

were willing to just keep the Government shut down and not send another continuing resolution, not agree to fund Government at the steady State level, but to allow the Government to stay shut down as a way of gaining leverage in those negotiations. I believe it was on the 18th day of, I think, the second shutdown when Senator Dole, the leader in the Senate, finally came to the Senate floor and spoke and said that he believed enough was enough and he himself was going to urge that a continuing resolution be passed in order to go ahead and at least keep the Government funded on a steady-state basis while negotiations between the President and the Congress continued. I came to the floor right after Senator Dole spoke, or I was here at the time he spoke, and I commended him for his decision to break with the House leadership and to go ahead, after 18 days of shutdown, and finally go ahead and fund these departments of the Government. Many of his colleagues here in the Senate followed his lead after that and agreed to go ahead and pass a continuing resolution to fund those areas of the Government.

That was the shutdown, as I recall it. That is a general description of the shutdown that occurred. What we have now is a bill to provide very important funding for a variety of subjects. It is all wrapped into this supplemental appropriation. It is a supplemental, of course, because it is not one of the regular appropriations bills which we do each year. It is a supplemental that comes at an unusual time, and the time that we are dealing with this has been driven, perhaps as much as anything, by the natural disasters that have occurred in particular parts of the country, in North Dakota, South Dakota, Minnesota, and in some other areas as well. There are some other provisions in this supplemental which are also very important. My home State of New Mexico will be able to receive, under this supplemental, \$14 million of desperately needed highway funds, which should have been provided to us under last year's bill and which I made a major point about in the last Congress. We had been fighting to get this money for over 6 months. We lost it in the last set of appropriations bills.

This year, we have been able to persuade the appropriators to include it in this supplemental, and I think that is a very important step forward. So there are provisions in this bill that are important to my State highway funds, title I funds, as well as, of course, the provisions that are intended to assist with the disaster relief, which is so needed by many families that have been devastated by the weather and by the floods that they have experienced in recent weeks in these areas of the Midwest. So that is where we are.

The problem has come up that there is an amendment being included in the supplemental appropriation that is another continuing resolution, and it says that essentially if we adopt that

amendment, it would say that if the Republican majority in Congress does not send the President an appropriations bill he will sign, an acceptable appropriations bill, in any area, there will be allowed to be continued funding in those areas at a rate of 2 percent less than this current fiscal year. The difficulty with it, of course, is that it again changes the dynamic very greatly against a real compromise occurring between the Executive and the Congress on these very important funding issues.

It says to the President, "Look. Before, you had the ability to veto an appropriations bill which you disagreed with, and then everyone had to go back to the table." Now, if we add this continuing resolution provision to the supplemental, that requirement won't be there anymore because there will be no pressure on the Republican Congress to go back to the table and negotiate further with the President. The President will, if we send an appropriations bill that he determines is unacceptable for whatever reason and he vetoes it, as called for in the Constitution, then there is no pressure on the Republican leaders in Congress to renegotiate. They will have in place at that point a continuing resolution, which will have been part of the supplemental, which says we are going to fund everything, and, by the way, the funding level is going to be 2 percent less than it was in the previous year, or, in the case of areas such as education, it is going to be 7 percent less than he requested for this year. That will be the steady rate, and that will be the continuing situation from now on. So there is no pressure for the compromise that the Constitution contemplates between the executive branch and the legislative branch to occur. I think it is a very ill-advised provision.

I think the President is taking the right position by saying that he will not agree to this kind of continuing resolution being adopted as part of this supplemental. But basically, if the Congress says to the President,

If you want this relief for these flood victims, if you want this money for highways in New Mexico, if you want this money for Head Start, or for title I, or any of the other provisions in this supplemental, then you have to agree to a spending level that is 2 percent below this current year's level in all of these other areas, unless we are able to send you something else that is preferable at a later date.

This is not an acceptable proposal. I think the President is correct in refusing to agree to it.

We on the Democratic side are correct in refusing to agree to it. What we should do, and what I believe the American people would like us to do, is to go ahead and approve the supplemental appropriations bill, go ahead and appropriate the funds for flood relief, go ahead and appropriate the funds for the additional highway funding, go ahead and appropriate the additional funds for title I. Then we can have a debate, as we go through the rest of

this year, on the budget resolution and on the appropriations bills. We can have a debate about what the right level of spending ought to be in each of these other areas.

