentor, added a caution about time limitations that may interfere with the effectiveness of college undergraduate or graduate students as mentors, suggested that parents should have a say in the selection of mentors, called for screening mechanisms to weed out volunteers who will not keep their commitments, and established minimum expectations for the time mentors should spend with youth (1 hour per week for at least 1 year).



## EVALUATION OF JUMP

OJJDP is required by Congress to submit a report regarding the success and effectiveness of JUMP initiatives 120 days after their termination. Evaluations are critical to ensuring that mentoring programs operate as designed and meet their goals in terms of both the process and the impact on youth.

To prepare for the timely initiation of evaluation activities once the grantee is chosen for the national evaluation, OJJDP directed its management evaluation contractor, Caliber Associated, to design an evaluation and prepare for initial data collection. The JUMP evaluation will be accomplished through a partnership among the grantees, OJJDP, and the JUMP evaluation grantee. Caliber produced a workbook containing an overview of the JUMP initiative and the national evaluation that defined the roles of OJJDP, the evaluator, and JUMP grantees. Caliber also pilot tested grantee administration of data collection instruments and conducted followup interviews of participating grantees. Once the grantee for the evaluation is selected, Caliber also will help coordinate the transition to the evaluation grantee. Selection of the evaluation grantee is expected to take place in spring 1997.

Although formal evaluations have not yet been implemented, the mentoring programs funded under JUMP appear to be making a difference in the lives of many young people. The preliminary accomplishments of a few of the OJJDP-funded mentoring programs are highlighted below.

The Big Brothers/Big Sisters of southwest Idaho have made 41 matches of at-risk youth and mentors in this JUMP project. According to parents and teachers familiar with the program, 30 percent of the youth who participated in the program showed improvement in their school attendance, 30 percent showed academic improvement, 35 percent showed improvement in their general behavior, and 48 percent increased the frequency of appropriate interactions with peers. For example, a female being raised by her father was matched to a female volunteer and, after the match, scored higher in measures of grades, self-satisfaction, self-esteem, positive attitude toward others, and pride in appearance.

Project Caring Connections in New York City provides 30 youth with caring relationships with adult mentors from corporations and the community. As an integral part of the Liberty Partnerships Program, it offers a comprehensive range of services from academic enrichment to cultural experiences to a safe environment in which young people can learn social skills. During afterschool hours, Project Caring Connections mentors work with students one-to-one or in a group to provide academic support, job shadowing (going to the mentor's workplace), and social and cultural enrichment. Through the program, at-risk students may gain exposure to publishing, theater, law, art, government, and business and also do community service. This past year, some youth were able to serve as panelists on a cable news show and discuss crime in their communities, curfews, and the importance of staying in school.

Big Sisters of Colorado, in Denver, matched 59 girls, mostly Hispanic, with mentors. Program activities funded by OJJDP included a Life Choices program to develop decisionmaking and academic skills; recreation, community service, and challenge course activities; a pregnancy-prevention program; and mentor visits to the girls' schools. None of these girls have become pregnant or had problems with alcohol or drugs since their involvement in the program.

Big Brothers/Big Sisters of Pensacola, Florida, is a JUMP initiative in which 26 youth from single-parent families who are at

risk for juvenile delinquency, teen pregnancy, truancy, and dropping out of school are being mentored by legal professionals, members of the military, corporate employees, and others. The youth are actively encouraged to stay in school and meet the goals their individualized case plans. All have had increased exposure to athletic, recreational, and cultural activities, and many have demonstrated improved social and academic skills. The program has also engaged youth in a 3-day Kids N Kops police mini-academy. This innovative program provides mentoring and training by police officers and educates youth about the dangers of drugs, guns, and gangs while strengthening the relationship between police and at-risk youth.

The Cincinnati Youth Collaborative in Ohio matched 136 youth and volunteers in its first year in JUMP. Mentors include doctors, dentists, lawyers, judges, teachers, chemists, police officers, nurses, waiters, postal clerks, travel agents, and college students. Some special activities were a trip to New York City, visits to college campuses, a community bowl-a-thon, job shadowing, and participation in a school beautification project. The project reports that 99 of the 136 young people have improved academically and 102 have improved socially.

The RESCUE Youth mentoring program in Los Angeles, California, was developed and implemented by the Los Angeles County District Attorney's Office, in conjunction with the Los Angeles County Fire Department, to rescue youth ages 12 to 14 at the earliest signs of at-risk behavior. The district attorney's staff match the students with volunteer firefighter mentors in an effort to address truancy, juvenile delinquency, and potentially serious criminal behavior. Through this JUMP initiative, mentors worked with 140 youth on their communication and conflict resolution skills and provided training in fire prevention and first aid.

The JUMP projects offer many success stories, including the following examples. One student, who began the 1995-96 school year as a repeat first grader, ended the year with straight A's with the help of her mentor. In another instance, a male student being raised by his father alone showed a twofold increase in his grades and in measures of self-esteem after being matched with a female mentor. It is expected that the JUMP evaluation will document a significant number of similar positive outcomes.

## SUMMARY

The research conducted by P/PV—and the preliminary reports from JUMP—provide powerful evidence that youth can be positively influenced by adults who care. More important, these positive relationships do not have to be left to chance but can be created through structured mentoring programs.

The P/PV research, however, has even broader implications for social policy than just encouraging the spread of mentoring—namely, that practitioners and policy makers should take a new approach to serving youth. For the past 30 years, society's attention and resources were directed predominantly at teenagers' problems, as evidenced by programs focusing on issues such as dropping out of school, truancy, substance abuse, and teen pregnancy. With only small gains to show, the public and politicians alike have concluded, probably prematurely, that youth, even those as young as 14, are too old to be helped.

The BB/BS results suggest that, where its youth policy is concerned, society's focus has been too narrow. What is desperately needed is a more positive approach that meets the basic needs of youth, especially those living in high-risk neighborhoods, for nurturing and supportive adults, positive things to do after school and on weekends, and volunteer and work opportunities that

develop skills, foster learning, and instill a sense of civic responsibility. If society focuses on these basic developmental needs, youth will mature responsibly, avoid many negative behaviors, and become more resilient in the face of inevitable setbacks.

P/PV's evaluation of BB/BS suggests that strengthening this aspect of youth programming is likely to be more effective in producing responsible young adults than the traditional approach to youth policy, which has attempted to prevent specific problems or to correct problems that have already arisen. These traditional elements will still be needed, but they should complement and support the basic developmental needs addressed by mentoring programs.

The BB/BS mentoring program did not provide tutoring and antidrug counseling—it simply provided adult friendship on a regular and intensive basis. Yet it achieved improvements in school performance and reductions in antisocial behavior. The findings thus provide a direction for building and strengthening one approach to delinquency prevention.

Dealing with the problems of juvenile delinquency, creating more positive opportunities for our youth, and helping them find strong and positive adult role models in their lives are among the societal goals that can be achieved in part through the implementation of sound mentoring programs. While many children are being served by these efforts already, hundreds of thousands more could also benefit from the special bond of mentoring before serious problems develop.

