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## Senate

### WINTER IN NORTH DAKOTA

Mr. DORGAN. Mr. President, I rise to introduce a piece of legislation and also to discuss an issue that is very important to residents of my home State of North Dakota and residents of a good many States, particularly in the northern Great Plains. Let me begin by talking about some of the hardships and some of the challenges faced by Dakotans and by others in our part of the country as a result of an extraordinarily severe winter.

North Dakota has had six blizzards, which others might already know about, having heard the reports of these blizzards on television, news reports, and elsewhere, six blizzards from November 17 to January 15. The blizzards have been about as tough as any I have seen in North Dakota in my years in that wonderful State. It has been a tough, hard winter—lots of snow, lots of wind, conditions that are dangerous to people and to livestock.

I want to talk just a little about the challenges that these winters blizzards portray for our citizens and what the response has been. I want to tell you first about a young boy named Wyatt Magike who lived about 20 miles from the nearest medical center near Mandan, ND, or Bismarck, ND. Steve Conmy, who is the coordinator of emergency services for Morton County, during the middle of a blizzard about a week and a half ago told me about some of his plow and truck operators and what they were facing. I went out in a big plow with Mr. Conmy and we drove on the north edge of Mandan, ND, where snow covered the trailer houses altogether. In other words, the snow was to the roof of a trailer house so you could not see the trailer house. Getting there, you could not see anything in front of you because it was almost total white-out conditions—high wind, snow, a lot of snow pack, with blowing snow. Those are the kind of conditions that road crews all across

North Dakota have faced for some long while.

November 17, a very large blizzard and storm in North Dakota in the northeastern part of the State; December 16, 17, and 18, a winter blizzard through most all of North Dakota; December 20, 21, and 22, again, a big winter blizzard in the northeastern part of the State; January 4 and 5, a very severe winter blizzard throughout the State; January 15, another severe winter blizzard throughout the State. That is what our citizens have faced.

Now Wyatt Magike was 2 years old, and on a recent morning, at 10 o'clock in the morning a call was received by the Morton County emergency management group regarding a medical emergency down near Flasher, ND. This young child was very, very ill and he needed to be transported to the bismarck hospital immediately. He was dehydrated, severely vomiting blood. Everyone was very concerned about him and knew that he had to get medical attention immediately or he might die. Due to the road conditions and the weather reports, travel was impossible. The roads were completely blocked and the conditions were near white-out conditions. For people who do not know because they are not from our part of the country, a white out is when snow and blowing snow make it impossible to see anything in front of you. All the roads, including the main highways, were blocked with snowdrifts and there was zero visibility that morning.

What the emergency group did was coordinate two snowplows dispatched from Flasher, ND, to escort and ambulance crew from Flasher, ND. And then two snowplows were dispatched from Mandan, ND, also with an ambulance. They met at a major snow block on the highway east of Flasher, ND, and it took 45 minutes just for all that equipment to punch a hole through the snow that was blocking that road. This journey took some 6 hours by these road

crews, again at zero visibility, with snowblock virtually everywhere.

James Gerhardt and Gerald Friesy ran the plow and the truck from Flasher; Leland Gross and Robert Jochinm ran the snowplow and the truck from Mandan. And Steve Conmy said when he asked the folks to go out and do this, they did not wring their hands and say, "Gee, there is a risk out here." They said, "What equipment shall we take." They hit the road, and 6 hours later the young boy was in the hospital at Bismarck. The doctor said he would have died except for the heroic efforts by these folks.

Now, James, Gerald, Leland, and Robert are not well known by their deeds. They are just a road crew. When I say "just a road crew," they are heroes. There are road crews all over North Dakota working 8-hour after 8-hour shifts and risking their lives doing things that save other people's lives.

I mentioned this story only because a lot people do not understand the severity of the winter storms we have had. Lives have been lost in the Dakotas. We are now doing an assessment to find out how much livestock has been lost. Undoubtedly, a substantial amount of livestock loss has occurred. People have not been able to get through roads to feed the livestock. If they did, feed was not available. The result has been a very, very serious problem for people and for livestock in our State.

