Resolved by the Senate, That we memorialize the Congress of the United States to pass and submit to the states for ratification a proposed amendment to the Constitution of the United States to require a balanced federal budget with Social Security and Medicare removed from consideration so long as the funds in those programs are guaranteed and are not used to offset, or otherwise be made to serve as collateral for, debt expenditure elsewhere in the federal budget; and be it further

Resolved, That we urge that the proposed balanced budget amendment provide for line item veto for cutting appropriations as measures to achieve a balanced budget; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation. Adopted by the Senate, February 27, 1997.

POM–44. A concurrent resolution adopted by the House of the Legislature of the State of South Dakota; to the Committee on Rules and Administration.

HOUSE CONCURRENT RESOLUTION NO. 1006

Whereas, the expenditures for election campaigns for Congress have been rising each election year; and

Whereas, the State of South Dakota just experienced an election campaign for the position of United States Senator where the candidates spent eight million dollars on campaign expenses and bombarded our citizens with campaign advertisements for a year prior to the election; and

Whereas, despite the huge cost of this election in South Dakota, it is a mere drop in the bucket when compared to similar elections in more heavily populated states; and

Whereas, the increasing cost of Congressional elections has led to a never-ending solicitation by candidates for contributions from businesses, political action committees, and individuals; and

Whereas, these high campaign expenditures and the corresponding need for campaign contributions has given the voters of the State of South Dakota and the nation the perception that campaign contributions buy influence in Congress; and

Whereas, these expenditures and contributions tarnish the image of representative government and fuel voter apathy; and

Whereas, the Congress must pass meaningful election finance campaign reform to help restore voter confidence in our federal election process: Now, therefore, be it

Resolved, by the House of Representatives of the Seventy-Second Legislature of the State of South Dakota, the Senate concurring therein, That the Congress of the United States pass election campaign finance reform which would call for campaign expenditure limits on each candidate for the United States House of Representatives and on each candidate for the United States Senate; and be it further

Resolved, That the Congress of the United States should also provide in such legislation for campaign limits on in-kind contributions for each candidate for the United States House of Representatives and for each candidate for the United States Senate; and be it further

Resolved, That copies of this Resolution be transmitted to the President of the United States Senate, the Speaker of the House of Representatives of the United States, and each Member of the South Dakota Congressional Delegation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DODD:

S. 426. A bill to amend the Higher Education Act of 1965 to adjust the needs analysis to protect more of a student's earnings; to the Committee on Labor and Human Resources.

By Mr. THOMAS (for himself and Mr. SHELBY):

S. 427. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for lobbying expenses in connection with State legislation; to the Committee on Finance.

By Mr. KOHL (for himself, Mrs. BOXER, Mr. DURBIN, and Mr. CHAFEE):

S. 428. A bill to amend chapter 44 of title 18, United States Code, to improve the safety of handguns; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 429. A bill to amend the Internal Revenue Code of 1986 to allow certain cash rent farm landlords to deduct soil and water conservation expenditures; to the Committee on Finance.

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

S. 430. A bill to amend the Act of June 20, 1910, to protect the permanent trust funds of the State of New Mexico from erosion due to inflation and modify the basis on which distributions are made from those funds; to the Committee on Energy and Natural Resources.

By Mr. MURKOWSKI (for himself, Mr. STEVENS, Mr. GORTON, Mr. BURNS, Mr. CRAIG, Mr. KEMPTHORNE, and Mr. SMITH):

S. 431. A bill to amend title 28, United States Code, to divide the ninth judicial circuit of the United States into two circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. ABRAHAM (for himself, Mr. LIEBERMAN, Mr. DEWINE, Mr. HUTCHINSON, and Mr. COATS):

S. 432. A bill to amend the Internal Revenue Code of 1986 to allow the designation of renewal communities, and for other purposes; to the Committee on Finance.

By Mr. BROWNBACK (for himself, Mr. KYL, Mr. ALLARD, Mr. COATS, Mr. ENZI, Mr. HAGEL, and Mr. SESSIONS):

S. 433. A bill to require Congress and the President to fulfill their Constitutional duty to take personal responsibility for Federal laws; to the Committee on Governmental Affairs.

By Mr. MOYNIHAN (for himself and Mr. BYRD):

S. 434. A bill to amend the Internal Revenue Code of 1986 to correct the treatment of tax-exempt financing of professional sports facilities.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DODD:

S. 426. A bill to amend the Higher Education Act of 1965 to adjust the needs analysis to protect more of a student's earnings; to the Committee on Labor and Human Resources.

THE BETTER FINANCIAL AID FOR WORKING STUDENTS ACT OF 1997

Mr. DODD. Mr. President, I rise here this morning to introduce a piece of legislation which I have entitled the Better Financial Aid for Working Students Act of 1997. At the appropriate time here, Mr. President, I will send the bill to the desk and ask that it be referred to the appropriate committee. But let me take a few minutes, if I can, to explain what I am trying to do with this proposal.

This legislation is designed, Mr. President, to assist America's working students to cope with the growing financial burdens of a college education. One hardly even needs to use the words ''growing financial burden.'' It is to state the obvious.

There is not a family in America that does not have children in school or going on to college or who have already been there that does not appreciate what a significant burden the cost of a higher education is in our country.

For the parents of college-aged children, of course, this is a trying time of year, not only for the parents, but for those who are anticipating going on to higher education. These parents and students are today anxiously awaiting the acceptance letters or rejection letters from our Nation's colleges and universities around the country.

However, for the vast majority of families, beyond waiting for an acceptance or rejection letter in March and April from institutions they have applied to, the biggest concern is not whether they are going to get into college or into a community college or into a university; the biggest question, the biggest challenge facing these families is: How are we going to pay for this? If they get in, how are we possibly going to finance this incredible burden that we see increasing all the time?

In fact, Mr. President, I think this week or maybe the past week one of our national magazines—I believe it was Time magazine—has a special issue out on the cost of higher education. It is their cover story. I commend them for it. I believe it was Time, I apologize if it was another periodical. But it is at an appropriate point with these acceptance and rejection letters coming to seniors in high school and others who have been out of school for some time but anxious to get back in.

So I am stating again the obvious. This is a time of some anxiety. But I would argue, the greatest anxiety is not ''whether or not I'm going to be able to go on to a higher educational opportunity,'' but rather, ''How am I possibly going to afford this? How are we going to afford this so our children or myself will be able to acquire the skills and educational levels that are going to be necessary for us to succeed or for my children to succeed in the future?''

That is why the letter they await, Mr. President, with the most anxiety, of course, is the financial aid letter. Working families understand as well as anyone that a college education has never been more important than it is today.

Thirty years ago, Mr. President, a high school diploma could get you a

good job, not the best job, but you would get a good job. You could raise a family. You could buy a home. You could have a good life, retire with a decent level of financial security.

I suspect that the Presiding Officer, his family, my family, certainly we saw that in case after case in our communities, whether it was Arkansas or Connecticut. Today, both of us understand that whether it is Arkansas or Connecticut, that is just not the case any longer.

Even though you need a high school diploma today, you have to have even more education if you are going to fit into the economy of the 21st century. Presently, the mean income of a high school graduate in the United States is $18,700 a year; that's the mean income. That would be barely enough to sustain a working family. In fact, if you have a family of four, $18,700 just doesn't do it today; I don't care where you live in the United States. But with a bachelor's degree, earnings nearly double, to $32,600 a year. So that additional 4 years can make a fantastic and huge difference in an individual's ability to provide for themselves and their families.

As you might anticipate, Mr. President, the higher the education, the greater the financial benefits. On average, a holder of a professional degree earns more than $74,500 a year. But making the college opportunity a reality for our children, and for those adults who are going on to higher education, is important beyond simply individual earnings. That is obviously a benefit. But beyond the dollars and cents, beyond the ability of individuals to earn a higher salary, there are benefits to the economy as a whole. According to a new Wall Street Journal survey, Mr. President, two-thirds of academic economists agree that the right Government policies in education would provide a needed shot in the arm to the American economy. The fact is, in today's global economy, higher education is vital if we are to maintain our international competitiveness and to keep our economy strong.

Since the passage of the GI bill, Mr. President—which millions of Americans are familiar with—there may be those who are retired today who remember, after coming out of World War II or the Korean conflict, what a difference the GI bill meant to them. There was a significant debate that many may recall about whether or not we could afford to pay for the GI bill.

I think in today's dollars, Mr. President, the GI bill—if we tried to adopt something like it today, in 1997—would amount to about $9,000 for every single student who took advantage of it. Obviously, the bulk of them took advantage of it in the late forties and fifties, the generation that came out of World War II and Korea. But can you imagine that, today, if you and I were to stand on the floor of the U.S. Senate and be advocates for something like $9,000 for every eligible person who wanted to go on to a higher education? There is no way in the world we could pass anything like that—not to mention finding the resources to pay for it.