Mr. COATS. Mr. President, I am so pleased to join my colleague Senator LAUTENBERG in introducing the JUMP Ahead Act of 1997. As a national board member of Big Brothers Big Sisters of America, I know personally how important this legislation is, and the type of opportunity it will give to thousands of at-risk youth around the country.

While intuitively we know that mentoring relationships can make a huge difference in the lives of young people, we now have scientifically reliable evidence about the positive impact that mentoring programs can have. In 1995, Public/Private Ventures, a policy research organization in Philadelphia, conducted an impact study of the Big Brothers Big Sisters program. The results were startling. The addition of a Big Brothers or Big Sister to a young person's life drastically reduced first time drug use, significantly lowered absenteeism, and reduced violent behavior. Furthermore, the young people studied were less likely to start using alcohol and more likely to do well in school.

JUMP Ahead will link community based mentoring programs with public schools to give more children the chance to reap the benefits of a one-to-one mentoring relationship. JUMP Ahead is based on a small, innovative, federal program known as the Juvenile Mentoring Program [JUMP].

Building on the success of JUMP, the JUMP Ahead Act will create a competitive grant program which allows local, nonprofit social service and education agencies to apply cooperatively

and directly for grants from the Department of Justice's Office of Juvenile Justice and Delinquency Prevention. These grants are used to establish mentoring services utilizing responsible individuals as mentors.

During the last session of Congress, I introduced the Character Development Act as part of my Project for American Renewal. The Character Development Act, like the JUMP Ahead Act, Stressed the importance of mentoring relationships in the process of cultural renewal.

The need for additional adult support and guidance for our Nation's youth has never been greater than at this time. Currently 38 percent of all American children live without their fathers. It is increasingly important to support the work of organizations that are attempting to stand in the gap left by absent fathers.

Since mentoring programs work through the efforts of volunteers, only modest funds are necessary to have a far-reaching impact. I am convinced that the investment that the JUMP Ahead Act calls for over the next 5 years, will produce tremendous positive results in the lives of many at-risk youth.

I encourage my colleagues to take a close look at this bill and consider supporting it. One-to-one mentoring has proven its effectiveness in positively impacting the lives of at risk youth. I ask my colleagues to join me and Senator LAUTENBERG in this effort to encourage and expand opportunities for one-to-one mentoring relationships for at-risk youth. The JUMP Ahead Act of 1997 takes an important step forward in meeting the needs of so many of this country's hurting youth.

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 1642. A bill to authorize the Delaware and Lehigh Navigation Canal National Heritage Corridor Act, and for other purposes; to the Committee on Energy and Natural Resources.

THE DELAWARE AND LEHIGH NATIONAL HERITAGE CORRIDOR ACT AMENDMENTS OF 1997

Mr. SPECTER. Mr. President, I have sought recognition today to introduce legislation to reauthorize the Delaware and Lehigh Canal National Heritage Corridor Act of 1988, which established a Federal Commission to assist in planning and implementing an integrated strategy for promoting and protecting the cultural, historical, and natural resources in the canal region, which consists of a 150-mile long corridor stretching through five counties in eastern Pennsylvania, including Luzerne, Carbon, Lehigh, Northampton, and Bucks. As a member of the Senate Appropriations Committee, I have been pleased to support annual funding for the work of the Commission, and believe reauthorization is necessary to continue preserving the heritage of the canal region and to promote economic development.

Mr. President, let me provide you and my colleagues with some back-

ground on the Delaware and Lehigh corridor. The Delaware Canal first opened for regular commercial navigation in 1834 and served as the primary means for transporting coal and other bulk goods from the anthracite region of Pennsylvania to New York, New Jersey, Philadelphia, and even to industrial centers in Europe. The canal provided an early and essential link in a 4,000 mile national transportation route and helped to transform Pennsylvania from a solely agrarian State to the center of an industrialized society. The Delaware Canal and the Lehigh Navigation Canal played a critical role in supplying our developing Nation with the coal that heated its homes and the fuel for its burgeoning factories.

In 1998, Congress wisely established the Corridor and the Delaware and Lehigh National Corridor Commission. The commission was charged with conserving, interpreting, and promoting the natural, historic, cultural, scenic, and recreational resources of the region. Nine national historic landmarks, six national recreation trails, two national natural landmarks, and hundreds of sites listed on the National Register are situated within these boundaries. In addition, 7 State parks, 3 State historical parks, 14 State scenic rivers, and 14 State game lands are located in the region. This is an impressive and historic area that must be preserved. More than three million visitors explore the region each year to see the numerous attractions in the area, including the Allentown Art Museum, Eckley Miners Village, Washington Crossing, and Moravian Tire Work.

Another attraction that will preserve the region's heritage and promote economic development is a cultural center in Two Rivers Landing that will house the city of Easton's National Canal Museum and the Crayola Factory. Two Rivers Landing first opened in June 1996, marking a rebirth of Easton's downtown. Since then, more than 300,000 visitors have come. The project has been credited with attracting 82 businesses to downtown and creating nearly 100 jobs.

The Delaware and Lehigh National Heritage Corridor has established a strong record of successful partnership projects that link Federal, State and local governments with nonprofit organizations and private industries. Two Rivers Landing is just one of the many successful private/public partnerships led by the Commission. Another example is the Lehigh River Foundation, which was formed in 1991 to give private sector support the Commission's initiatives. The foundation has raised more than \$150,000 from local businesses and individuals to create an educational film, sponsor heritage events, and establish an information center in Bethlehem, the site of the only American 19th century steel plant to retain all of its historic elements. The corridor is sustained by broad public involvement and nonfederal investment.

There are many project supporters, such as the Heritage Conservancy, the Pennsylvania Department of Conservation and Natural Resources, the Pennsylvania Historical and Museum Commission, and the Pennsylvania Department of Community and Economic Development. Corporations such as Binney and Smith, makers of Crayola products, Bethlehem Steel, and Mack Trucks have also made major financial commitments to support new industrial museums and attractions.

Statutory authority for the Delaware and Lehigh National Corridor Commission will expire in November, 1998 unless Congress acts. I believe there is ample need for reauthorization because of the unfinished work of the Commission. I would note that the Commission was authorized to receive up to \$350,000 in operating funds a year, but funding for the program did not begin until 1990, and since then, it has regularly received only \$329,000 a year through the annual Interior and related agencies appropriations bill.

The primary reason for reauthorization is the delay in implementing a Management Action Plan for the region. The 1988 act mandated a series of studies and public meetings in order to complete a management action plan, which will serve as an action agenda for the first 10 years of corridor development. The management action plan did not received final approval from the Secretary of the Interior until August, 1994. Further, the findings of the management action plan envisioned a 15-year implementation period after approved by the Secretary. I am concerned that with less than one year left until the Act expires, there is insufficient time to implement the plan to help conserve the resources of this historically significant region.

The Corridor Commission has made significant progress and there is public enthusiasm and support for the projects being carried out by the Commission, particularly where they promote economic development. However, they can not do this alone. There is a real need for sufficient Federal support of operations. I would note that the Commission must, by law, raise sufficient private and other nonfederal funds so that the annual Federal grant to the Commission constitutes no more than 50 percent of its operating budget. For each government dollar raised, the Commission has been successful in leveraging \$8 to \$14 in matching funds. This project has clearly demonstrated that Federal investment acts as a catalyst for local and private investment.

Building on the success of the Corridor Commission, my legislation will authorize an increase in the Commission's operating budget from \$350,000 to \$650,000 a year, which will leverage additional private, State, and local funds. My legislation retains the 50 percent limitation on the amount of the Federal subsidy. Also, the legislation authorizes up to \$10 million over 10 years to implement projects included in the

management action plan and approved by the Secretary of the Interior, including the restoration and preservation of the Delaware Canal, and landing developments in 8 to 10 cities. The legislation extends the Commission another 10 years, thereby allowing the project to realize its goals while improving operating efficiency and extending participation.

The corridor's management action plan has become an important tool for both community and economic revitalization. It is recognized as a national model for the coordination of grassroots community efforts with those of government and private industry. Last year, the 104th Congress created nine new national heritage areas based in part on the success of the Delaware and Lehigh model. Mr. President, I encourage my colleagues to support this valuable Commission and to reauthorize the 1988 act so that Americans can continue to learn about the rich history of the region and appreciate the lands, waterways, and structures within the Delaware and Lehigh Heritage Corridor. Mr. President, I ask unanimous consent that the text of the legislation and a section-by-section summary of my legislation be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1462

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Delaware and Lehigh National Heritage Corridor Act Amendments of 1997".

#### SEC. 2. NAME CHANGE.

The Delaware and Lehigh Navigation Canal National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4552) is amended by striking "Delaware and Lehigh Navigation Canal National Heritage Corridor" each place it appears (except section 4(a)) and inserting "Delaware and Lehigh National Heritage Corridor".

#### SEC. 3. PURPOSE.

Section 3(b) of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4552) is amended—

(1) by inserting after "subdivisions" the following: "in enhancing economic development within the context of preservation and"; and

(2) by striking "and surrounding the Delaware and Lehigh Navigation Canal in the Commonwealth" and inserting "the Corridor".

#### SEC. 4. CORRIDOR COMMISSION.

(a) MEMBERSHIP.—Section 5(b) of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4553) is amended—

(1) in the matter preceding paragraph (1), by striking "appointed not later than 6 months after the date of enactment of this Act";

(2) by striking paragraph (2) and inserting the following:

"(2) 3 individuals, of whom—

"(A) 1 shall be the Director of the Pennsylvania Department of Conservation and Natural Resources;

"(B) 1 shall be the Director of the Pennsylvania Department of Community and Economic Development; and

"(C) 1 shall be the Chairperson of the Pennsylvania Historical and Museum Commission.";

(3) in paragraph (3), by striking "recommendations from the Governor, of whom" and all that follows through "Delaware Canal region" and inserting the following: "nominations from the Governor, of whom—

"(A) 1 shall represent a city, 1 shall represent a borough, and 1 shall represent a township; and

"(B) 1 shall represent each of the 5 counties of Luzerne, Carbon, Lehigh, Northampton, and Bucks in Pennsylvania"; and

(4) in paragraph (4)—

(A) by striking "8 individuals" and inserting "9 individuals"; and

(B) by striking "recommendations from the Governor, who shall have" and all that follows through "Canal region. A vacancy" and inserting the following: "nominations from the Governor, of whom—

"(A) 3 shall represent the northern region of the Corridor;

"(B) 3 shall represent the middle region of the Corridor; and

"(C) 3 shall represent the southern region of the Corridor. A vacancy".

(b) TERMS.—Section 5 of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4553) is amended by striking subsection (c) and inserting the following:

"(c) TERMS.—The following provisions shall apply to a member of the Commission appointed under paragraph (3) or (4) of subsection (b):

"(1) LENGTH OF TERM.—The member shall serve for a term of 3 years.

"(2) CARRYOVER.—The member shall serve until a successor is appointed by the Secretary.

"(3) REPLACEMENT.—If the member resigns or is unable to serve due to incapacity or death, the Secretary shall appoint, not later than 60 days after receiving a nomination of the appointment from the Governor, a new member to serve for the remainder of the term.

"(4) TERM LIMITS.—A member may serve for not more than 2 full terms starting after the date of enactment of this paragraph."

(c) CONFIRMATION.—Section 5 of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4553) is amended by adding at the end the following:

"(h) CONFIRMATION.—The Secretary shall accept or reject an appointment under paragraph (3) or (4) of subsection (b) not later than 60 days after receiving a nomination of the appointment from the Governor."

#### SEC. 5. POWERS OF THE COMMISSION.

(a) CONVEYANCE OF REAL ESTATE.—Section 7(g)(3) of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4555) is amended in the first sentence by inserting "or nonprofit organization" after "appropriate public agency".

(b) COOPERATIVE AGREEMENTS.—Section 7(h) of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4555) is amended—

(1) in the first sentence, by inserting "any nonprofit organization," after "subdivision of the Commonwealth,"; and

(2) in the second sentence, by inserting "such nonprofit organization," after "such political subdivision,".

(c) GRANTS AND LOANS.—Section 7 of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4554) is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following:

"(i) GRANTS AND LOANS.—The Commission may administer any grant or loan from amounts—

"(1) appropriated to the Commission for the purpose of providing a grant or loan; or

"(2) donated or otherwise made available to the Commission for the purpose of providing a grant or loan."

#### SEC. 6. DUTIES OF THE COMMISSION.

Section 8(b) of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4556) is amended in the matter preceding paragraph (1) by inserting "cultural, natural, recreational, and scenic" after "interpret the historic".

#### SEC. 7. TERMINATION OF THE COMMISSION.

Section 9(a) of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4556) is amended by striking "5 years after the date of enactment of this Act" and inserting "10 years after the date of enactment of the Delaware and Lehigh National Heritage Corridor Act Amendments of 1997".

#### SEC. 8. DUTIES OF OTHER FEDERAL ENTITIES.

Section 11 of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4557) is amended in the matter preceding paragraph (1) by striking "the flow of the Canal or the natural" and inserting "the historic, cultural, natural, recreational, or scenic".

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) COMMISSION.—Section 12(a) of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4558) is amended by striking "\$350,000" and inserting "\$650,000".

(b) MANAGEMENT ACTION PLAN.—Section 12 of the Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4558) is amended by adding at the end the following:

"(c) MANAGEMENT ACTION PLAN.—

"(1) IN GENERAL.—To implement the management action plan created by the Commission, there is authorized to be appropriated \$1,000,000 for each of fiscal years 1998 through 2007.

"(2) LIMITATION ON EXPENDITURES.—Amounts made available under paragraph (1) shall not exceed 50 percent of the costs of implementing the management action plan."