In the November 16 and 17 storm, we had 13 inches of snow fall in North Dakota; November 20, 6 inches; the 16th, 8 inches; December 20, 8 inches; 10 inches; 7 inches; on it goes. In each case, we had winds of 30, 40 and 50 miles an hour. In December and January there have been 10 days where the wind chill has been recorded at or below 50 below zero—10 days at or below 50 below zero. The other evening the wind chill was 80 below zero.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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I am not trying to diminish our tourism efforts in North Dakota, although I expect there was precious little tourism in early January with forecasts of blizzards in our State, but it has been a very difficult circumstance. January 9, 83 below zero wind chill in Minot, ND. For 11 days in November to January it did not get above zero.

What to make of all of this and the challenge that it poses for North Dakotans. Clearly, North Dakotans who were isolated and stuck out in the country with roads impassable, often in need of medical help or in need of food or in need of feeding the cattle who also were at risk, needed some assistance.

I mentioned the emergency crews that were available, and all over the State in unknown ways by unknown people, they have committed heroic acts. But North Dakotans needed more help than that. They needed low-income energy assistance, especially for some areas on Indian reservations and elsewhere. They needed emergency feed assistance. Cities and counties and townships and others who have not been able to clear the roads, have not had enough equipment, needed assistance.

I am pleased to say that the Federal Emergency Management Agency and others are now in North Dakota at the President's direction. The State of North Dakota, the counties, the townships and the Federal Government are working together to respond to an extraordinarily difficult circumstance. We are not nearly through this. Winter is only about a third over. We do not know what the next couple of months will be for our State, but we know that North Dakotans have endured a very difficult winter so far. We hope for better conditions. Whatever happens, North Dakota will be prepared to deal with it and respond to it.

I do want the President to know and my colleagues to know that just as when a tornado comes along and wreaks havoc in an area, or where a raging flood gathers homes and runs the homes down a river, just as those emergencies such as an earthquake, for example, that causes chaos, just as they need to be responded to and always are responded to by the Federal Government, so, too, must this snow emergency and the storms and the deadly blizzards that have crossed our States in the northern Great Plains in recent weeks, so, too, must they be responded to in an appropriate way.

We are continuing to work on snow clearing, on low-income energy assistance issues, on feed assistance for livestock, and on many other approaches to try to help people and respond to the needs that exist as a result of this very severe winter.

Today, I wanted to at least tell my colleagues of the circumstances that we face and thank the President, thank the administration and others who have joined to help. I also wanted to describe the people who assisted the 2-

year-old boy. That has gone on across our State every day and in every way. To those who work in public service, those who man those graders and trucks and keep the roads open, punch through snowdrifts with zero visibility to protect life in North Dakota, I say: You are the real heroes, and North Dakotans and all of America owe you a debt of gratitude.

Mr. GRASSLEY. Mr. President, today is the first day in which the Senate will entertain legislation for the 105th Congress. I rise today to compliment various tax bills introduced by my colleagues for myself. Some of this legislation is in the leadership package. Other legislation has been introduced separately by other Senators. All of this legislation will reduce taxes on Americans trying to live the American Dream. I applaud these efforts. In fact, I have had a hand in writing or cosponsoring much of it in the 104th Congress. With this new Congress, we must break down the barriers that stand in the way of the next generation's shot at the American Dream. Our future depends on it.

The initiatives I support include, reinstating the income tax deduction for interest on student loans, reducing the capital gains tax, expanding individual retirement accounts, extending the employer provided education assistance programs, and finally, reducing the estate taxes. Collectively, these tax bills will provide necessary relief for all taxpayers. Hard working families and individuals deserve nothing less from their Federal Government.