So it was a remarkable accomplishment, with all the debt we had at the end of World War II and Korea that hadn't been paid off at that particular time. There was a collective understanding of the value to the country beyond the individual benefit of having a generation that could never, ever have thought about affording a higher education. We, as a country, at the national level, said, let's see if we can't come up and find some resources to help these people who could not afford to go on to school, so they have the resources to do it. I think it is fascinating to note the analysis of how that has worked out. There was an analysis not long ago, Mr. President, that said that, for every dollar spent on the GI bill, the Nation reaped a benefit of $7 in additional revenues—a 7-to-1 ratio. So as expensive as it was, our country as a whole benefited tremendously beyond the obvious individual benefits that those men—primarily men, but men and women—who were recipients of the GI bill received. The country as a whole was a tremendous beneficiary of that program.

At any rate, from this very first effort in higher education—on to policies today—the hallmark of the Federal Government's role in education is not to set aside the curricula in our higher education institutions, or be involved in the workings of these institutions; our role is to try and come up with creative ways to help students and families afford the financial burden of a higher education.

Today, Mr. President, student assistance is determined by a complicated analysis of family and student assets and earnings. I am destined to make my colleagues' eyes glaze over if I try to explain it on the Senate floor, but suffice it to say, it is a rather significant morass of various loans, grants, and other forms of assistance. However, what must remain crystal clear is that, for millions of Americans, college is not simply a time of tranquil learning and weekend parties or weekend gatherings on campuses. For many college students today, Mr. President—if not most—full and part-time work is a fundamental part of their college education.

This bill that I am introducing this morning would help protect these students and ensure that when considering students' financial needs, work is rewarding. Today, Mr. President, under current law, $1,750 of a student's earning from work is shielded when determining need for financial aid. Beyond that initial $1,750, students' earnings are assessed at a rate of 50 percent.

The proposal I have for us to consider would double that amount, from $1,750 to $3,500, which we would shield, so those students would not have to allocate 50 percent of every dollar over $1,750 to their higher education. It would establish a graduated assessment, from $3,500 to $5,000, which would be assessed at 35 percent, and anything over $5,000 in earnings would be assessed at the 50 percent that today is assessed at $1,750. I don't know exactly when, Mr. President, the $1,750 was set aside. It may have been when the number of students that were actually working to pay for their education was relatively small and that work may have been something that people did to acquire some independent financial means to take care of their daily needs.

But as I would say again, no matter where you live in the country, most of our students today are on loans and are out working. College isn't a 4-year deal where you go straight through anymore. You have to have some work experience. This would allow them—since many are paying their own rent, buying their own food, paying for their own transportation—by raising the $1,750 to $3,500, graduated up to $5,000, this would allow them to retain more of that income that they need for their legitimate expenses, before assessing it at a high level that would deprive them of that ability.

Again, this is not going to be a panacea for everything students need, but I think it is realistic. We are going to consider major reforms in the Higher Education Act. I anticipate and hope that this bill might be a part of that proposal. This legislation would ensure that the efforts of these families will be rewarded; work would be rewarded and encouraged. However, this effort should not stand alone, Mr. President. Clearly, there are other groups who may require changes, and other groups of legislation that may require changes. Specifically, I think we need to be sure that single students—particularly those with children—are not penalized because they are forced to work in order to pay for their education.

The bill I am introducing today is, I think, an important first step. In my view, it will guarantee that low-income students receive the financial aid they so urgently need. I look forward to working on this legislation with my colleagues on both sides of the aisle here. I put it out for people's consideration. They may have some ideas to moderate it one way or another.

Again, I think that given the common interest and common concern about higher education and how we can at least lighten the burdens of those out there trying to get that education and also holding down jobs, I encourage my colleagues' attention to this proposal.

With that, I send the bill to the desk and ask that it be referred to the appropriate committee.

The PRESIDING OFFICER. The bill will be referred to the appropriate committee.

By Mr. THOMAS (for himself and Mr. SHELBY):

S. 427. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for lobbying expenses in connection with State legislation; to the Committee on Finance.

LEGISLATION TO EXEMPT LOBBYING AT THE STATE LEVEL

● Mr. THOMAS. Mr. President, today I am introducing legislation, along with my colleague Senator SHELBY, that exempts expenses incurred to address legislation at the State level from the current law provision that denies this deduction. This change would give lobbying at the State level the same tax deductible treatment currently given to expenses incurred to lobby at the local level.

The provisions of this bill will allow businesses to once again deduct legitimate expenses they incur at the State level to respond to legislative proposals that can affect their livelihood and even their very existence. I ask my colleagues to join us in cosponsoring this important legislation.

As part of the Budget Reconciliation Act of 1993, Congress approved a proposal recommended by President Clinton to deny the deductibility of expenses incurred to influence legislation. As passed, the bill creates a ''lobbying tax'' by denying a business tax deduction for legitimate expenses incurred to influence legislation at both the State and Federal level. In addition, expenses incurred to influence the official actions of certain Executive branch officials are not deductible. Expenses incurred to influence the legislative actions of local governments, however, are exempt from the lobbying tax.

When the deductibility for lobbying expenses was partially repealed in 1993, the debate centered on lobbying at the Federal level. The fact that lobbying to influence legislative actions at the local level is exempt indicates that the 1993 change did not intend to cover all lobbying activities. Lobbying at the State level was not part of the debate, even though it was included in the final legislation that was approved by Congress.

At the State level, there is more active business participation at all levels of the legislative process. This is partly because State legislatures have smaller staffs and meet less frequently than Congress. In most States, the job of State legislator is part time. Additionally, many Governors appoint ''blue ribbon commissions'' and other advisory groups to recommend legislative solutions to problems peculiar to a specific State. These advisory groups depend on input from members of the business, professional, and agricultural community knowledgeable about particular issues. The recordkeeping requirements and tax penalties associated with the lobbying tax discourages and penalizes this participation.

The denial of a deduction for legitimate business expense incurred to lobby at the State level is an unwarranted intrusion of the Federal government on the activity of State governments. While many of the reasons to restore this deduction at the State level can also apply to lobbying at the Federal level, this additional intergovernmental argument emphasizes the need to extend the current exemption from the lobbying tax at the local level to lobbying at the State level.

Perhaps one of the best reasons for restoring the deductibility of State lobbying expenses is the paperwork burden that this law has placed on many businesses and organizations. This is especially true for the many State trade associations, most of whom are small operations and not equipped to comply with the pages and pages of confusing Federal regulations implementing this law. Compliance is both time consuming and complicated, and detracts from the legitimate and necessary work and services they perform for their members, who are primarily small businesses and who depend on these associations to look after their interests.

This bill is very simple. It restores the deductibility of business expenses incurred for activities to influence legislation at the State level, and gives them the same treatment that exists under current law for similar activities at the local level. It is good legislation, it deserves your support, and it should be enacted into law.●

By Mr. KOHL (for himself, Mrs. BOXER, Mr. DURBIN and Mr. CHAFFE):

S. 428. A bill to amend chapter 44 of title 18, United States Code, to improve the safety of handguns; to the Committee on the Judiciary.

THE CHILD SAFETY LOCK ACT OF 1997

● Mr. KOHL. Mr. President, today I introduce an important piece of legislation, The Child Safety Lock Act of 1997. Our measure will save thousands of children's lives by curtailing the senseless deaths that occur when improperly stored and unlocked handguns come within the reach of children. Let me tell you about the tragic death of 4 year-old Dylan Pierce of Eaton, WI, which illustrates why we need this law.

Last August, Dylan and his 8-year-old brother Cody stumbled upon an unlocked cabinet while their parents were at work. The cabinet contained a .357-magnum handgun and several rifles. Although the boys' parents told them not to play with the guns, the children were naturally curious. The boys loaded the handgun with ammunition that was kept separate from the guns and began playing with the loaded handgun. While Dylan was handling the gun, it fired, shooting him in the head. Dylan was instantly killed by the bullet. Now, the lives of this family are forever changed, forever damaged.

Unfortunately, statistics show that the Pierce family's tragedy represents part of an everincreasing trend in the United States. Currently, children in the United States are 12 times as likely to die because of a firearm than children in the other 25 largest industrialized countries. Even more startling, the Centers for Disease Control recently reported that nearly 1.2 million latch-key children alone have access to loaded firearms. These figures become even more disturbing when you account for the tragedies that could have been prevented by safety locks.

And while most gun owners properly store their firearms, the sad fact is that a substantial number do not, leaving their guns loaded and within the reach of children.

Mr. President, children's natural curiosity should not lead to their unnatural deaths. We need to ensure that young people who stumble upon handguns do not meet the same fate as Dylan Pierce or the many other children who have died or been injured in handgun accidents. This legislation is especially necessary as long as some adults continue to carelessly store their guns, and in places where children may reach them. Preventing these tragic accidents is the sole purpose of the Child Safety Lock Act.

Our legislation is simple, effective and straightforward. First, it requires that whenever a handgun is sold, a child safety device—or trigger lock—is also sold. These devices vary in form, but the most common resemble a padlock that wraps around the gun trigger and immobilizes it. Trigger locks are already used by thousands of responsible gun owners to protect their firearms from unauthorized use, and they can be purchased in virtually any gun store for less than ten dollars.

Second, the measure requires that a warning be enclosed with the purchase of every firearm. This warning serves as a wake up call to make gun owners aware of the risks associated with improper storage, and it also makes them aware of potential state civil and criminal penalties for failing to use child safety devices.

Mr. President, this bill is not a panacea, but it will help prevent the tragic accidents and deaths associated with unauthorized, unlocked firearms. And it will help ensure that American children do not die as a result of adult carelessness. President Clinton challenged us to enact child safety lock legislation in his State of the Union Address: Today we respond to his challenge.

Senators BOXER, DURBIN, and CHAFEE join me as cosponsors of this bipartisan bill. We ask our other colleagues to join as well.

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

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

S. 428

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 ''Child Safety Lock Act of 1997''.

SEC. 2. HANDGUN SAFETY.

(a) DEFINITION OF LOCKING DEVICE.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(34) The term 'locking device' means—

''(A) a device that, if installed on a firearm and secured by means of a key or a mechanically-, electronically-, or electromechanically-operated combination lock, prevents the firearm from being discharged without first deactivating or removing the device by means of a key or mechanically-, electronically-, or electromechanically-operated combination lock; or

''(B) a locking mechanism incorporated into the design of a firearm that prevents discharge of the firearm by any person who does not have access to the key or other device designed to unlock the mechanism and thereby allow discharge of the firearm.''.

(b) UNLAWFUL ACTS.—Section 922 of title 18, United States Code, is amended by inserting after subsection (x) the following:

''(y) LOCKING DEVICES AND WARNINGS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), beginning 90 days after the date of enactment of the Child Safety Lock Act of 1997, it shall be unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any handgun—

''(A) to any person other than a licensed manufacturer, licensed importer, or licensed dealer, unless the transferee is provided with a locking device for that handgun; or

''(B) to any person, unless the handgun is accompanied by the following warning, which shall appear in conspicuous and legible type in capital letters, and which shall be printed on a label affixed to the gun and on a separate sheet of paper included within the packaging enclosing the handgun:

'' 'THE USE OF A LOCKING DEVICE OR SAFETY LOCK IS ONLY ONE ASPECT OF RESPONSIBLE FIREARM STORAGE. FIREARMS SHOULD BE STORED UNLOADED AND LOCKED IN A LOCATION THAT IS BOTH SEPARATE FROM THEIR AMMUNITION AND INACCESSIBLE TO CHILDREN. 'FAILURE TO PROPERLY LOCK AND STORE YOUR FIREARM MAY RESULT IN CIVIL OR CRIMINAL LIABILITY UNDER STATE LAW. IN ADDITION, FEDERAL LAW PROHIBITS THE POSSESSION OF A HANDGUN BY A MINOR IN MOST CIRCUMSTANCES.'

''(2) EXCEPTIONS.—Paragraph (1) does not apply to—

''(A) the—

''(i) manufacture for, transfer to, or possession by, the United States or a State or a department or agency of the United States, or a State or a department, agency, or political subdivision of a State, of a handgun; or

''(iii) the transfer to, or possession by, a law enforcement officer employed by an entity referred to in clause (i) of a handgun for law enforcement purposes (whether on or off-duty); or

''(B) the transfer to, or possession by, a rail police officer employed by a rail carrier and certified or commissioned as a police officer under the laws of a State of a handgun for purposes of law enforcement (whether on or off-duty).''.

(c) CIVIL PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by striking ''or (f)'' and inserting ''(f), or (p)''; and

(2) by adding at the end the following:

''(p) PENALTIES RELATING TO LOCKING DEVICES AND WARNINGS.—

''(1) IN GENERAL.—

''(A) SUSPENSION OR REVOCATION OF LICENSE; CIVIL PENALTIES.—With respect to each violation of subparagraph (A) or (B) of section 922(y)(1) by a licensee, the Secretary may, after notice and opportunity for hearing—

''(i) suspend or revoke any license issued to the licensee under this chapter; or

''(ii) subject the licensee to a civil penalty in an amount equal to not more than $10,000.

''(B) REVIEW.—An action of the Secretary under this paragraph may be reviewed only as provided in section 923(f).

''(2) ADMINISTRATIVE REMEDIES.—The suspension or revocation of a license or the imposition of a civil penalty under paragraph (1) does not preclude any administrative remedy that is otherwise available to the Secretary.''.●

By Mr. GRASSLEY:

S. 429. A bill to amend the Internal Revenue Code of 1986 to allow certain cash rent farm landlords to deduct soil and water conservation expenditures; to the Committee on Finance.

TAX LEGISLATION

Mr. GRASSLEY. Mr. President, I introduce important tax legislation to improve our Nation's soil conservation and water quality. This measure will extend the conservation expense income tax deduction to farmers who improve soil and water conservation and need to rent that farmland to family members on a cash basis. This legislation builds upon an existing and successful income tax provision that applies to similar improvements on sharecrop rentals. I encourage my colleagues to cosponsor this legislation and thereby endorse an environmental tax policy that uniformly encourages conservation improvements on our Nation's farms.

Across all of our Nation's farmland, 4 out of 5 acres rely on private landowners and tenants to care for the natural resources. Even though all farmers should be encouraged to become good stewards of the land, current tax policy does not provide incentives to encourage all private landowners and tenants to make conservation improvements that are consistent with good environmental policy. On the one hand, farm landlords operating on a sharecrop basis are rewarded with an income tax deduction for soil and water conservation improvements. However, cash rent landlords who make the same conservation improvements are denied a similar income tax deduction. My legislation will eliminate this inequality.

Mr. President, 43 percent of our Nation's farmland is rented. Of that farmland, 35 percent is rented on a sharecrop basis, and 65 percent is rented on a cash basis. Sharecrop rentals are arrangements where landlords typically contribute the real estate and improvements, and tenants contribute the labor. Cash rentals are also arrangements where landlords usually contribute the real estate and improvements. However, the landlords also contribute labor since these agreements exist many times within a family farm environment.

To further compare, sharecrop landlords may deduct certain costs paid or incurred for the treatment or moving of earth for soil and water conservation, including the leveling, conditioning, grading, and terracing of farmland. Likewise, sharecrop landlords may also deduct costs incurred to build and maintain drainage ditches and earthen dams. Cash rentals, however, are not provided a tax deduction even though they practice similar conservation methods. In other words, though the substance of these rentals is similar, the tax treatment of conservation expenses is vastly different.

Mr. President, it may surprise you to know that many family farmers are cash rent landlords. The life cycle of a family farm is one where aging parents gradually pass the family farm to their sons or daughters. In many cases, because the children cannot initially afford to purchase the family farms from their parents, a parent-child business relationship often starts out as a rental. Sometimes it is a sharecrop rental, other times they agree to a cash rent relationship.

Unfortunately, our tax and environmental policy toward these two relationships remains irrational. If a landlord sharecrops with a stranger, then that landlord can deduct conservation expenditures. However, if a widowed farm wife cash rents farmland to her daughter and watches over the grandchildren while the daughter works the crops in the field, the grandmother cannot deduct conservation expenditures. Similarly, a retired father who cash rents to his son and provides labor assistance during harvest is likewise denied a conservation tax deduction.

I believe that our tax policy should encourage and reward sound soil conservation practices regardless of the situation of the farmers. At a minimum, our tax policy should reward family farmers who make long term soil conservation improvements to any of their farmland. In fact, these sound conservation practices have already aided many farmers in reducing our level of soil erosion. The USDA reported in its 1992 Natural Resources Inventory that soil erosion has decreased by 1 billion tons annually. The USDA attributes one half of that decrease to improved conservation efforts by farmers. Nonetheless, our Nation's tax policy requires that family farmers on a cash rent basis bear much of the expense of this successful environmental policy. My legislation fixes this problem. Surely, it will yield even further soil and water conservation of our nation's most valuable nonrenewable resource: farmland.

I encourage all of my colleagues to cosponsor this important legislation.

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

S. 430. A bill to amend the act of June 20, 1910, to protect trust funds of the State of New Mexico from erosion due to inflation and modify the basis on which distributions are made from those funds; to the Committee on Energy and Natural Resources.

THE NEW MEXICO STATEHOOD AND ENABLING ACT AMENDMENTS OF 1997

Mr. DOMENICI. Mr. President, I introduce legislation to amend the New Mexico Enabling Act of 1910. I am pleased to have as a cosponsor, my colleague from New Mexico, Senator BINGAMAN. I am also very pleased that identical legislation is being introduced today in the House by New Mexico's Representatives SKEEN and SCHIFF.

Mr. President, the Enabling Act of 1910 provided the people of the New Mexico with the authority to convene a State constitutional convention and to organize a State government. As was the case with almost every State west of the Mississippi River, New Mexico was also granted certain public domain lands to be held in trust for the purposes of supporting the State's public educational institutions.

The New Mexico State Land Commissioner's office has a proud history of producing sustained revenues from these State trust lands. These revenues have served the public schools of our State as they were intended, by providing for investments in a permanent fund. Mandates for managing the trust lands to sustain the permanent fund, as well as the control of and distributions from the fund are a part of our State constitution. In order to amend the constitutional mandates related to the State trust lands and the permanent fund, the Enabling Act requires that Congress give its consent to the amendments. Today, we begin the process of allowing New Mexico greater flexibility for investment, and protection of the permanent fund from the effects of inflation.

In New Mexico, the State Investment Council is charged with managing our State's permanent fund. The council is currently constrained by constitutional mandate, and the Enabling Act, from making certain types of investments that would have provided millions of additional dollars for our State's educational institutions over the past 20 years. Additionally, they are currently required to distribute, on an annual basis, the dividends and income from the permanent fund, regardless of the impacts of inflation on the value of its assets. This requirement has also cost the beneficiaries through periodic market value erosion of the fund's assets.

Mr. President, the voters of New Mexico have spoken. On November 5, 1996, 67 percent approved amendments to our State constitution that will improve the situation. These amendments give the State Investment Council the necessary flexibility to prudently invest the assets of the permanent fund. Additionally, they restrict the distribution of revenues to a fixed percentage of a rolling 5-year average market value of those assets.

This proposal has broad bipartisan support in our State legislature, and from our Governor, Gary Johnson. At this point, I ask unanimous consent to submit for the record a letter of support signed by Governor Johnson, and the bipartisan leadership of the New Mexico House of Representatives and Senate.

Mr President, the bill I am introducing today does two things. First, it amends the enabling act of 1910, so that it will be consistent with the investment flexibility and permanent fund protection clauses of the amendments to our State constitution, already approved by the voters of New Mexico. Second, it provides the legal requirement of congressional consent to the amendments, so that they can be implemented by our State government. Combined with the State constitutional amendments approved this past November, this bill will provide our State Investment Council with the authority to greatly improve their investment strategies, bringing them to par with the vast majority of other public and private endowed fund management authorities.

In closing, Mr. President, I urge my colleagues to support this important legislation for the State of New Mexico, and I ask unanimous consent that the text of the bill be printed for the RECORD.

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

S. 430

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

SECTION 1. PERMANENT TRUST FUNDS OF THE STATE OF NEW MEXICO.

(a) SHORT TITLE.—This Act may be cited as the ''New Mexico Statehood and Enabling Act Amendments of 1997''.

(b) INVESTMENT OF AND DISTRIBUTIONS FROM PERMANENT TRUST FUNDS.—The Act of June 20, 1910 (36 Stat. 557, chapter 310), is amended—

(1) in the proviso in the second paragraph of section 7, by striking ''the income therefrom only to be used'' and inserting ''distributions from which shall be made in accordance with the first paragraph of section 10 and shall be used'';

(2) in section 9, by striking ''the interest of which only shall be expended'' and inserting ''distributions from which shall be made in accordance with the first paragraph of section 10 and shall be expended''; and

(3) in the first paragraph of section 10, by adding at the end the following: ''The trust funds, including all interest, dividends, other income, and appreciation in the market value of assets of the funds shall be prudently invested on a total rate of return basis. Distributions from the trust funds shall be made as provided in Article 12, Section 7 of the Constitution of the State of New Mexico.''.

(c) CONSENT OF CONGRESS.—Congress consents to the amendments to the Constitution of the State of New Mexico proposed by Senate Joint Resolution 2 of the 42nd Legislature of the State of New Mexico, Second Session, 1996, entitled ''A Joint Resolution proposing amendments to Article 8, Section 10 and Article 12, Sections 2, 4 and 7 of the Constitution of New Mexico to protect the State's permanent funds against inflation by limiting distributions to a percentage of each fund's market value and by modifying certain investment restrictions to allow optimal diversification of investments'', approved by the voters of the State of New Mexico on November 5, 1996.

OFFICE OF THE GOVERNOR,
STATE CAPITOL,
Santa Fe, NM, February 24, 1997.

U.S. Senator PETE V. DOMENICI,
Federal Place,
Santa Fe, NM.

DEAR SENATOR DOMENICI: We hereby respectfully request the U.S. Congress amend the Enabling Act for New Mexico. This Amendment is necessary to protect the fund from inflation and to reduce risk by diversifying investments and establishing a distribution formula similar to that used by most other endowments. The Legislature and 67% of the voters from New Mexico voted in favor of amending Article 12, Sections 2, 4 and 7 of the New Mexico Constitution to accomplish these objectives. Since these funds are derived from Federal land granted to the State under the Enabling Act of 1910, it is necessary to obtain the consent of the U.S. Congress before the Amendment can be implemented. The Amendment can be implemented without any cost to the Federal Government.

The Amendment changes the method of making distributions to the institutional beneficiaries (primarily public schools, universities and other public institutions) to one based on a fixed percentage (4.7%) of the five-year average market value of the funds, instead of one based solely on interest and dividend income. This method of making distributions should ensure that the fund will grow with inflation, therefore protecting the fund for future generations.

Anything you can do to expedite the process of amending the Enabling Act so that we can invest the State's Permanent Funds more professionally and implement the new distribution formula will be sincerely appreciated.

Thank you for your help and support of this request.

Very truly yours,
GARY E. JOHNSON,
Governor.
RAYMOND G. SANCHEZ,
Speaker of the House of Representatives.
KIP W. NICELY,
Minority Leader of the House of Representatives.
MANNY M. ARAGON,
Pro Tempore, of the Senate.
RAYMOND KYSAR,
Minority Leader of the Senate.

By Mr. MURKOWSKI (for himself, Mr. STEVENS, Mr. GORTON, Mr. BURNS, Mr. CRAIG, Mr. KEMPTHORNE, and Mr. SMITH of Oregon):

S. 431. A bill to amend title 28, United States Code, to divide the ninth judicial circuit of the United States into two circuits, and for other purposes; to the Committee on the Judiciary.

THE NINTH CIRCUIT COURT OF APPEALS REORGANIZATION ACT OF 1997

Mr. MURKOWSKI. Mr. President, today I am pleased to be joined by my colleagues, Senators STEVENS, GORTON, BURNS, CRAIG, KEMPTHORNE, and Senator SMITH of Oregon, in introducing the Ninth Circuit Court of Appeals Reorganization Act of 1997.

Our legislation will create a new twelfth circuit comprised of Alaska, Washington, Oregon, Idaho, and Montana. This legislation will ease the current burdens of the ninth circuit, as well as effectively create a new northwest circuit that is historically, economically, culturally, and philosophically united.

Mr. President, one look at the contours of the ninth circuit reveals the need for this reorganization. Stretching from the Arctic Circle to the Mexican border, past the tropics of Hawaii and across the international dateline to Guam and the Marianna Islands, by any means of measurement, the ninth circuit is the largest of all U.S. circuit courts of appeal.

There is also no denying the ninth circuit's mammoth caseload. It serves a population of more than 45 million people, well over one-third more than the next largest circuit.

Last year, the ninth circuit had an astounding 7,146 new filings.

By 2010, the Census Bureau estimates that the ninth circuit's population will be more than 63 million—a 40-percent increase in just 13 years, which inevitably will create an even more daunting caseload.

We believe that this legislation is long overdue. Because of its size, the entire appellate process in the ninth circuit is the second slowest in the Nation. As former Chief Judge Wallace of the ninth circuit stated: ''It takes about 4 months longer to complete an appeal in our court as compared to the national median time.'' Mr. President, what this means is that while the national median time for filing a notice of appeal to final disposition is 315 days, the ninth circuit median time is 1 year and 2 months.

Furthermore, the massive size of the ninth circuit often results in a decrease in the ability to keep abreast of legal developments within its own jurisdiction. This unwieldy caseload creates an inconsistency in constitutional interpretation. In fact, ninth circuit cases have an extraordinarily high reversal rate by the Supreme Court. During the Supreme Court's 1994–95 session, the Supreme Court overturned 82 percent of the ninth circuit cases heard by the Court. This lack of constitutional consistency discourages settlements and leads to unnecessary litigation.

Mr. President, the legislation I am introducing is not novel. Since the day the circuit was founded, over a century ago, there were discussions of a split. Nearly a quarter century ago, in 1973, the Congressional Commission on the Revision of the Federal Court of Appellate System recommended that the ninth circuit be divided.

Additionally, the American Bar Association has adopted a resolution expressing the benefits of dividing the ninth district.

Since 1983, Senator GORTON and many others in this Chamber have initiated legislation to split the circuit.

There have been Senate hearings. In December 1995, Senator HATCH stated in a committee report that:

> The legislative history, in conjunction with available statistics and research concerning the Ninth Circuit, provides an ample record for an informed decision at this point as to whether to divide the Ninth Circuit . . . Upon careful consideration the time has indeed come.

Furthermore, splitting a circuit to respond to caseload and population growth is by no means unprecedented. Congress divided the original eighth circuit to create the tenth circuit in 1929, and divided the former fifth circuit to create the 11th circuit in 1980.

The legislation that I and my colleagues introduce today is the sensible reorganization of the ninth circuit. The new ninth circuit would embrace California, Nevada, Arizona, Hawaii, and the U.S. territories. And the new 12th circuit would be comprised solely of States in the Northwest region. Most importantly, this split would respect the economic, historical, cultural, and legal ties which exist between the States involved.

Mr. President, no one court can effectively exercise its power in an area that extends from the Arctic Circle to the tropics. The legislation introduction today will create a regional commonality which will lead to greater consistency and dependency in legal decisions.

Mr. President, we have waited long enough. The 45 million residents of the ninth circuit are the persons that suffer. Many wait years before cases are heard and decided, prompting many to forego the entire appellate process. In brief, the ninth circuit has become a circuit where justice is not swift and not always served.

Mr. President, 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. 431

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 ''Ninth Circuit Court of Appeals Reorganization Act of 1997''.

SEC. 2. NUMBER AND COMPOSITION OF CIRCUITS.

Section 41 of title 28, United States Code, is amended—

(1) in the matter before the table, by striking ''thirteen'' and inserting ''fourteen'';

(2) in the table, by striking the item relating to the ninth circuit and inserting the following new item:

''Ninth	Arizona, California, Hawaii, Nevada, Guam, Northern Mariana Islands.'';

and

(3) between the last 2 items of the table, by inserting the following new item:

''Twelfth	Alaska, Idaho, Montana, Oregon, Washington.''.

SEC. 3. NUMBER OF CIRCUIT JUDGES.

The table in section 44(a) of title 28, United States Code, is amended—

(1) by striking the item relating to the ninth circuit and inserting the following new item:

''Ninth ..... 19'';

and

(2) by inserting between the last 2 items at the end thereof the following new item:

''Twelfth ..... 7''.

SEC. 4. PLACES OF CIRCUIT COURT.

The table in section 48 of title 28, United States Code, is amended—

(1) by striking the item relating to the ninth circuit and inserting the following new item:

''Ninth	San Francisco, Los Angeles.'';

and

(2) by inserting between the last 2 items at the end thereof the following new item:

''Twelfth	Portland, Seattle.''.

SEC. 5. ASSIGNMENT OF CIRCUIT JUDGES.

Each circuit judge in regular active service of the former ninth circuit whose official station on the day before the effective date of this Act—

(1) is in Arizona, California, Hawaii, Nevada, Guam, or the Northern Mariana Islands is assigned as a circuit judge of the new ninth circuit; and

(2) is in Alaska, Idaho, Montana, Oregon, or Washington is assigned as a circuit judge of the twelfth circuit.

SEC. 6. ELECTION OF ASSIGNMENT BY SENIOR JUDGES.

Each judge who is a senior judge of the former ninth circuit on the day before the effective date of this Act may elect to be assigned to the new ninth circuit or to the twelfth circuit and shall notify the Director of the Administrative Office of the United States Courts of such election.

SEC. 7. SENIORITY OF JUDGES.

The seniority of each judge—

(1) who is assigned under section 5 of this Act; or

(2) who elects to be assigned under section 6 of this Act;

shall run from the date of commission of such judge as a judge of the former ninth circuit.

SEC. 8. APPLICATION TO CASES.

The provisions of the following paragraphs of this section apply to any case in which, on the day before the effective date of this Act, an appeal or other proceeding has been filed with the former ninth circuit:

(1) If the matter has been submitted for decision, further proceedings in respect of the matter shall be had in the same manner and with the same effect as if this Act had not been enacted.

(2) If the matter has not been submitted for decision, the appeal or proceeding, together with the original papers, printed records, and record entries duly certified, shall, by appropriate orders, be transferred to the court to which it would have gone had this Act been in full force and effect at the time such appeal was taken or other proceeding commenced, and further proceedings in respect of the case shall be had in the same manner and with the same effect as if the appeal or other proceeding had been filed in such court.

(3) A petition for rehearing or a petition for rehearing en banc in a matter decided before the effective date of this Act, or submitted before the effective date of this Act and decided on or after the effective date as provided in paragraph (1) of this section, shall be treated in the same manner and with the same effect as though this Act had not been enacted. If a petition for rehearing en banc is granted, the matter shall be reheard by a court comprised as though this Act had not been enacted.

SEC. 9. DEFINITIONS.

For purposes of this Act, the term—

(1) ''former ninth circuit'' means the ninth judicial circuit of the United States as in existence on the day before the effective date of this Act;

(2) ''new ninth circuit'' means the ninth judicial circuit of the United States established by the amendment made by section 2(2) of this Act; and

(3) ''twelfth circuit'' means the twelfth judicial circuit of the United States established by the amendment made by section 2(3) of this Act.

SEC. 10. ADMINISTRATION.

The court of appeals for the ninth circuit as constituted on the day before the effective date of this Act may take such administrative action as may be required to carry out this Act. Such court shall cease to exist for administrative purposes on July 1, 1999.

SEC. 11. EFFECTIVE DATE.

This Act and the amendments made by this Act shall become effective on October 1, 1997.

By Mr. ABRAHAM (for himself, Mr. LIEBERMAN, Mr. DEWINE, Mr. HUTCHINSON, and Mr. COATS):

S. 432. A bill to amend the Internal Revenue Code of 1986 to allow the designation of renewal communities, and for other purposes; to the Committee on Finance.

THE AMERICAN COMMUNITY RENEWAL ACT OF 1997

● Mr. ABRAHAM. Mr. President, today, I am proud to join colleagues on both sides of the Capitol and both sides of the aisle in introducing the American Community Renewal Act of 1997. This legislation addresses the social and economic pathologies currently besetting this country. It helps bring back economic growth and the sense of community we need to maintain safe streets, strong families, and vibrant neighborhoods. And it does so be bridging the gap between tax policies designed to stimulate economic growth and social policies designed to strengthen our moral fabric.

This bipartisan, bicameral bill has the support of members from diverse States and diverse political perspectives. Here in the Senate, I am joined by Senators LIEBERMAN, DEWINE, HUTCHINSON of Arkansas, and COATS. Meanwhile, Congressmen WATTS, FLAKE, and TALENT are introducing a similar bill in the House of Representatives.

Mr. President, the tragedy of broken homes, drugs, violence, and welfare dependency is so prevalent that some Americans accept it as normal. But broken families are not normal, and neither is the hopelessness that lies at the root of community decay. We can and must work to renew our distressed communities, both for the sake of the people living there and for all Americans.

We spent $5.4 trillion on the War on Poverty, yet today's poverty rate is essentially the same as it was in 1966. The problem was not our good intentions. Nor was it that community decay is an unbeatable adversary. Rather, the problem with the war on poverty was that it looked toward Washington rather than to the communities themselves.

Mr. President, the Washington knows best approach is a recipe for disaster. Washington can neither end poverty nor give people the habits of hard work, civility, and personal responsibility necessary for community renewal. But Washington can do something. It can remove barriers and free entrepreneurs and community leaders to reconstruct the fundamental institutions, beliefs, and practices upon which any health community must rely.

Which leaders are we talking about? People like Indianapolis Mayor Steve Goldsmith, who is working with local groups like the Indianapolis Housing Project and Westside Cooperative Organization. Together they are cutting redtape and encouraging community development. They are revitalizing neighborhoods that previously had been written off.

In Detroit, Mayor Archer's clean sweep program last year brought together over 20,000 volunteers in and around that city, along with dozens of local community organizations. Their efforts resulted in the removal of over 300,000 bags of trash from our city. Community pride was harnessed, and developed, in this worthwhile endeavor.

These are the kinds of cooperative efforts that can revitalize our distressed communities. Such efforts lie behind the American Community Renewal Act of 1997. By replacing barriers with incentives, this legislation aims to increase private investment, strengthen family ties, and effectively fight drugs abuse by reintegrating faith-based institutions into the public life of our distressed areas. Building on the pioneering legislation sponsored by then-Congressman Jack Kemp in the 1970's, it will create 100 community renewal zones with targeted, pro-growth tax and regulatory relief, housing assistance and provisions encouraging savings, education and investment.

A community must meet several criteria to qualify. First, its residents must have incomes well below the average while at least a fifth fall below the poverty line. Other measures such as unemployment levels and eligibility for certain Federal assistance programs are also considered.

Second, the community must bring to the table its own package of incentives including lower taxes, increased local services, a crime reduction strategy, and fewer economic regulations. Mr. President, part of rejecting the Washington knows best philosophy is acknowledging that not all barriers to economic and social growth come from the Federal Government.

This legislation calls on local governments to do their part. In return for these concessions, Mr. President, the community will receive a number of powerful benefits designed to encourage new businesses, job creation, and economic growth.

First, we eliminate the capital gains tax for the sale of any renewal property or business held for at lest 5 years, we increase the expensing allowance for small businesses for those who locate in the zone, and we target low-income workers with a 20-percent wage credit if they are hired by a renewal community business.

Next, we target additional capital at renewal communities by allowing banks to receive Community Reinvestment Act credit for investments in, or loans to, community groups within the zone. The idea is that these groups would then provide loans to local small businesses and residents.

Finally, we target environmental blight by providing tax incentives for cleaning up of old commercial and industrial properties located within the renewal communities. There are tens of thousands of these so-called brownfields across the country, Mr. President, and in many communities they represent the No. 1 obstacle to redevelopment and economic growth. Providing these tax breaks eliminates a barrier to investment in our renewal communities as it helps preserve undeveloped lands inside and outside these communities. For every brownfield that gets cleaned and reused, a greenfield is preserved.

Important as they are, however, investment and job creation incentives are not enough. That is why the Community Renewal Act also targets families and organizations. For families living within renewal communities, the bill provides new opportunities for saving, owning a home, and sending their children to the school of their choice.

The bill provides renewal zone residents with family development accounts. These super-IRA's will encourage low-income families to save part of their income by making the deposits—up to $2,000 per year—deductible and the withdrawals tax free if used for purposes like buying a house or meeting educational expenses.

The bill also provides for the sale of unoccupied or substandard local HUD homes and housing projects to community development corporations. This provision increases housing opportunities for low-income families, helping them stay together, invest in their homes, and care for their neighborhoods by making them stakeholders in renewal communities.