#### SEC. 10. LOCAL AUTHORITY AND PRIVATE PROPERTY.

The Delaware and Lehigh National Heritage Corridor Act of 1988 (Public Law 100-692; 102 Stat. 4552) is amended—

(1) by redesignating section 13 as section 14; and

(2) by inserting after section 12 the following:

#### "SEC. 13. LOCAL AUTHORITY AND PRIVATE PROPERTY.

"The Commission shall not interfere with—

"(1) the private property rights of any person; or

"(2) any local zoning ordinance or land use plan of the Commonwealth of Pennsylvania or any political subdivision of Pennsylvania."

#### SECTION-BY-SECTION ANALYSIS OF THE DELAWARE AND LEHIGH REAUTHORIZATION ACT

Section 1: Short title.—Delaware and Lehigh National Heritage Corridor Act Amendments of 1997.

Section 2: Name change.—The Delaware and Lehigh Navigation Canal National Heritage Corridor is changed to Delaware and Lehigh National Heritage Corridor.

Section 3: Purpose.—The purpose of the Act will include enhancing economic development within the context of preservation in the Corridor.

Section 4: Corridor Commission.—The Act is amended to include the approved recommendations of the Management Action Plan concerning the membership of the Commission.

Section 5: Powers of the Commission.—The Act is amended to allow the Commission to convey real property to a qualifying non-profit organization if that organization is best able to conserve the property.

Section 6: Duties of the Commission.—The Act is amended to include preservation and interpretation of historic, cultural, natural, recreational, and scenic resources, rather than only historic resources.

Section 7: Termination of the Commission.—The Commission will terminate ten years after enactment of this Act.

Section 8: Duties of other Federal Entities.—The Act is amended to require federal entities to consult with the Secretary of the Interior and the Commission regarding activities that affect the historic, cultural, recreational, and scenic resources of the Corridor, not only natural resources and flow of the canal.

Section 9: Authorization of Appropriations.—The Commission is authorized to receive \$650,000 a year as well as \$1 million a year for ten years to implement the Management Action Plan.

Section 10: Local Authority and Private Property.—The Act is amended to state that local authority and private property rights shall not be affected by enactment of this legislation.

By Mr. KOHL:

S. 1463. A bill to change the date for regularly scheduled Federal elections and establish polling place hours; to the Committee on Rules and Administration.

#### WEEKEND VOTING ACT

Mr. KOHL. Mr. President, I rise to discuss a disturbing trend in our democracy—the decline of voter turnout in our elections.

During the past 2 years we have debated at length our campaign finance system. We have seen in ample detail the corrupting influences invading our elections, and the effect these stories are having on the American public. Voters are increasingly distrustful of their system of government. They have lost confidence in America's institutions, its leaders, and its electoral process.

The Senate is taking steps to reform the campaign finance system, and I am hopeful that before the spring we will have a campaign finance reform bill to present to the American public. But there are other reforms which we can undertake to restore citizens' faith in our democracy and increase participation in elections.

For decades we've seen a gradual decline in voter turnout. In 1952, about 63 percent of eligible voters came out to vote—that number dropped to about 49 percent in the 1996 election. Non-Presidential year voter turnout is even more abysmal.

Analysts point to a variety of reasons for this dropoff. Certainly, common sense suggests that the general decline in voter confidence in government institutions is one logical reason. However, I'd like to point out, one survey of voters and nonvoters suggested

that both groups are equally disgruntled with government.

We must explore ways to make our electoral process more user friendly. We must adjust our institutions to the needs of the American public of the 21st century. Our democracy has always had the amazing capacity to adapt to the challenges thrown before it, and we must continue to do so if our country is to grow and thrive.

I propose that we consider innovative ways to increase voter turnout and enhance our citizens' impression of the process. One way to do this would be change the hours that polls are open.

Mr. President, today I am introducing the Weekend Voting Act of 1997, which would change the day for congressional and presidential elections from the first Tuesday in November to the first weekend in November.

Mr. President, I come from the business world, where you had a perfect gauge of what the public thought of you and your products. If you turned a profit, you knew the public liked your product—if you didn't, you knew you needed to make changes. If customers weren't showing up when your store was open, you knew you had to change your store hours.

In essence, it's time for the American democracy to change its store hours. Since the mid-19th century, election day has been on the first Tuesday of November. Ironically, this date was selected because it was convenient for voters. Tuesdays were traditionally court day, and land-owning voters were often coming to town anyway.

Just as the original selection of our national voting day was done for voter convenience, we must adapt to the changes in our society to make voting easier for the regular family. Two in every three households have both parents working. Since most polls in the U.S. are open only 12 hours, from 7 a.m. to 7 p.m., voters often have only 1 or 2 hours to vote. If they have children, and are dropping them off at day care, voters often must take time off work to vote.

We can do better by offering more flexible voting hours for all Americans, especially working families.

Under this bill, polls would be open nationwide for a uniform period of time from Saturday, 6 p.m. eastern time to Sunday, 6 p.m. eastern time. Polls in other time zones would also open and close at this time. Some Western States have complained that early return information broadcast over television networks has decreased voter turnout. By establishing uniform nationwide voting schedules, this problem would be solved.

I should note, while I've been an advocate of weekend voting for some time, it was NBC Anchor Tom Brokaw who suggested the uniform voting schedule, and I thank him for his contribution to this proposal.

Mr. President, of 27 democracies, 17 of them allow their citizens to vote on holidays or the weekends. And in near-

ly every one of these nations, voter turnout surpasses our country's poor performance. We can do better.

Like most innovative plans, States already are experimenting with novel ways to increase voter turnout and satisfaction. Texas has implemented an early voting plan, California has relaxed restrictions on absentee voting, and Oregon's special election for Senator in 1996 was done entirely by mail. While results are still inconclusive whether these new models increase voter turnout, there is no doubt that voters are much more pleased with the additional convenience and ease with voting.

Under the Weekend Voting Act, States would be permitted to close the polls during the overnight hours if they determine it would be inefficient to keep them open. Because the polls are open from Saturday to Sunday, they would not interfere with religious observances.

I know that partisans in both parties will decry this plan as detrimental to their candidates. Republican consultants will worry that union households that traditionally vote Democratic will have more time to go and vote. Democrat consultants will worry that the combination of church and voting on Sundays will hurt their party's chances at the poll. I hope both are right, and that the end result is more people affiliated with both parties coming out to vote. That should be the goal of a democracy.

Mr. President, I recognize a change of this magnitude will take some time. But, how much more should voting turnout decline before we realize we need a change. How much lower should our citizens' confidence plummet before we adapt and create a more "consumer-friendly" polling system.

The Weekend Voting Act will not solve all of this democracy's problems, but it is a commonsense approach for adapting this grand democratic experiment of the 18th century to the American family's lifestyle of the 21st century.

By Mr. DURBIN (for himself and Mr. TORRICELLI):

S. 1465. A bill to consolidate in a single independent agency in the executive branch the responsibilities regarding food safety, labeling, and inspection currently divided among several Federal agencies; to the Committee on Governmental Affairs.

#### THE SAFE FOOD ACT

Mr. DURBIN. Mr. President, today I am introducing legislation that would replace the current fragmented Federal food safety system with a consolidated, independent agency with responsibility for all Federal food safety activities—the Safe Food Act. I am pleased to be joined by Senator TORRICELLI in this important effort.

Make no mistake, our country has been blessed with the safest and most abundant food supply in the world. However, we can do better. The General Accounting Office estimates that

as many as 33 million people will suffer food poisoning this year and more than 9,000 will die. The Department of Health and Human Services predicts that foodborne illnesses and deaths are likely to increase 10 to 15 percent over the next decade. The annual cost of foodborne illnesses in this country may rise to as high as \$22 billion per year.

According to a Princeton Research survey conducted last summer, 44 percent of Americans believe that the food supply in this country is less safe than it was 10 years ago, while another 30 percent feel it is only "about as safe." The survey also found that 48 percent of Americans are "very concerned" about the safety of the food that they eat.

Currently, 12 different Federal agencies and 35 different laws govern food safety and inspection functions. Of these 12 agencies, six have major roles in carrying out food safety and quality activities. With so many bureaucrats in the kitchen, breakdowns can more easily occur. With overlapping jurisdictions, Federal agencies many times lack accountability on food safety-related issues. A single, independent agency would help focus our policy and improve the enforcement of food safety and inspection laws.

At a time of government downsizing and reorganization, the United States simply can't afford to continue operating multiple systems. In order to achieve a successful, effective food safety and inspection system, a single agency with uniform standards is needed.

The Safe Food Act would empower a single, independent agency to enforce food safety regulations from farm to table. It would provide an easier framework for implementing U.S. standards in an international context. Research could be better coordinated within a single agency rather than among multiple programs. And, new technologies to improve food safety could be approved more rapidly with one food safety agency.

With incidents of food recalls and foodborne illnesses on the rise, it is important to move beyond short-term solutions to major food safety problems. A single, independent food safety and inspection agency could more easily work toward long-term solutions to the frustrating and potentially life-threatening issue of food safety.

The administration has stepped forward on the issue of food safety—from working with Congress to enact HACCP to increased funding to improve surveillance and monitoring to last week's announcement on the "Fight Bac—Keep Food Safe From Bacteria Campaign" initiative. I commend President Clinton and Secretaries Glickman and Shalala for their commitment to improving our Nation's food safety and inspection systems. A single, independent food safety agency is the logical next step.

Mr. President, together, we can bring the various agencies together to elimi-

nate the overlap and confusion that have, unfortunately, at times characterized our food safety efforts. I encourage my colleagues to join me in this effort to consolidate the food safety and inspection functions of numerous agencies and offices into a single, independent food safety agency.

By Mr. HATCH (for himself, Mr. BAUCUS, Mr. MACK, Mr. ABRAHAM, Mr. CONRAD, Mr. LIEBERMAN, Mr. MURKOWSKI, Mrs. BOXER, Mr. ROCKEFELLER, Mrs. FEINSTEIN, Mrs. MURRAY, and Mr. DURBIN):

S. 1464. A bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, and for other purposes; to the Committee on Finance.

THE RESEARCH AND EXPERIMENTATION CREDIT  
PERMANENT EXTENSION ACT OF 1997

Mr. HATCH. Mr. President, today I am proud to introduce a bill with my colleagues Senators BAUCUS, MACK, ABRAHAM, CONRAD, LIEBERMAN, BOXER, MURKOWSKI, ROCKEFELLER, FEINSTEIN, MURRAY, and DURBIN to make the tax credit for increasing research activities permanent. Companion legislation has been introduced in the House by Representatives NANCY JOHNSON and ROBERT MATSUI.

The United States is a leader in the development of new technology. Historically, the R&E credit has played a major role in elevating this great Nation to such a significant and influential leadership position. The United States is currently ahead of the ever increasing competition in developing and marketing new products. With greater market challenges in the future, we will have to fight hard to maintain the U.S. lead in new technology and innovation. The role of the R&E tax credit will be increasingly important.

But, we must recognize that scientific breakthroughs usually do not happen overnight. Research and development is a long-term, on-going process. The development of new products and services is the result of slow and steady effort and investment. It is for this reason that start and stop nature of the R&E credit hinders American progress in research. The tax credit is authorized only for a short time—which in science is practically no time at all—and then goes to the brink of expiration before Congress acts to extend it again. Permanent extension of the R&E tax credit would provide badly needed predictability.

Our country provides very little in the way of direct funding for research. While we subsidize basic research to some extent through the National Science Foundation and other science agencies, the United States depends on the private sector to finance applied research to a very substantial degree. This paradigm has worked well. Government does not make decisions about what research to fund or make judgments about what sectors look prom-

ising. Yet, risk-taking, particularly in fields such as pharmaceuticals where the cost of developing just one new drug can reach into the hundreds of millions of dollars, is an activity that we encourage with the R&E tax credit.

Without the R&E tax credit, American industry is put at a tremendous disadvantage relative to foreign competitors whose governments provide direct subsidies for research. We simply must not let American leadership in science and technology lapse.

There are enormous benefits from research. Additional investment in research yields new jobs—in some cases entire new industries—strengthens our international position, and often results in an enhanced quality of life for consumers. Simply put, the tax credit is an investment for economic growth and the creation of new jobs.

Mr. President, my home state of Utah is home to many innovative companies that invest a significant percentage of their revenue in research and development activities. Scattered across the Wasatch front is a large stretch of software and computer engineering firms. This area is second only to California's Silicon Valley as a thriving high technology commercial area. Utah also has approximately 700 biotechnology and biomedical firms which employ nearly 9,000 workers. These companies were conceived through research and development and will continue to grow and thrive only if they can continue to afford to take risks.

In all, Mr. President, there are approximately 80,000 employees working in Utah's 1,400 plus and growing technology based firms. Research and development is the lifeblood of these Utah firms and hundreds of thousands more throughout the Nation that are like them.

The research and experimentation tax credit has been on the books for many years, and there is no doubt that it has proved beneficial to our Nation's technology enterprise. But, there is also no doubt that its benefits could be even greater if the credit were made permanent and the perennial uncertainty with respect to the availability of the credit—and thus the cost of doing research—were eliminated.

With the introduction of this bill, I am pleased to inform you that we have included one slight change in this permanent extension. As already established, companies whose research efforts do not qualify them for the credit are allowed to choose the alternative incremental credit. The bill would increase the three alternative incremental credit rates by one percentage point each, thereby spurring tax credit benefits and encouraging more extensive research and development efforts.

I am aware, Mr. President, that not every company that participates in the research and development process benefits from the credit. However, I believe that Congress should never permit the credit to expire. I urge my colleagues to support this concept of a

permanent R&E credit by cosponsoring this legislation and support the type of research activities that will maintain American technological leadership into the 21st century.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1464

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. EXTENSION OF RESEARCH CREDIT.