#### STUDENT LOAN INTEREST DEDUCTION

The leadership package includes legislation that includes my provisions from the 104th Congress to reinstate the tax deduction for interest on student loans. It would allow an "above the line" deduction for up to \$2,500 in qualified interest. This means that students or their families will not have to itemize their income tax deductions to benefit from the deduction.

In 1986, the income tax deduction for interest on student loans was repealed. I believed then, as I believe now, that the repeal was a major mistake. Education is an investment both for students and the Nation. In exchange for hard work the student gets a tax deduction to make education affordable. In exchange for the student's commitment, the Nation gets a new taxpayer and sometimes a better citizen.

I commend the leader for selecting this initiative, and I welcome the opportunity to work with him to expand it.

#### CAPITAL GAINS TAX REDUCTION

Senator HATCH introduced legislation to reduce the income tax on capital gains. It is substantially similar to legislation passed by the last Congress but vetoed by the President. Since the President has since committed himself to capital gains relief, I am encouraged about the prospects for enactment of our provision authored by Senator HATCH. The President has suggested

much more narrow relief targeted at residential real estate. However, our broad-based cut is better for the small businesses, family farms, and individual taxpayers.

This morning, in testimony to the Senate Budget Committee, Federal Reserve Board Chairman Alan Greenspan said that the ideal capital gains tax rate is zero percent. Our bill would cut it in half. The President must consider our provision. Reducing the capital gains tax rate by 50% for taxpayers across the board, is essential to help grow the economy.

#### SUPER IRA'S

Senate Finance Committee Chairman ROTH, has, once again introduced his legislation to expand the number of people who can invest in individual retirement accounts. This legislation is vital given the dismal rate of savings by Americans. Americans want to save money. The problem is that our current system of taxes does not allow it. The Super IRA provision will give taxpayers a better vehicle to save more for retirement. Since the miracle of compound interest means that saving sooner saves more, we must take up this bill as soon as possible.

#### EMPLOYER PROVIDED EDUCATION ASSISTANCE

Finance Chairman ROTH was joined by Finance Ranking Minority Member MOYNIHAN in legislation to make permanent the income tax exclusion for employer provided education assistance. I am a proud cosponsor of this bill. This provision is set to expire. Congress must step up to the plate and, finally, permanently extend it. Last time, over my objections, we failed to extend the provision for graduate assistance. All students must be eligible for this assistance program.

#### ESTATE TAX REDUCTION

The leadership package includes legislation to reduce the estate tax burden of all Americans. It is included as part of S. 2. Reducing the estate tax is something that we almost accomplished in the last Congress. We need to take it up right away in this Congress. Historically, the estate tax was initiated as a temporary tax on the super wealthy during times of war. Later, it became a permanent part of the tax system, but still applied only to the rich. Over time, the effects of inflation have taken their toll. Now, we have middle income taxpayers hit with an estate tax burden intended for the wealthy. In my State of Iowa, we have a problem unique to us and other farm States. Some taxpayers have a double tax identity. They are cash poor because they have just enough cash-flow off of the farm to make ends meet. However, they are land rich because their family farm has appreciated during the period that they were family farmers. The estate tax ignores the fact that the farm is as much their family home as it is a business. The estate tax also ignores that they are middle income people at best, and were not intended to even pay the estate tax when it first came into being.

The leadership package is a good start. It cuts the estate tax for all taxpayers, including small businesses and farmers. Congress must find a way to improve the estate tax crisis in my State of Iowa, and other States. I look forward to continuing my work with the leader to accomplish an estate tax reduction.

ALTERNATIVE MINIMUM TAX ON FARMER  
DEFERRED CONTRACTS

Finally, I want to make quick reference to tax repeal legislation that will be introducing tomorrow for myself and over 50 other original sponsors. Senators DORGAN, GORTON, BAUCUS, and I have campaigned to eliminate an IRS imposed tax on farmers and ranchers who sell crops or livestock on deferred contracts. Congress did not intend this tax. Only the IRS intends this tax. The broad bipartisan support that we have gathered tells me that Congress is going to repeal it. We will have more on this initiative tomorrow.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT CONCERNING BIOLOGICAL  
AND CHEMICAL WEAPONS—MES-  
SAGE FROM THE PRESIDENT—  
PM 5

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Armed Services.