Finally, there is an opportunity scholarship program. This means-tested program allows low-income parents to send their children to the school they think best.

Our bill also targets community organizations for assistance. As has been noted previously, for every social problem we face, there is an organization out there that is addressing that problem. This legislation's goal is to stimulate and encourage those organizations in their work.

In San Antonio, Pastor Freddie Garcia runs Victory Fellowship. This faith based drug rehabilitation program has saved thousands of addicts in some of the city's toughest neighborhoods. Victory Fellowship offers addicts a safe haven, a chance to recover, job training, and a chance for addicts to provide for themselves and their families and 13,000 people have been helped there, with a success rate of over 80 percent. But, because Victory Fellowship is faith based, it has not received any Federal help. Also because it is faith based, no one receiving Federal assistance is allowed to go there.

Mr. President, the American Community Renewal Act would allow local, faith based substance abuse treatment centers like Pastor Garica's to receive Federal assistance. It does so without endangering the independence of the Victory Fellowship and other centers doing similar work, and it does so without forcing religious doctrine upon those who seek assistance.

And, finally, this legislation stimulates charitable giving in all American communities by creating a new charity tax credit for private donations to qualified charities. Mr. President, back in 1986, Congress eliminated the charitable deduction for families who do not itemize. This change in the Tax Code hurt the ability of charities to attract private support. To correct this problem, this new credit would be available to all families, even those who do not itemize. To keep the cost reasonable, we have capped qualified donations for taxpayers who must also personally volunteer at the recipient charity. Nevertheless, we believe this provision will provide taxpayers with a powerful incentive to add their hard-earned money to the war on poverty and drugs.

Mr. President, the American Community Renewal Act places its faith in individuals, organizations, and communities all across America to address our social and economic ills. It does so by bridging the gap between economic and social policy, and the gap between traditionally Republican and Democratic solutions. I am glad to have joined hands with my colleagues to move this initiative forward, and I look forward to seeing this legislation enacted into law this Congress.

Mr. president, I ask unanimous consent that a detailed summary of the American Community Renewal Act be printed in the RECORD.

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

THE AMERICAN COMMUNITY RENEWAL ACT OF 1997—OUTLINE

This legislation focuses on three broad themes: moral and family renewal, personal economic empowerment, and fostering private charity. Our bill allows for up to 100 ''Renewal Communities'' to be established on a competitive basis in both urban and rural areas. To be designated a Renewal Community, state and local governments would have to work together with neighborhood groups to relax zoning, housing, tax, and business rules and regulations.

TITLE 1: DESIGNATION AND EVALUATION OF RENEWAL COMMUNITIES

Establish up to 100 Renewal Communities along the following guidelines:

(1) The Secretary of Housing and Urban Development has the authority to designate these ''renewal communities,'' 25 percent of which must be in rural areas. Designations would be effective for seven years.

(2) Areas nominated would have to meet certain criteria and would be ranked on the degree to which they exceeded these criteria. The criteria are as follows: (a) have an unemployment rate of at least 1½ times the national rate; (b) have a poverty rate of at least 20 percent; and (c) at least 70 percent of the households in the area have incomes below 80 percent of the median income of households in the metropolitan statistical area.

Nominated areas also would have to meet certain population criteria. These requirements are: (1) the areas must be within the jurisdiction of local governments; (2) the boundary must be continuous; and (3) if it is in a metropolitan statistical area, the population, based on the most recent census data, must be at least 4,000 (1,000 in the case of rural areas) or be entirely within an Indian reservation.

(3) Within four months of enactment, the Secretary of Housing and Urban Development would be required to issue regulations to: (1) establish the procedures for nominating areas; (2) determine the parameters relating to the size and population characteristics of ''renewal communities;'' and (3) the manner in which nominated areas will be evaluated based on the eligibility criteria.

(4) The Secretary of Housing and Urban Development could not designate an area a ''renewal community'' unless: (1) the local governments and the state have the authority to nominate an area; (2) agree to the requirements on state and local governments (described below); and (3) provide assurances that these commitments will be fulfilled; and (4) the Secretary of Housing and Urban Development determines that the information furnished is reasonably accurate.

(5) Before being considered for ''renewal community'' status, state and local governments must enter into a written contract with neighborhoods organizations to do at least five of the following: (1) reduce taxrates and fees within the ''renewal community;'' (2) increase the level of efficiency of local services within the renewal community; (3) crime reduction strategies; (4) actions to reduce, remove, simplify, or streamline governmental requirements applying within the renewal community; (5) involve private entities in providing social services; (6) allow for state and local income tax benefits for fees paid or accrued for services performed by a nongovernmental entity but which formerly had been performed by government; and (7) allow the gift (or sale at below fair market value) of surplus realty (land, homes, commercial or industrial structures) in the ''renewal community'' to neighborhoods organizations, community development corporations, or private companies.

Communities would receive credit for past activities with respect to these activities.

(6) In addition, before being considered for ''renewal community'' status, state and local governments must agree to suspend or otherwise not enforce the following types of restrictions on entry into business or occupations: (1) licensing requirements for occupations that do not ordinarily require a professional degree; (2) zoning restrictions on home-based businesses that do not create a public nuisance; (3). permit requirements for street vendors that do not create a public nuisance; (4). zoning or other restrictions that impeded the formation of schools or child care centers; or (5). franchises or other restrictions on competition for businesses providing public services, including but not limited to taxicabs, jitneys, cable television, or trash hauling. State and local authorities may apply such regulations of businesses and occupations within the ''renewal communities'' as are necessary and well-tailored to protect public health, safety, or order.

(7) State and local governments must agree to participate in the low-income scholarship program provided for in Title IV of this bill.

(8) With respect to existing Empowerment Zones and Enterprise Communities, the first 50 designations of Renewal Communities will be offered to existing zones on a first come, first serve basis.

TITLE II: ECONOMIC EMPOWERMENT AND TAX ADVANTAGES

The tax benefits for Renewal Communities are substantial. The tax incentives are as follows:

(1) A 100 percent exclusion from capital gains for certain qualified Renewal Community assets held for more than five years;

(2) An additional $35,000 of expensing under IRS Code Section 179 for qualified Renewal Community enterprises;

(3) A work opportunity tax credit to offset the cost of hiring individuals who are either on Temporary Assistance for Needy Families (TANF), are considered high-risk youth, or are in need of some type of vocational rehabilitation. The maximum credit can be up to $3,000 of first-year wages. The credit only applies to businesses located within the Renewal Community over a seven year period.

(4) A commercial revitalization tax credit for the renovation and rehabilitation of qualified, non-residential buildings located within a Renewal Community. The credit is worth up to 20% of the cost of renovation of 5% a year for ten years;

(5) Permits taxpayers to expense costs incurred in the abatement of environmental contaminants located within a Renewal Community.

Provides Family Development Accounts for the working poor residing in ''renewal communities'' along the following guidelines:

(1) As an incentive for low-income working families to save, EITC recipients would be able to put a portion of their credit into a savings account and be rewarded with a federal match. The intent of this section is to provide low-income working families an incentive to accumulate assets and help achieve economic self-sufficiency. Withdrawals from these accounts, known as Family Development Accounts, would be tax-free for the purchase of a home, post-secondary education, emergency healthcare costs or the creation of a small business. Contributions to the account would be limited to $2,000 in unmatched income for a one year period.

(2) These FDA accounts may be matched by public and private funds to help low-income families build family assets and become independent from government programs. Matches could be provided by local churches, service organizations, corporations, foundations, and state or local governments. A federal match of this money would also be deposited into the Family Development Account in at least 25 ''renewal communities.'' The funds for these demonstration programs will come from the $1 billion extra Social Service Block Grant program created in the 1993 enterprise zone bill.

Provide a new tax credit for charitable giving to private organizations which aid the poor along the following guidelines:

(1) The credit would equal 75 percent of the value of donations to qualified charities. The maximum gift for which such credit would be claimed would be $100 for a single filer ($200 for a joint-filing household). This credit would only be active for a three year period. In order to be eligible for the credit, the filer must have completed at least 10 hours of volunteer service for the designated organization over a one year period.

(2) In order for the credit to be claimed, the charity which receives the gift: (a). must be predominately involved in the provision of services to persons whose annual incomes do not exceed 185 percent of poverty; (b). must allocate at least 70 percent of its total expenditures to direct services to low-income persons.

TITLE III: LOW-INCOME EDUCATIONAL OPPORTUNITY SCHOLARSHIP PROGRAM

Establish an educational choice scholarship program in each ''renewal community'' along the following guidelines:

(1) Parents of children who receive assistance under this program will be free to choose the school which their children will attend from a wide range of types of schools, including: alternative public schools, charter schools, private schools, and private religious schools.

(2) Funds under the program may be used (a). to cover the reasonable cost of transportation to alternative public schools or (b). to provide scholarships to pay for tuition and reasonable transportation costs to private, and private religious schools.

(3) Each locality will determine the value of scholarships for children in their locality. The maximum value of the scholarship shall not exceed the per capita cost of educating children in a public school in the locality. The scholarship shall have a minimum value which shall not fall below the lesser of: (a). 66 percent of the per capita costs of educating children in the public schools in the locality; or (b). the normal tuition charged by the private school.