##### (a) CREDIT MADE PERMANENT.—

(1) IN GENERAL.—Section 41 of the Internal Revenue Code of 1986 (relating to credit for increasing research activities) is amended by striking subsection (h).

(2) CONFORMING AMENDMENT.—Paragraph (1) of section 45C(b) of such Code is amended by striking subparagraph (D).

(b) INCREASE IN ALTERNATIVE INCREMENTAL CREDIT RATES.—Subparagraph (A) of section 41(c)(4) of the Internal Revenue Code of 1986 is amended—

(1) in clause (i), by striking “1.65 percent” and inserting “2.65 percent”;

(2) in clause (ii), by striking “2.2 percent” and inserting “3.2 percent”;

(3) in clause (iii), by striking “2.75 percent” and inserting “3.75 percent”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to amounts paid or incurred after June 30, 1998.

Mr. BAUCUS. Mr. President, it is with great pleasure that I join with my colleague from Utah, Senator HATCH, and my other colleagues to introduce this bill, which is so critical to the ability of American businesses to effectively compete in the global marketplace. Companion legislation has been introduced in the House by Representatives NANCY JOHNSON and ROBERT MATSUI.

Our Nation is the world's undisputed leader in technological innovation, a position that would not be possible absent U.S. companies' commitment to research and development. Investment in research is an investment in our Nation's economic future, and it is appropriate that both the public and private sector share the costs involved, as we share in the benefits. The credit provided through the Tax Code for research expenses provides a modest but crucial incentive for companies to conduct their research in the United States, thus creating high-skilled, high-paying jobs for U.S. workers.

The R&E credit has played a key role in placing the United States ahead of its competition in developing and marketing new products. Every dollar that the Federal Government spends on the R&E credit is matched by another dollar of spending on research over the short run by private companies, and two dollars of spending over the long run. Our global competitors are well aware of the importance of providing incentives for research, and many provide more generous tax treatment for research and experimentation expenses that does the United States. As a re-

sult, while spending on non-defense R&D in the United States as a percentage of GDP has remained relatively flat since 1985, Japan's and Germany's has grown.

The benefits of the credit, though certainly significant, have been limited over the years by the fact that the credit has been temporary. In addition to the numerous times that the credit has been allowed to lapse, last year, for the first time, when Congress extended the credit it left a gap of an entire year during which the credit was not available. This unprecedented lapse sent a troubling signal to the U.S. companies and universities that have come to rely on the Government's longstanding commitment to the credit.

Much research and development takes years to mature. The more uncertain the long-term future of the credit is, the smaller its potential to stimulate increased research. If companies evaluating research projects cannot rely on the seamless continuation of the credit, they are less likely to invest on research in this country, less likely to put money into cutting-edge technology innovation that is critical to keeping us in the forefront of global competition.

Our country is locked in a fierce battle for high-paying technological jobs in the global economy. As more nations succeed in creating educationally advanced workforces and join the United States as high-technology manufacturing centers, they become more attractive to companies trying to penetrate foreign markets. Multinational companies sometimes find that moving both manufacturing and basic research activities overseas is necessary if they are to remain competitive. The uncertainty of the R&E credit factors into their economic calculations, and makes keeping these jobs in the United States more difficult.

Although the R&E credit is not exclusively used by high-technology firms, they are certainly key beneficiaries of the credit. In my own State of Montana, 12 of every 1,000 private sector workers were employed by high-tech firms in 1995, the most recent year for which statistics are available. Almost 400 establishments provided high-technology services, at an average wage of \$34,500 per year. These jobs paid 77 percent more than the average private sector wage in Montana of \$19,500 per year. Many of these jobs would never have been created without the assistance of the R&E credit. Making the credit permanent would most certainly provide the incentive needed to create many more in the future.

I urge my colleagues to support this legislation, and look forward to working with them and with the administration to make the research and experimentation tax credit permanent.

By Mr. ABRAHAM (for himself,  
Mr. HUTCHISON, AND Mr. COATS):

S. 1466. A bill to amend the Public Health Service Act to permit faith-

based substance abuse treatment centers to receive Federal assistance, to permit individuals receiving Federal drug treatment assistance to select private and religiously oriented treatment, and to protect the rights of individuals from being required to receive religiously oriented treatment; to the Commission on Labor and Human Resources.

#### THE DRUG AND ALCOHOL ABUSE TREATMENT CHOICE ACT

Mr. ABRAHAM. Mr. President, I rise today to introduce the Effective Substance Abuse Treatment Act. This legislation will increase the variety and effectiveness of drug and alcohol treatment centers. It will do so by allowing faith-based organizations, consistently shown to be most effective at treating substance abuse, to accept Federal funds without sacrificing their religious character. In addition, it will allow individuals receiving drug and alcohol abuse treatment services to choose a faith-based treatment center for their care.

This legislation builds on the charitable choice provision included in last year's welfare bill. That provision allowed faith-based charities to contract with government to supply social services without having to give up their religious character.

Mr. President, each year we face staggering statistics about the use of illegal drugs and the abuse of alcohol. The percentage of teenagers who admitted using illicit drugs during the last month more than doubled between 1992 and 1995. This increase in drug use, especially among young people, demands that we find new ways to address the addiction that often follows. I believe we owe it to our citizens and particularly those addicted to drugs or alcohol, to make the most effective treatment available to them. That treatment is provided by faith based charities.

Mr. President, government-run drug rehabilitation programs generally have long-run success rates in the single digits. This is a tragedy for addicts, their friends and their families, all of whom are given false hope by institutions that rarely produce the results they promise. However, there are many programs that do work. For example, Burton Fulsom of Michigan's Mackinac Center reports on the Mel Trotter Ministries in Grand Rapids. Named for its former alcoholic founder, the Mel Trotter Ministries has an astounding 70-percent long term success rate in its faith based rehabilitation program.

According to director Thomas Laymon, government programs leave addicts without spiritual support. Worse, addicts are not held accountable for addictions, and they have no incentive to change their behavior. Meanwhile, Trotter Ministries provides guidance, a supporter community and integration into a life beyond drugs.

Another successful faith based substance abuse treatment center is San Antonio's Victory Fellowship, run by



Pastor Freddie Garcia. Victory Fellowship has saved thousands of addicts in some of the city's toughest neighborhoods. The program offers addicts a safe haven, a chance to recover, job training, and a chance to provide for themselves and their families. It has served more than 13,000 people and has a success rate of over 80 percent.

It is very simple, Mr. President, where most treatment centers fail, those that are faith based work. This being the case, we have a duty to make faith based treatment more available. This does not require any special program, Mr. President. Rather, we can achieve this important goal by allowing faith based programs to stand on an equal footing with other centers in applying for Federal funds to heal individuals in need without changing the nature of the care they give.

We owe it to our families and communities, torn apart by drugs and drug related violence, to fight the scourge of substance abuse. We owe it to the individuals in need to allow them to obtain the best treatment available. This legislation will achieve these goals without increasing the cost of government. I ask my colleagues for their support.