*To the Congress of the United States:*

As required by section 1416 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201), I transmit herewith a report describing the respective policy functions and operational roles of Federal agencies in countering the threat posed by the use of potential use of biological and chemical weapons of mass destruction (WMD) within the United States.

WILLIAM J. CLINTON.

THE WHITE HOUSE, January 21, 1997.

REPORT ON THE CONTINUATION  
OF THE EMERGENCY REGARDING  
TERRORISTS—MESSAGE FROM  
THE PRESIDENT—PM 6

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process, is to continue in effect beyond January 23, 1997. The first notice continuing this emergency was published in the *Federal Register* last year on January 22, 1996.

The crisis with respect to the grave acts of violence committed by foreign terrorists that threaten to disrupt the Middle East peace process that led to the declaration of a national emergency, on January 23, 1995, has not been resolved. Terrorist groups continue to engage in activities with the purpose or effect of threatening the Middle East peace process, and which are hostile to U.S. interests in the region. Such actions threaten vital interests of the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to deny any financial support from the United States for foreign terrorists that threaten to disrupt the Middle East peace process.

WILLIAM J. CLINTON.

THE WHITE HOUSE, January 21, 1997.

MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker appoints the following Member to the Joint Economic Committee: Mr. SAXTON of New Jersey.

At 3:40 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 9. Concurrent resolution providing for a joint session of Congress to receive a message from the President on the State of the Union.

EXECUTIVE AND OTHER  
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-578. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration,

Department of Commerce, transmitting, pursuant to law, the report of a rule relative to the Exclusive Economic Zone Off Alaska, received on January 8, 1997; to the Committee on Commerce, Science, and Transportation.

EC-579. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule relative to the Exclusive Economic Zone Off Florida, received on January 9, 1997; to the Committee on Commerce, Science, and Transportation.

EC-580. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule relative to the Exclusive Economic Zone Off Florida, received on January 6, 1997; to the Committee on Commerce, Science, and Transportation.

EC-581. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of rule relative to the Fishery Management Plan, (RIN0648-AI97) received on January 8, 1997; to the Committee on Commerce, Science, and Transportation.

EC-582. A communication from the Secretary of Commerce, transmitting, pursuant to law, a letter of certification relative to the Driftnet Act; to the Committee on Commerce, Science, and Transportation.

EC-583. A communication from the Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of rule relative to Puerto Rican shrub, (RIN1018-AD48) received on January 7, 1997; to the Committee on Environment and Public Works.

EC-584. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a certification relative to commercial shrimping operations; to the Committee on Commerce, Science, and Transportation.

EC-585. A communication from the Secretary of the Consumer Product Safety Commission, transmitting, pursuant to law, the report of rule relative to fireworks, received January 2, 1997; to the Committee on Commerce, Science, and Transportation.

EC-586. A communication from the Managing Director of the Federal Communications Commission, transmitting, pursuant to law, the report of rule relative to Class A and Tier 1 Telephone Companies, received on January 7, 1997; to the Committee on Commerce, Science, and Transportation.

EC-587. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report on the Airport Improvement Program for fiscal year 1995; to the Committee on Commerce, Science, and Transportation.

EC-588. A communication from the Secretary of Transportation, transmitting, pursuant to law, the biennial report on the effectiveness of occupant protection systems and their use; to the Committee on Commerce, Science, and Transportation.

EC-589. A communication from the Acting Administrator of the Federal Aviation Administration, transmitting, pursuant to law, the report on the Aircraft Cabin Air Quality Research Program; to the Committee on Commerce, Science, and Transportation.

EC-590. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule relative to tank vessels, (RIN2115-AF27) received on January 9, 1997; to the Committee on Commerce, Science, and Transportation.