(4) A parent shall be able to redeem a scholarship at any private or private religious school within the locality which meets the health and educational standards for private schools within the locality which existed as of January 1, 1996. All schools which receive these scholarships shall comply with the antidiscrimination provision of Section 601 of Title VI of the Civil Rights Act of 1964 and may not discriminate on the basis of race.

(5) The locality may not prohibit parents from using scholarships to pay for tuition in religious schools and may not discriminate in any way against parents who choose to place their child in a religious school. The Senate version of the bill ensures that state and local funds are not used for scholarships where it is prohibited by state law or state constitution.

(6) Education funds under this act shall be provided into two tiers: Tier I funds shall be based on the number of school-age children with family incomes below 185 percent of poverty; Tier II funds shall be based on the level of private and public contribution to scholarships in the locality.

The level of Tier I funds, which each community shall receive, shall be pro-rated based on the number of school-age children in families residing in the community with incomes below 185 percent of poverty relative to the total number of such children in all localities eligible for funding. 80 percent of the funds shall be dedicated to Tier I.

Tier II funds shall equal 20 percent of all education funds under this Act and shall be proportional to the level of contribution to scholarships from non-federal funds (public or private) within the locality.

(7) No individual shall be entitled to scholarships. A locality shall allocate scholarships and transportation aid to eligible parents who apply for aid on a first-come, first-served basis or through another mechanism of selection determined by the locality which does not discriminate on the basis of the type of school selected by the parent.

(8) If the funds allocated to a locality under this act exceed the total expenditures on transportation aid and scholarships in a locality in a given year, the locality may use the surplus funds to provide for the education of low-income children within the public school system.

TITLE IV: FAITH-BASED SERVICE PROVIDER EMPOWERMENT AND HOMEOWNERSHIP

The act would empower neighbhorhood groups, including religious institutions, who want to provide drug treatment and drug counseling activities in the following manner:

(1) Modifies existing drug counseling and drug rehabilitation programs. A state may provide drug counseling and drug rehabilitation services through contracts with religious organizations or other private organizations; or may provide beneficiaries with vouchers or certificates which are redeemable for services provided by such organizations.

(2) Funds may be used for drug counseling and rehabilitation programs which have a religious content and character, as long as the beneficiary is able to choose among a range of service providers, including those which are religious in character. Such use of funds shall conform to the Supreme Courts interpretation of the Establishment Clause as provided in Mueller v. Allen and Witters v. Department of Services for the Blind.

(3) No beneficiary shall be required to participate in a service or program which is religious in character. In all cases beneficiaries shall be given the option of selecting services from a non-religious provider.

(4) Except as provided in #3 above, neither the federal government nor a state receiving funds may discriminate against an organization which seeks to provide services or be a contractor on the basis that the organization has a religious character.

(5) States would be required to undertake a review of credentialing requirements for drug rehabilitation programs. The goal of this review would be to improve efficiency and effectiveness of programs by reducing credentialing requirements.

More low-income families will have the opportunity to buy their first home through the Renewal Community home-ownership provisions. These measures provide for the sale of unoccupied or substandard homes and housing projects located within Renewal Communities and owned by HUD to community development corporations.

Finally, the bill would encourage bank lending within ''renewal communities.'' The bill amends section 804 of the Community Reinvestment Act of 1977 and allows financial institutions to receive CRA credit for investments in, loans to, or other ventures with community development financial institutions as defined by the Bank Enterprise Act of 1991 and which are located within ''renewal communities.''●

● Mr. LIEBERMAN. Mr. President, from the time I came to the Senate in 1989, I have been proud to advocate enterprise zones for America's troubled neighborhoods. I think this issue is at the heart of the whole question of what America must do to redeem the promise of economic opportunity for all Americans. I was pleased to work with Jack Kemp on this issue when he was Secretary of HUD, for the past 2 years with Senator ABRAHAM, and now with Representatives WATTS, FLAKE, and TALENT.

We all believe that not enough is being done to empower those people who live, work, and want to start businesses in our poorest urban and rural areas of the country. Any response to the economic distress in urban and rural areas which does not include a mechanism to attract businesses and jobs back to these areas is a response that is destined to fail.

We took a step toward empowering poor Americans and identifying and helping impoverished communities by passing 1993 legislation creating empowerment zones and enterprise communities in more than 100 neighborhoods across the country. With the passage of that legislation, Congress recognized something that our States have acknowledged for many years: Government loses the war on poverty when it fights alone. What we really need to do is figure out a way to pull the people and the places with little or no stake in our economic system, into our system. We need to answer ''yes'' to the question posed by Paul Pryde, coauthor of ''Black Entrepreneurship in America.'' That question is, ''Can we make the market work for the discouraged, isolated and frequently embittered underclass?''

We can, and need, to answer, ''yes.'' The 1993 legislation marked a fundamental change in urban policy, by recognizing that American business can and must play a role in revitalizing poor neighborhoods. Indeed, American business involvement is essential if we are to break the cycle of poverty and the related ills confronting too many cities and rural areas today—crime, drug abuse, illiteracy, and unemployment.

The 1993 breakthrough was a good start, but we did not go far enough. That's why I am pleased to join with my colleague, Senator SPENCER ABRAHAM, on a bipartisan basis, in announcing the American Community Renewal Act of 1997. We want to help economically distressed urban and rural areas by creating 100 community renewal zones, including current empowerment zones and enterprise communities created by OBRA 1993, and additional communities meeting poverty and local commitment criteria. Specifically, these zones must have a 20 percent or more poverty rate, unemployment of at least 15 percent the national rate, and at least 70 percent of households with incomes below 80 percent median household income. Renewal communities will commit to reducing barriers to business, such as reductions in local taxes and fees, elimination of State and local sales tax, and waiver of local and State occupational licensing regulations except for those specifically needed to protect health and safety.

This legislation will offer targeted, pro-growth tax and regulatory relief to encourage private sector job creation and economic activity in impoverished areas. To enhance business and community partnerships, we have included provisions to facilitate additional housing opportunities, encourage savings, and offer additional education and investment opportunities. The CRA credit will facilitate additional investment and lending to community development financial institutions, and family development accounts will encourage low-income families to save part of their income or EITC refund. Family development account funds will be deductible for tax purposes and can be withdrawn tax-free if used for qualified purposes. Family and community

ties will be strengthened through new private investment opportunities and expanded access to drug treatment in these communities.

We cannot give up on our inner cities and impoverished areas. Government, itself, cannot revitalize these areas. Communities must be strengthened through expanded economic opportunities, jobs, and private sector development in people's own local neighborhoods. Only then, can our communities save themselves from the vicious cycle of poverty and prepare our children for the future. Local partnerships and the commitment of business and communities to improving the economy of our poorest areas will provide the cornerstone of the future.

Through limited government involvement, enhanced personal responsibility, and the economic freedom of business to grow and develop, poor communities can become players in our Nation's economy. The American Community Renewal Act helps poor Americans of all backgrounds pursue happiness, and escape from the trap of poverty that defines too many of their lives today.●

By Mr. BROWNBACK (for himself, Mr. KYL, Mr. ALLARD, Mr. COATS, Mr. ENZI, Mr. HAGEL, and Mr. SESSIONS):

S. 433. A bill to require Congress and the President to fulfill their Constitutional duty to take personal responsibility for Federal laws; to the Committee on Governmental Affairs.

THE CONGRESSIONAL RESPONSIBILITY ACT OF 1997

● Mr. BROWNBACK. Mr. President, I introduce a piece of legislation that is being cosponsored by five of my colleagues. This legislation is the Congressional Responsibility Act of 1997.

But first of all I would like to recognize the tremendous work of Congressman J.D. HAYWORTH in pushing this legislation during the last Congress. As leader of the Constitutional Caucus J.D. has worked hard to return to Congress its constitutionally granted authority over the lawmaking process, and it is a privilege to be able to work with him on this legislation during the 105th. Congressman J.D. HAYWORTH will introduce the Congressional Responsibility Act of 1997 along with 30 of his House colleagues in the U.S. House of Representatives later today.

I believe the Congressional Responsibility Act of 1997 will provide a powerful tool in returning to Congress the constitutional responsibility it has abdicated for much of this century to unaccountable executive branch bureaucrats.

Ultimately this bill is about returning the constitutional responsibility of Congress back to the Congress.

Article I, section 1 of the Constitution states, ''All legislative powers herein granted shall be vested in a Congress.''

I believe that for too long Congress has ignored this provision by purposely writing excessively broad laws that are left not to Congress for interpretation but instead to unaccountable bureaucrats. As it stands now; Congress writes a law, an executive branch agency then interprets the law and promulgates regulations, and then the agency enforces the regulation. The agency in effect becomes both the maker and the enforcer of law.

This is wrong.

I agree with Madison, who wrote in the Federalist Papers that the consolidation of power into one branch of government is tyrannical.

This type of consolidation separates the American people from the process of lawmaking by separating the Congress from the promulgation of rules and regulations.

Taxation without representation was the charge levied at the British Government at the birth of our country. I believe a new charge levied at our own Government is regulation without representation. I believe it is a charge that we must answer.

The American people have a right to be heard in the lawmaking process; and we have a constitutional responsibility to make the law. Congress cannot and must not continue to carelessly delegate its authority away to executive branch agencies. In fact, it must take back that which it has already given away.

We must be responsible.

My bill will make us responsible. The Congressional Responsibility Act of 1997 will force Congress to vote on the rules and regulations promulgated by executive branch agencies before the rules and regulations can take effect.

Some will argue that this process will place an increased burden on the Congress who, they argue, already has little enough time to consider all the issues that come before it. This is an understandable concern.

The obvious answer is that regardless of the time burden it is still our constitutional responsibility to oversee the lawmaking process.

But our bill does address some of these concerns. For example, our bill will require Congress to vote on every proposed rule or regulation in an expedited manner, unless a majority of Members vote to send it through the normal legislative process. Under the expedited procedure the majority leader of both Houses, by request, must submit a bill comprised of the text of the regulation for consideration. The bill must then come before the respective Chamber for a vote within 60 days with debate limited to 1 hour and not amendable. If the bill is sent through the normal legislative process it is amendable. If the bill is not introduced the regulation is effectively killed. Congress must act for the regulation to take effect.

It is our responsibility to represent our constituents, to create a better Government, and to ensure the integrity of our democracy by always striving to give those who don't have a voice, a voice. It is our duty—it is what we were sent here to do.

Constitutional experts from across the country have expressed their strong support for this legislation.

Judge Robert Bork and Stephen Breyer have both expressed support for this issue. As well Professor David Schoenbrod at New York Law School and Professor Marci Hamilton at Cardozo have written letters strongly recommending that we adopt this bill and reassert our constitutional responsibility over the creation of laws. KU law professors Henry Butler and Steve McCallister have signed on as well. Professor John Hart Eli of the University of Miami has endorsed this bill as well.

This is a bipartisan concept that has, in the past, enjoyed the support of people like Senator Bill Bradley, and Nadine Strossen, president of the ACLU. Judge Robert Bork has expressed his support for this concept as well.

It is my sincere hope that Congress will act as it ought to act and in so doing pass the Congressional Responsibility Act of 1997 and once and for all return to Congress the authority it should have never given away.

I urge speedy consideration of this timely and vitally important piece of legislation.●

● Mr. HAGEL. Mr. President, I rise today as an original cosponsor of the Congressional Responsibility Act. I commend my distinguished colleague from Kansas, Senator BROWNBACK, for his leadership on this matter.

This legislation is an important step toward restoring the intent of our Constitution's framers that Congress—not the executive branch—makes the law. For too long, unelected bureaucrats in Federal departments and agencies have issued rules and regulations that have the force of law but that have never been deliberated by the people's elected representatives in Congress. That's not democracy. That's not accountability. America is not supposed to work that way.

We all know stories of Federal regulations run amok. We know of rules that make no sense, of regulations whose costs far outweigh their benefits, of rules that either don't solve the problem or prove worse than doing nothing at all.

Time and again, these senseless regulations hurt real people—people who expect accountability from their Government. Regulations have become one of the largest burdens on America's small businesses, farmers, ranchers, and private property owners. If Americans are to maintain faith in our democracy, the onslaught of regulation must be stopped.

Of course, Congress is not perfect either—but at least we are accountable to the people. That is why the Framers intended that Congress would make laws, and the executive branch would only carry them out. Regulatory agencies should interpret the laws passed by Congress—not make laws of their

own. That is why we need to restore the Constitution's intended separation of powers.

This legislation would do just that. It would prevent any Federal regulation from taking effect until Congress votes on it. In essence, it transforms the Federal regulators into Federal advisors—suggesting regulations that Congress may or may not approve.

Last year, Congress enacted the Congressional Review Act, which permitted Congress to review major Federal regulations. That was an important first step. This legislation we are introducing today goes a step beyond that—it requires Congress to approve all federal regulations. If Congress does not approve, the regulators cannot regulate.

Mr. President, this bill is an important tool to return accountability to the regulatory process. This is about cutting Government and renewing the basic principle of our democracy—that the people, through their elected representatives, control the Government, and not the other way around.

I am proud to be an original cosponsor of this legislation, and I urge all of my colleagues to support it.●

By Mr. MOYNIHAN (for himself and Mr. BYRD):

S. 434. A bill to amend the Internal Revenue Code of 1986 to correct the treatment of tax-exempt financing of professional sports facilities; to the Committee on Finance.

THE STOP TAX-EXEMPT ARENA DEBT ISSUANCE ACT

● Mr. MOYNIHAN. Mr. President, today I am introducing legislation to prohibit the use of tax-exempt financing for professional sports stadiums, the Stop Tax-exempt Arena Debt Issuance Act [STADIA], with one modification.

The bill I introduce today is identical to S. 122, the previously introduced version of the STADIA bill, in all respects save one. The new version, rather than generally applying to bonds issued on or after the date of first committee action, as specified in S. 122, will be effective generally for bonds issued on or after the date of enactment.

On February 27, during the floor debate regarding the reinstatement of the airport and airway trust fund taxes, the senior Senator from Pennsylvania, Senator SPECTER, raised an objection to the majority leader's request that the aviation tax bill be taken up and passed. Senator SPECTER's objection was based on his concerns about the effective date of S. 122. In view of the importance of the aviation tax legislation, which is critical to the funding of air safety measures, I agreed to revised the effective date of my bill. Senator SPECTER then withdrew his objection to passage of the aviation tax legislation, which the Senate proceeded to pass by unanimous consent.●

ADDITIONAL COSPONSORS

S. 25

At the request of Mr. FEINGOLD, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 25, a bill to reform the financing of Federal elections.

S. 66

At the request of Mr. HATCH, the name of the Senator from Wyoming [Mr. THOMAS] was added as a cosponsor of S. 66, a bill to amend the Internal Revenue Code of 1986 to encourage capital formation through reductions in taxes on capital gains, and for other purposes.

S. 114

At the request of Mr. INOUYE, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 114, a bill to repeal the reduction in the deductible portion of expenses for business meals and entertainment.

S. 222

At the request of Mr. DOMENICI, the names of the Senator from New Mexico [Mr. BINGAMAN], the Senator from Mississippi [Mr. COCHRAN], and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 222, a bill to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies.

S. 323

At the request of Mr. SHELBY, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 323, a bill to amend title 4, United States Code, to declare English as the official language of the Government of the United States.

S. 368

At the request of Mr. BOND, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 368, a bill to prohibit the use of Federal funds for human cloning research.

S. 375

At the request of Mr. MCCAIN, the names of the Senator from Kansas [Mr. BROWNBACK], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 375, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

SENATE RESOLUTION 59

At the request of Mr. KENNEDY, the names of the Senator from Michigan [Mr. ABRAHAM], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Mississippi [Mr. COCHRAN], the Senator from Utah [Mr. BENNETT], the Senator from Georgia [Mr. COVERDELL], the Senator from Delaware [Mr. BIDEN], the Senator from Connecticut [Mr. DODD], the Senator from California [Mrs. BOXER], the Senator from West Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Massachusetts [Mr. KERRY], the Senator from Alaska [Mr. STEVENS], the Senator from South Carolina [Mr. THURMOND], the Senator from Virginia [Mr. WARNER], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Hawaii [Mr. AKAKA], the Senator from Iowa [Mr. GRASSLEY], the Senator from Vermont [Mr. JEFFORDS], the Senator from North Dakota [Mr. CONRAD], the Senator from Georgia [Mr. CLELAND], the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from Utah [Mr. HATCH], the Senator from South Dakota [Mr. DASCHLE], the Senator from Ohio [Mr. DEWINE], the Senator from Nevada [Mr. BRYAN], the Senator from Arkansas [Mr. BUMPERS], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Delaware [Mr. ROTH], the Senator from North Dakota [Mr. DORGAN], the Senator from Illinois [Mr. DURBIN], the Senator from California [Mrs. FEINSTEIN], the Senator from Kentucky [Mr. FORD], the Senator from Ohio [Mr. GLENN], the Senator from Florida [Mr. GRAHAM], the Senator from Hawaii [Mr. INOUYE], the Senator from Louisiana [Ms. LANDRIEU], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Vermont [Mr. LEAHY], the Senator from Michigan [Mr. LEVIN], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Maryland [Ms. MIKULSKI], the Senator from Washington [Mrs. MURRAY], the Senator from Rhode Island [Mr. REED], the Senator from Nevada [Mr. REID], the Senator from Maryland [Mr. SARBANES], the Senator from New Jersey [Mr. TORRICELLI], and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of Senate Resolution 59, a resolution designating the month of March of each year as ''Irish American Heritage Month.''

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that the hearing scheduled before the full Energy and Natural Resources Committee to receive testimony regarding S. 417, a bill ''to extend energy conservation programs under the Energy Policy and Conservation Act through September 30, 2002,'' S. 416, a bill ''to amend the Energy Policy and Conservation Act to extend the expiration dates of existing authorities and enhance U.S. participation in the energy emergency program of the International Energy Agency,'' and S. 186, a bill ''to amend the Energy Policy and Conservation Act with respect to purchases from the Strategic Petroleum Reserve by entities in the insular areas of the United States and for other purposes,'' has been postponed.

The hearing was scheduled to take place on Tuesday, March 18, 1997, at