I ask unanimous consent that the entire text of the bill be entered into the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1466

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Drug and Alcohol Abuse Treatment Choice Act".

#### SEC. 2. PREVENTION AND TREATMENT OF SUBSTANCE ABUSE; SERVICES PROVIDED THROUGH RELIGIOUS ORGANIZATIONS.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

##### "PART G—SERVICES PROVIDED THROUGH RELIGIOUS ORGANIZATIONS

#### "SEC. 581. APPLICABILITY TO DESIGNATED PROGRAMS.

"(a) DESIGNATED PROGRAMS.—Subject to subsection (b), this part applies to each program under this Act that makes awards of Federal financial assistance to public or private entities for the purpose of carrying out activities to prevent or treat substance abuse (in this part referred to as a 'designated program'). Designated programs include the program under subpart II of part B of title XIX (relating to formula grants to the States).

"(b) LIMITATION.—This part does not apply to any award of Federal financial assistance under a designated program for a purpose other than the purpose specified in subsection (a).

"(c) DEFINITIONS.—For purposes of this part (and subject to subsection (b)):

"(1) DESIGNATED AWARD RECIPIENT.—The term 'designated award recipient' means a public or private entity that has received an award under a designated program (whether the award is a designated direct award or a designated subaward).

"(2) DESIGNATED DIRECT AWARD.—The term 'designated direct award' means an award under a designated program that is received directly from the Federal Government.

"(3) DESIGNATED SUBAWARD.—The term 'designated subaward' means an award of financial assistance made by a non-Federal entity, which award consists in whole or in part of Federal financial assistance provided through an award under a designated program.

"(4) DESIGNATED PROGRAM.—The term 'designated program' has the meaning given such term in subsection (a).

"(5) FINANCIAL ASSISTANCE.—The term 'financial assistance' means a grant, cooperative agreement, contract, or voucherized assistance.

"(6) PROGRAM BENEFICIARY.—The term 'program beneficiary' means an individual who receives program services.

"(7) PROGRAM PARTICIPANT.—The term 'program participant' has the meaning given such term in section 582(a)(2).

"(8) PROGRAM SERVICES.—The term 'program services' means treatment for substance abuse, or preventive services regarding such abuse, provided pursuant to an award under a designated program.

"(9) RELIGIOUS ORGANIZATION.—The term 'religious organization' means a nonprofit religious organization.

"(10) VOUCHERIZED ASSISTANCE.—The term 'voucherized assistance' means—

"(A) a system of selecting and reimbursing program services in which—

"(i) the beneficiary is given a document or other authorization that may be used to pay for program services;

"(ii) the beneficiary chooses the organization that will provide services to him or her according to rules specified by the designated award recipient; and

"(iii) the organization selected by the beneficiary is reimbursed by the designated award recipient for program services provided; or

"(B) any other mode of financial assistance to pay for program services in which the program beneficiary determines the allocation of program funds through his or her selection of one service provider from among alternatives.

#### "SEC. 582. RELIGIOUS ORGANIZATIONS AS PROGRAM PARTICIPANTS.

"(a) IN GENERAL.—

"(1) SCOPE OF AUTHORITY.—Notwithstanding any other provision of law, a religious organization—

"(A) may be a designated award recipient;

"(B) may make designated subawards to other public or nonprofit private entities (including other religious organizations);

"(C) may provide for the provision of program services to program beneficiaries through the use of voucherized assistance; and

"(D) may be a provider of services under a designated program, including a provider that accepts voucherized assistance.

"(2) DEFINITION OF PROGRAM PARTICIPANT.—For purposes of this part, the term 'program participant' means a public or private entity that has received a designated direct award, or a designated subaward, regardless of whether the entity provides program services. Such term includes an entity whose only participation in a designated program is to provide program services pursuant to the acceptance of voucherized assistance.

"(b) RELIGIOUS ORGANIZATIONS.—The purpose of this section is to allow religious organizations to be program participants on the same basis as any other nonprofit private provider without impairing the religious character of such organizations, and without diminishing the religious freedom of program beneficiaries.

"(c) NONDISCRIMINATION AGAINST RELIGIOUS ORGANIZATIONS.—

"(1) FINDINGS.—The Congress finds that the establishment clause of the first amendment

to the Constitution of the United States does not require that—

"(A) social-welfare programs discriminate against faith-based providers of services; or

"(B) faith-based providers of services, as a prerequisite to participation in Federal programs, abandon their religious character and censor their religious expression.

"(2) NONDISCRIMINATION.—Religious organizations are eligible to be program participants on the same basis as any other nonprofit private organization. Neither the Federal Government nor a State receiving funds under such programs shall discriminate against an organization that is or applies to be a program participant on the basis that the organization has a religious character.

"(d) RELIGIOUS CHARACTER AND FREEDOM.—

"(1) RELIGIOUS ORGANIZATIONS.—Except as provided in this section, any religious organization that is a program participant shall retain its independence from Federal, State, and local government, including such organization's control over the definition, development, practice, and expression of its religious beliefs.

"(2) ADDITIONAL SAFEGUARDS.—Neither the Federal Government nor a State shall require a religious organization to—

"(A) alter its form of internal governance; or

"(B) remove religious art, icons, scripture, or other symbols;

in order to be a program participant.

"(e) NONDISCRIMINATION IN EMPLOYMENT.—

"(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this section shall be construed to modify or affect the provisions of any other Federal or State law or regulation that relates to discrimination in employment on the basis of religion.

"(2) EXCEPTION.—A religious organization that is a program participant may require that an employee rendering programs services adhere to—

"(A) the religious beliefs and practices of such organization; and

"(B) any rules of the organization regarding the use of drugs or alcohol.

"(f) RIGHTS OF PROGRAM BENEFICIARIES.—

"(1) OBJECTIONS REGARDING RELIGIOUS ORGANIZATIONS.—With respect to an individual who is a program beneficiary or a prospective program beneficiary, if the individual objects to a program participant on the basis that the participant is a religious organization, the following applies:

"(A) If the organization received a designated direct award, the organization shall arrange for the individual to receive program services through an alternative entity.

"(B) If the organization received a designated subaward, the non-Federal entity that made the subaward shall arrange for the individual to receive the program services through an alternative program participant.

"(C) If the organization is providing services pursuant to voucherized assistance, the designated award recipient that operates the voucherized assistance program shall arrange for the individual to receive the program services through an alternative provider.

"(D) Arrangements under any of subparagraphs (A) through (C) with an alternative entity shall provide for program services the monetary value of which is not less than the monetary value of the program services that the individual would have received from the religious organization involved.

"(2) NONDISCRIMINATION.—

"(A) IN GENERAL.—Except as provided in subparagraph (B) or as otherwise provided in law, a religious organization that is a program participant shall not in providing program services discriminate against a program beneficiary on the basis of religion or religious belief.

“(B) LIMITATION.—A religious organization that is a program participant may require a program beneficiary who has elected in accordance with paragraph (1) to receive program services from such organization—

“(i) to actively participate in religious practice, worship, and instruction; and

“(ii) to follow rules of behavior devised by the organizations that are religious in content or origin.

“(g) FISCAL ACCOUNTABILITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), any religious organization that is a program participant shall be subject to the same regulations as other recipients of awards of Federal financial assistance to account, in accordance with generally accepted auditing principles, for the use of the funds provided under such awards.

“(2) LIMITED AUDIT.—With respect to the award involved, if a religious organization that is a program participant maintains the Federal funds in a separate account from non-Federal funds, then only the Federal funds shall be subject to audit.

“(h) COMPLIANCE.—With respect to compliance with this section by an agency, a religious organization may obtain judicial review of agency action in accordance with chapter 7 of title 5, United States Code.

**“SEC. 583. LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.**

“(a) IN GENERAL.—Except as provided in subsection (b), no funds provided directly to an entity under a designated program shall be expended for sectarian worship or instruction.

“(b) EXCEPTION.—Subsection (a) shall not apply to assistance provided to or on behalf of a program beneficiary if the beneficiary may choose where such assistance is re-deemed or allocated.

**“SEC. 584. ADMINISTRATION OF PROGRAM AND TREATMENT OF FUNDS.**

“(a) FUNDS NOT AID TO INSTITUTIONS.—Financial assistance under a designated program provided to or on behalf of program beneficiaries is aid to the beneficiary, not to the organization providing program services. The receipt by a program beneficiary of program services at the facilities of the organization shall not constitute Federal financial assistance to the organization involved.

“(b) PROHIBITION ON STATE DISCRIMINATION IN USE OF FUNDS.—No provision in any State constitution or State law shall be construed to prohibit the expenditure of Federal funds under a designated program in a religious facility or by a religious organization that is a program participant. If a State law or constitution would prevent the expenditure of State or local public funds in such a facility or by such an organization, then the State or local government shall segregate the Federal funds from State or other public funds for purposes of carrying out the designated program.

**“SEC. 585. EDUCATIONAL REQUIREMENTS FOR PERSONNEL IN DRUG TREATMENT PROGRAMS.**

“(a) FINDINGS.—The Congress finds that—

“(1) establishing formal educational qualifications for counselors and other personnel in drug treatment programs may undermine the effectiveness of such programs; and

“(2) such formal educational requirements for counselors and other personnel may hinder or prevent the provision of needed drug treatment services.

“(b) LIMITATION ON EDUCATIONAL REQUIREMENTS OF PERSONNEL.—

“(1) TREATMENT OF RELIGIOUS EDUCATION.—If any State or local government that is a program participant imposes formal educational qualifications on providers of program services, including religious organizations, such State or local government shall

treat religious education and training of personnel as having a critical and positive role in the delivery of program services. In applying educational qualifications for personnel in religious organizations, such State or local government shall give credit for religious education and training equivalent to credit given for secular course work in drug treatment or any other secular subject that is of similar grade level and duration.

“(2) RESTRICTION OF DISCRIMINATION REQUIREMENTS.—

“(A) IN GENERAL.—Subject to paragraph (1), a State or local government that is a program participant may establish formal educational qualifications for personnel in organizations providing program services that contribute to success in reducing drug use among program beneficiaries.

“(B) EXCEPTION.—The Secretary shall waive the application of any educational qualification imposed under subparagraph (A) for an individual religious organization, if the Secretary determines that—

“(i) the religious organization has a record of prior successful drug treatment for at least the preceding 3 years;

“(ii) the educational qualifications have effectively barred such religious organization from becoming a program provider;

“(iii) the organization has applied to the Secretary to waive the qualifications; and

“(iv) the State or local government has failed to demonstrate empirically that the educational qualifications in question are necessary to the successful operation of a drug treatment program.”.

By Mr. SMITH of Oregon:

S. 1467. A bill to address the declining health of forests on Federal lands in the United States through a program of recovery and protection consistent with the requirements of existing public land management and environmental laws, to establish a program to inventory, monitor, and analyze public and private forests and their resources, and for other purposes; to the Committee on Energy and Natural Resources.

**FOREST RECOVERY AND PROTECTION ACT OF 1997**

Mr. SMITH of Oregon. Mr. President, today I am introducing the Senate companion bill to H.R. 2515, the Forest Recovery and Protection Act introduced by my good friend and colleague, Congressman BOB SMITH. My bill focuses on the western forest and Bureau of Land Management lands where there has been the most fire and disease damage.

Let me tell you what the forest lands are like in Oregon. On the eastside of my State, disease and bug infestation have ravaged forests, creating dangerous conditions for catastrophic fires. In 1996, I witnessed firsthand fires that burned vast acres of forest land and threatened many homes. This was a situation that didn't have to happen.

And yet, the political beliefs of a few have seemed to guide forest policy back in Washington, DC—where bureaucrats with personal agendas seem to rule the roost and sound public policy fails to get heard.

Teddy Roosevelt said: “The nation behaves well if it treats the natural re-

sources as assets which it must turn over to the next generation increased, and not impaired, in value.”

This legislation is a thoughtful approach to forest management—it includes accountability through reports to Congress, performance standards for forest inventory and analysis, and calls for the elimination of bureaucratic red tape and unnecessary delay that prevents on-the-ground results.

Concerns that environmentalists have about cutting of timber are addressed by ensuring that all forest health activities are carried out in compliance with existing forest plans. The legislation also prohibits entry into wilderness areas or other areas protected by law, court order, or forest plan. And finally, the bill provides for priority treatment of areas of greatest risk of destruction or degradation by severe natural disturbance.

The bill has a local component which gives the local community and concerned citizens the ability to identify Federal forest lands in need of recovery and allows them to petition the Secretary of the Interior and the Secretary of Agriculture to conduct forest recovery projects in the identified areas. In addition, money is provided to those agencies responsible for the forests at the local level with the necessary tools and incentives to address forest health problems in pro-active ways.

Furthermore, this legislation requires the Secretary of Agriculture and the Secretary of the Interior to commence a 5-year national program to restore and protect the health of forests located on Federal forest lands. The program includes the following components: Within 1 year of enactment, standards and criteria must be established for designating and assigning priority ranking to forest lands in need of recovery or protection; a requirement that the Secretary to publish in the Federal Register the proposed decisions on lands to be recovered or protected.

The bill also calls for no new forest management plans, but instead enhances existing ones. The bill requires that all forest health plans be carried out in compliance with existing forest plans; sets up an independent Scientific Advisory Panel, consisting of experts in forest management, to evaluate the Advance Recovery Projects which are basically pilot projects in areas of significant recovery or protection need as identified by the Secretary of the Interior and Secretary of Agriculture.

And finally, one of the most important components of this legislation is the inclusion of local citizens and the prioritization that directs more money on the ground. This component allows local citizens to petition the Secretary of the Interior and the Secretary of Agriculture in identifying problems in forests, such as dead and diseased timber; provides more money to the local levels of the agencies responsible for the forests.