We should not at the very beginning, before we have a budget resolution, before we have any appropriations bills, have some kind of legal provision that says, unless the President agrees to what the Republican majority in Congress sends him, that he has to settle for a 2-percent cut in all areas: education, environmental protection, and all of the other areas.

That is what this continuing resolution provision would do. It needs to be dropped from the supplemental appropriations bill if we are going to go ahead and pass this supplemental appropriations and have it signed into law. It is very important that it be signed into law, and sooner rather than later.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The distinguished Senator from Georgia is recognized.

VOLUNTEER PROTECTION ACT OF 1997

The Senate continued with the consideration of the bill.

Mr. COVERDELL. Mr. President, we are very hopeful, now that we have gotten to S. 543, an accord that deals with the views and concerns of both sides can be reached, but that is not the case as yet and I thought I would take just a moment on something I wanted to acknowledge during the course of the debate.

I found it very interesting that one of the periodicals that came out following the summit in Philadelphia quoted President Clinton and President Bush. I want to share that with the Senate. President Clinton said:

I am keenly aware of the need for strong, caring adults in a child's life. My mother taught me to see opportunities where others see only challenges. My grandfather took me with him, visiting with neighbors and teaching me about people. My grandmother read aloud to me every day so I would be able to read before going to kindergarten. I want children in every family and community to have the same chance I did.

President Bush said:

I said it as President and I'll say it again: Someplace in this country every problem that plagues us is being solved through volunteerism, whether it's drug addiction, street crime or teenage pregnancy. Some community, through volunteers, has solved the problem.

Both of these Presidents have pointed, as most of the summit did, to the

shortfall that is occurring among and for many of the youth of our Nation, which is again why I think it is so important that S. 543 garner passage here today, because it will free up so much energy to address this problem.

The other point I want to reiterate is that when you read through the statements and the work of General Powell and the others at the summit, they are not only talking about voluntarism but they are talking about voluntarism that occurs in very troubled communities. They use the terms poisonous streets and difficult environments. They are talking about not the everyday idea of an American family. They are talking about people who are products of broken families and very serious difficulties. The issue that I have tried to underscore with regard to S. 543 is that because these areas are so troubled and so difficult, it more than accentuates the need for some protection, legal protection for our volunteers who are willing to go into this area, because they are going into an environment, they are going into a situation that is troubled, volatile, abnormal, prone to difficulties and accidents, and conditions that would elevate the threat of legal ramifications.

So I think it is important that we are not talking out of the summit about some of the more traditional forms of voluntarism, many of which are not surrounded with risk, but this call for 2 million people to step forward in a difficult situation is all the more reason this Congress should take steps to make it easier for those volunteers to step forward.

Mr. President, I see my distinguished colleague from Alaska has come to the floor, and I am glad to yield the floor so that he might make his remarks.

I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I thank my friend from Georgia for his vigilance on this matter, trying to ensure that volunteers in this country are not subject to the extreme liabilities associated with their actions which, obviously, benefit all of society. I commend him for his commitment.

Mr. President, I ask unanimous consent I might make a statement as in morning business for about 6 or 7 minutes.

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

The Senator from Alaska is recognized.

Mr. MURKOWSKI. I thank the Chair.

BENEFITS FROM CRUISE SHIPS VISITING ALASKA LEGISLATION

Mr. MURKOWSKI. Mr. President, yesterday I reintroduced a bill that I introduced some years ago. I think it is a very important measure. It is a measure that will unlock and open a door

that Congress has kept barred for over 100 years. By opening this door, we are going to create thousands of new jobs, hundreds of millions of dollars in economic activity, and significant revenue for the Federal and State and local governments. Furthermore, that door can be opened with no adverse impact on any existing U.S. industry, U.S. labor interest, or on the environment. And it will cost the Federal Government nothing.

There is no magic to this. In fact, it is a very simple matter. This bill allows U.S. seaports to compete for the ever-growing cruise ship trade, specifically to my State of Alaska, but all west coast ports, Tacoma, San Francisco, Los Angeles, and so forth, would benefit. Further, it would encourage the development of an all-Alaska cruise business as well.

The bill I propose amends the Passenger Service Act to allow foreign cruise ships to operate from U.S. ports to Alaska and between Alaska ports. However, it also very carefully protects all existing U.S. passenger vessels by using a definition of cruise ship designed to exclude any foreign flag vessel that could conceivably compete in the same market as U.S.-flag tour boats, ferries, vessels that carry cargo, et cetera.

Finally, it provides a mechanism to guarantee that if a U.S. vessel, a cruise vessel, ever enters this trade in the future, steps will be taken to ensure an ample pool of potential passengers. Specifically, it would require that foreign-flag vessels of greater passenger capacity will be required to leave the market upon the entry of any U.S. cruise ship.

People say, don't we have U.S. passenger ships? We have one, just one left: the *Constitution*, that operates off the Hawaiian Islands. The last U.S. passenger ship that was built to cruise ship capability, was the S.S. *United States*, nearly 40 years ago. We are simply not in the cruise passenger business in the United States anymore, but foreign ships from the Caribbean are. They move to Alaska and the west coast of British Columbia in the summer, where they carry passengers between American ports and foreign ports, but cannot carry passengers between U.S. ports. What we are proposing is we simply allow those vessels on the west coast to carry passengers from west coast U.S. ports such as San Francisco and Tacoma, to Alaska, and on intra-Alaska voyages.

This is a straightforward approach to a vexing problem that deserves support by this body.

Let us look at the facts. The U.S. ports currently are precluded—let me emphasize this—U.S. ports are precluded from competing for the Alaska cruise ship trade by the Passenger Service Act of—when? Of 1886. That act bars foreign vessels from carrying passengers on one-way voyages between the U.S. ports. However, it is not 1886 anymore. These days, no one—no one is

building any U.S. passenger ship of this type. And no one has built one in over 40 years. The S.S. *United States* was the last one.

Let me again emphasize that it is not 1886 anymore. These days, no one is building any U.S.-flagged, U.S.-crewed, U.S.-built cruise ships of the type that are in the cruise business and sail out of Caribbean ports in the wintertime and out of Vancouver, British Columbia, to Alaska in the summertime.

Because there are no U.S. vessels in this important trade, the only real effect the Passenger Service Act has been to force all vessels sailing to my State of Alaska to base their operations in a foreign port, namely Vancouver, British Columbia.

In essence, Mr. President, what we have here is an act of Congress prohibiting U.S. cities from competing for thousands of jobs, and for hundreds of millions of business dollars. This is absurd. It is worse than absurd. In light of our ever-popular election year promises to keep the economy growing, I suggest it belongs to Letterman's top 10 reasons why Congress oftentimes does not know what it is doing.

Can anyone argue with a straight face for the continuation of a policy that fails utterly to benefit any identifiable American interest, while actively discouraging economic growth?

This is not the first time I have introduced this legislation. When I began the process, Alaska-bound cruise passengers totaled about 200,000 per year. By last year, 445,000 people, most of them American citizens, were making that voyage. This year's traffic may exceed 500,000 people. Almost all of those passengers are sailing to and from Vancouver, British Columbia, not because Vancouver is necessarily a better port, but because our own foolish policy demands it.

I have nothing but admiration for my friends in British Columbia and the city of Vancouver. They have done a fine job. But we are simply spiting ourselves and our own U.S. interests and it is time we looked at this issue rationally. The cash flow generated by this trade is enormous. Most of these passengers fly in and out of Seattle-Tacoma International Airport in Washington State, but because of this law they spend little time there. Instead they spend their pre- and post-sailing time in a Vancouver hotel, in a bus to Vancouver, at a Vancouver restaurant, a Vancouver coffee shop, and when their vessel sails it is loaded with food, fuel, general supplies, repair, maintenance needs taken care of—by Canadian vendors.

There is nothing wrong with that, but this business could be in the United States. According to some of our estimates, the city of Vancouver receives benefits of well over \$200 million a year. Others provide more modest estimates, such as a comprehensive study done by the International Council of Cruise Lines, which indicated that in 1992 alone, the Alaska cruise trade generated over 2,400 jobs for the city of