of 1996. Domestic air carriers are already operating under the same legislative requirements set out in the legislation before us.

Again, it was the unfortunate confusion and heartache surrounding the tragic airline crash in Guam that demonstrated the need for this bill. I urge immediate adoption of the Foreign Air Carrier Family Support Act.

Mr. HOLLINGS. Mr. President, I want to thank Congressman UNDERWOOD of Guam for pursuing H.R. 2476. The bill, virtually identical to a bill reported by the Commerce Committee, S. 1196, puts the same burden on foreign air carriers serving the United States as those now imposed on U.S. carriers when dealing with the families affected by aviation disasters. Under existing law, U.S. carriers must develop and submit plans to the Department of Transportation and the National Transportation Safety Board on how they will address the needs of the families of victims of disasters. The law today does not include foreign air carriers, and thus, H.R. 2476 is needed.

The bill is supported by the Administration, and I support its adoption. What we are asking all of the carriers to do is treat people fairly. The U.S. carriers have already been asked to do it, and now we are asking the foreign air carriers to do it. All carriers, foreign or U.S., should be prepared to deal with the families and to provide them with the kinds of assistance they have every reason to expect. H.R. 2476 ensures that this will happen. I urge the Senate to pass this bill.

Mr. GORTON. Mr. President, I rise to join Senator MCCAIN, Senator HOLLINGS, and Senator FORD in urging that we immediately adopt H.R. 2476, the Foreign Air Carrier Family Support Act. I also recognize Representative Underwood's efforts to facilitate this legislation following the recent crash of Korean Air Flight 801 in Guam, which killed more than 200 people.

As Senator MCCAIN stated, last year the Congress approved almost identical legislation that required domestic air carriers to establish a disaster support plan for the families of aviation accident victims. The legislation we are now considering would extend this requirement to foreign air carriers if they have an accident on American soil.

I would note that the Family Assistance Task Force strongly supports this legislation. The task force, which Congress established to find new ways to assist family members and others devastated by an airline crash, recently voted unanimously to endorse this act. The task force also asked that Congress pass this legislation as expeditiously as possible.

It is unfortunate that airline accidents often provide the impetus to make improvements. The Flight 801 tragedy clearly showed the need to improve planning to assist family members when a foreign airline crashes on American soil. Despite the best efforts of the National Transportation Safety Board and others, the family members of Flight 801 accident victims would have been better served if a plan had been in place.

As we all know, the news of an air disaster spreads quickly. The media is often reporting about a crash as soon as, if not before, the rescue teams reach the scene. This legislation provides a framework to ensure that family members receive proper assistance. Among other things, foreign airlines would be required to have a plan to publicize a toll-free number, have staff available to take calls, have an up-to-date list of passengers, and have a process to notify families—in person if possible—before any public notification that a family member was onboard a crashed aircraft. These are basic services that anyone should receive.

Hopefully, it will never be necessary for any foreign airline to use the plans required under this act. In the event of an accident, however, family members of victims are due the consideration and compassion that this legislation provides.

Again, I want to thank Senator MCCAIN for moving this legislation quickly, and I would urge that we now adopt the Foreign Air Carrier Family Support Act.

Mr. FORD. Mr. President, on August 5, 1997, Korean Air flight 801 crashed into a hillside on Guam, killing 228. We worked with Chairman MCCAIN and our House colleagues last year to enact legislation requiring U.S. air carriers to develop plans to address the needs of families following an aviation disaster. The 1996 Federal Aviation Administration [FAA] Reauthorization Act (P.L. 104–264), however, did not impose a similar requirement on foreign carriers serving the United States.

Section 703 of the FAA Reauthorization Act specifically requires that the air carrier submit disaster plans to the Secretary of Transportation and the National Transportation Safety Board. The plans must include items such as a means to publicize toll-free telephone numbers for the families, a process for notifying families, an assurance that the families be consulted on the disposition of remains and personal effects, and a requirement that the carrier work with other organizations in dealing with the disaster.

Congressman UNDERWOOD of Guam originally introduced H.R. 2834 on the House side, and a corresponding bill, S. 1196, was introduced in the Senate to subject foreign carriers serving the United States to the requirements mentioned above. The Senate bill was considered and reported by the Commerce Committee.

I urge my colleagues to support the passage of H.R. 2834 so the President can sign this bill.

Mr. NICKLES. Mr. President, I ask unanimous consent that the bill be considered read the third time, and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD at the appropriate place.

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

The bill (H.R. 2476) was considered, read the third time, and passed.

MAKING CLARIFICATION TO THE PILOT RECORDS IMPROVEMENT ACT OF 1996

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2626, which was received in the House.

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

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2626) to make clarifications to the Pilot Records Improvement Act of 1996, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HOLLINGS. Mr. President, last year, as part of the Federal Aviation Administration Reauthorization Act of 1996, we imposed a series of new requirements before an ''air carrier'' could hire a pilot. When the bill as originally crafted was being developed, we worked with the pilots' unions and with the Air Transport Association to develop a workable approach that is fair to pilots and airlines and advances aviation safety.

H.R. 2626 clears up a number of technical problems, but continues the spirit of the original legislation—to make sure that pilots operating commercial aircraft are qualified. For many smaller carriers, such as on-demand carriers like Bankair in South Carolina, the new law created a number of logistical problems. I added a provision to the fiscal year 1998 Transportation Appropriations law to ensure that the FAA, as holder of some pilot records, is able to supply those records expeditiously.

H.R. 2626 will allow air carriers to hire, but not use, a pilot until his or her records had been checked. Smaller carriers operating non-scheduled flights also are given additional flexibility. I support the changes, and urge the passage of H.R. 2626.

Mr. FORD. Mr. President, I want to explain to my colleagues the need for H.R. 2626, a bill to make clarifications to the Pilot Records Improvement Act of 1996. Last year, we worked diligently with the airlines, ALPA and the Independent Pilots Association, to craft a bill that requires air carriers to share pilot records before a pilot could be employed. The change in law was necessitated by a safety recommendation by the National Transportation Safety Board.

H.R. 2626 modifies the law to let the air carriers hire a pilot prior to final check of the records, but the pilot can not operate a commercial flight until

the records are checked. Thus, the carriers can begin training new employees, and when the records are cleared, put the pilot to work. Because there have been problems in expeditiously providing records, the hiring process will not be impeded.

For small aircraft that are not used in scheduled service, for example, an on-demand cargo charter aircraft with a maximum payload capacity of less than 7,500 pounds, a fully certified pilot can operate such aircraft for a limited period while the records are being reviewed. The requirement on the cargo operator is not changed—the records must be obtained and checked, but the pilot can fly for a 90-day period. Finally, the bill provides a narrow good faith exception for a carrier seeking the records of a pilot from another carrier that has ceased to exist. All other requirements for the pilot—licenses, medical tests, for example—are unchanged.

I urge my colleagues to support the bill.

Mr. NICKLES. Mr. President, I ask unanimous consent that the bill be considered read the third time, and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The bill (H.R. 2626) was considered read the third time, and passed.

AUTHORIZING TESTIMONY AND SENATE LEGAL COUNSEL REPRESENTATION

Mr. NICKLES. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Senate Resolution 162 submitted earlier in the day by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 162) to authorize testimony and representation of Senate employees in United States v. Blackley.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, this resolution concerns a criminal prosecution brought against Ronald Blackley, the former chief of staff of former Secretary of Agriculture Mike Espy. The Independent Counsel, who is bringing this prosecution, seeks evidence from the Committee on Agriculture, Nutrition, and Forestry concerning representations made to the Committee about Mr. Blackley during the Committee's consideration of the nomination of Secretary Espy in January 1993. This resolution would authorize the testimony of employees and former employees of the Committee from whom testimony may be required, with representation by the Senate Legal Counsel.

Mr. NICKLES. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the RECORD.

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

The resolution was agreed to.

The preamble was agreed to.

The resolution (S. Res. 162), with its preamble, is as follows:

S. RES. 162

Whereas, in the case of *United States* v. *Blackley*, Criminal Case No. 97–0166, pending in the United States District Court for the District of Columbia, testimony has been requested from Brent Baglien, a former employee on the staff of the Committee on Agriculture, Nutrition, and Forestry;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That Brent Baglien, and any other present or former employee from whom testimony may be required, are authorized to testify in the case of *United States* v. *Blackley*, except concerning matters for which a privilege should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent Brent Baglien and any present or former employee of the Senate in connection with testimony in *United States* v. *Blackley*.

HOLOCAUST VICTIMS REDRESS ACT

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Senate bill 1564 introduced earlier today by Senator D'AMATO.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1564) to provide redress of inadequate restitution of assets seized by the United States Government during World War II which belonged to victims of the Holocaust, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. NICKLES. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at this point in the RECORD.

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

The bill (S. 1564) was deemed read a third time, and passed, as follows:

S. 1564

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 ''Holocaust Victims Redress Act''.

TITLE I—HEIRLESS ASSETS

SEC. 101. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds as follows:

(1) Among the $198,000,000 in German assets located in the United States and seized by the United States Government in World War II were believed to be bank accounts, trusts, securities, or other assets belonging to Jewish victims of the Holocaust.

(2) Among an estimated $1,200,000,000 in assets of Swiss nationals and institutions which were frozen by the United States Government during World War II (including over $400,000,000 in bank deposits) were assets whose beneficial owners were believed to include victims of the Holocaust.

(3) In the aftermath of the war, the Congress recognized that some of the victims of the Holocaust whose assets were among those seized or frozen during the war might not have any legal heirs, and legislation was enacted to authorize the transfer of up to $3,000,000 of such assets to organizations dedicated to providing relief and rehabilitation for survivors of the Holocaust.

(4) Although the Congress and the Administration authorized the transfer of such amount to the relief organizations referred to in paragraph (3), the enormous administrative difficulties and cost involved in proving legal ownership of such assets, directly or beneficially, by victims of the Holocaust, and proving the existence or absence of heirs of such victims, led the Congress in 1962 to agree to a lump-sum settlement and to provide $500,000 for the Jewish Restitution Successor Organization of New York, such sum amounting to 1/6th of the authorized maximum level of ''heirless'' assets to be transferred.

(5) In June of 1997, a representative of the Secretary of State, in testimony before the Congress, urged the reconsideration of the limited $500,000 settlement.

(6) While a precisely accurate accounting of ''heirless'' assets may be impossible, good conscience warrants the recognition that the victims of the Holocaust have a compelling moral claim to the unrestituted portion of assets referred to in paragraph (3).

(7) Furthermore, leadership by the United States in meeting obligations to Holocaust victims would strengthen—

(A) the efforts of the United States to press for the speedy distribution of the remaining nearly 6 metric tons of gold still held by the Tripartite Commission for the Restitution of Monetary Gold (the body established by France, Great Britain, and the United States at the end of World War II to return gold looted by Nazi Germany to the central banks of countries occupied by Germany during the war); and

(B) the appeals by the United States to the 15 nations claiming a portion of such gold to contribute a substantial portion of any such distribution to Holocaust survivors in recognition of the recently documented fact that the gold held by the Commission includes gold stolen from individual victims of the Holocaust.

(b) PURPOSES.—The purposes of this Act are as follows: