

related to the 1997 flooding of the Red River of the North and its tributaries, if the agency determines that the action would facilitate recovery from the major disaster:

(1) PROCEDURE.—Exercise the agency's authority under provisions of law other than this section without complying with—

(A) any requirement of section 553 of title 5, United States Code; or

(B) any provision of law that requires notice or opportunity for hearing or sets maximum or minimum time limits with respect to agency action.

(2) PUBLICATION REQUIREMENTS.—Make exceptions, with respect to institutions or other entities for which the agency is the primary Federal regulator, to—

(A) any publication requirement with respect to establishing branches or other deposit-taking facilities; or

(B) any similar publication requirement.

(b) PUBLICATION REQUIRED.—Not later than 90 days after the date of an action under this section, a qualifying regulatory agency shall publish in the Federal Register a statement that—

(1) describes the action taken under this section; and

(2) explains the need for the action.

(c) QUALIFYING REGULATORY AGENCY DEFINED.—For purposes of this section, the term "qualifying regulatory agency" means—

(1) the Board;

(2) the Office of the Comptroller of the Currency;

(3) the Office of Thrift Supervision;

(4) the Federal Deposit Insurance Corporation;

(5) the Federal Financial Institutions Examination Council;

(6) the National Credit Union Administration; and

(7) with respect to chapter 53 of title 31, United States Code, the Secretary of the Treasury.

#### SEC. 55. SENSE OF THE CONGRESS.

It is the sense of the Congress that each Federal financial institutions regulatory agency should, by regulation or order, make exceptions to the appraisal standards prescribed by title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3331 et seq.) for transactions involving institutions for which the agency is the primary Federal regulator with respect to real property located within a disaster area pursuant to section 1123 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3352), if the agency determines that the exceptions can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

#### SEC. 56. OTHER AUTHORITY NOT AFFECTED.

Nothing in this title limits the authority of any department or agency under any other provision of law.

#### SEC. 57. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term "appropriate Federal banking agency" has the same meaning as in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(2) BOARD.—The term "Board" means the Board of Governors of the Federal Reserve System.

(3) FEDERAL FINANCIAL INSTITUTIONS REGULATORY AGENCY.—The term "Federal financial institutions regulatory agency" has the same meaning as in section 1121 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3350).

(4) INSURED DEPOSITORY INSTITUTION.—The term "insured depository institution" has

the same meaning as in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(5) LEVERAGE LIMIT.—The term "leverage limit" has the same meaning as in section 38 of the Federal Deposit Insurance Act (12 U.S.C. 1831o).

(6) QUALIFYING AMOUNT ATTRIBUTABLE TO INSURANCE PROCEEDS.—The term "qualifying amount attributable to insurance proceeds" means the amount (if any) by which the institution's total assets exceed the institution's average total assets during the calendar quarter ending before the date of any determination referred to in section 503(l)(A), because of the deposit of insurance payments or governmental assistance made with respect to damage caused by, or other costs resulting from, the major disaster.

#### STEVENS AMENDMENT NO. 55

Mr. STEVENS proposed an amendment to the bill S. 672, supra; as follows:

On page 65, line 5, strike the amount "\$41,090,000" and insert the amount "\$81,090,000" and

On page 65, line 7, strike the amount "\$135,090,000" and insert the amount "\$95,000,000".

#### FORD AMENDMENT NO. 56

Mr. STEVENS (for Mr. FORD for himself and Mr. MCCONNELL) proposed an amendment to the bill, S. 672, supra; as follows:

At the appropriate place in the bill, insert the following:

#### SEC. 5. AUTHORITY OF SECRETARY OF DEFENSE TO ENTER INTO LEASE OF BUILDING NO. 1, LEXINGTON BLUE GRASS STATION, LEXINGTON, KENTUCKY.

(a) AUTHORITY TO ENTER INTO LEASE.—Notwithstanding any other provision of law, the Secretary of Defense may enter into an agreement for the lease of Building No. 1, Lexington Blue Grass Station, Lexington, Kentucky, and any real property associated with the building, for purposes of the use of the building by the Defense Finance and Accounting Service. The agreement shall meet the requirements of this section.

(b) TERM.—(1) The agreement under this section shall provide for a lease term of not to exceed 50 years, but may provide for one or more options to renew or extend the term of the lease.

(2) The agreement shall include a provision specifying that, if the Secretary ceases to require the leased building for purpose of the use of the building by the Defense Finance and Accounting Service before the expiration of the term of the lease (including any extension or renewal of the term under an option provided for in paragraph (1)), the remainder of the lease term may, upon the approval of the entity leasing the building, be satisfied by the Secretary or another department or agency of the Federal Government (including a military department) for another purpose similar to such purpose.

(c) CONSIDERATION.—(1) The agreement under this section may not require rental payments by the United States under the lease under the agreement.

(2) The Secretary or other lease, if any, under subsection (b)(2) shall be responsible under the agreement for payment of any utilities associated with the lease of the building covered by the agreement and for maintenance and repair of the building.

(d) IMPROVEMENT.—The agreement under this section may provide for the improvement of the building covered by the agreement by the Secretary or other lessee, if any, under subsection (b)(2).

#### NOTICES OF HEARINGS

##### SUBCOMMITTEE ON PUBLIC HEALTH AND SAFETY

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the Public that a hearing of the Subcommittee on Public Health and Safety, Senate Committee on Labor and Human Resources will be held on Tuesday, May 5, 1997, 9:30 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is "Protecting Public Health: CDC Project Grants for Preventable Health Services." For further information, please call the committee, 202/224-5375.

##### COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a executive session of the Senate Committee on Labor and Human Resources will be held on Wednesday, May 6, 1997, 9:30 a.m., in SD-430 of the Senate Dirksen Building. The following are on the agenda to be considered.

1. S. : Individuals with Disabilities Education Act Amendments of 1997.

2. Presidential nominations.

For further information, please call the committee, 202/224-5375.

#### AUTHORITY FOR COMMITTEE TO MEET

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Monday, May 5, for purposes of conducting a hearing before the full committee which is scheduled to begin at 10:30 a.m. The purpose of this hearing is to consider S. 430, the New Mexico Statehood and Enabling Act Amendments of 1997.

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

#### ADDITIONAL STATEMENTS

##### OUTLOOK SCHOOL MCI/NASA PROJECT

• Mr. GORTON. Mr. President, I would like to pay tribute to the efforts of those individuals involved with the Outlook Elementary School project in Outlook, WA. Their tremendous generosity will provide the technology our students need to succeed in school and in life.

The importance of keeping our children abreast of technology is hard to exaggerate. The National Science Foundation reports that over 700,000 new technicians, scientists, mathematicians, and engineers must be found by the year 2010 simply to keep up with technological demands.

Business and political leaders from around the country have called for increased emphasis on technology in education. Some fear, however, that rural

and small-town America could be overlooked in this effort. Seeing this potential problem, Astronaut Bonnie Dunbar enlisted the support of MCI in providing free computers and Internet access to the students of Outlook Elementary School in Outlook, WA. Bonnie Dunbar is a graduate of Outlook Elementary, and is a model and inspiration to many. In the hallway of this small school is the phrase "From Outlook to NASA." With the generosity of MCI, and the efforts of Bonnie Dunbar, more students will have the benefits of state-of-the-art technology, and also have the stars within their reach.●

#### SEAN J. WHITE

● Mr. LIEBERMAN. Mr. President, I rise today to acknowledge Sean J. White. Sean has been a member of the King & Low-Heywood Thomas School [KLHT] community since his freshman year. That same year he was elected treasurer of the student government. He also served as a ranking member of the Constitution Committee. Mr. White was a member of the school newspaper staff and became editor-in-chief of *The Standard* in 1997. He has been an active member of Model United Nations and Political Union, as the vice chairman. At the end of this year his term as chairman of the Political Union and as president of Model United Nations will begin.●

#### TRIBUTE TO HARRISON EITELJORG

● Mr. LUGAR. Mr. President, I rise today to pay tribute to Harrison Eiteljorg, a dear friend and longtime patron of the arts, who passed away last week at the age of 93. This afternoon, friends and family will gather in Indianapolis to remember Harrison and to celebrate his remarkable life.

Harrison Eiteljorg was the founder and chief benefactor of the Eiteljorg Museum of American Indians and Western Art. This museum, located in downtown Indianapolis, houses his extensive collection of paintings and sculptures of the American West, with works by Frederic Remington, Georgia O'Keefe, Albert Bierstadt, and Thomas Hart Benton. It also contains his collection of Indian artifacts, with costumes, weapons, ceremonial objects and masks representing tribes of the Midwest, Plains, and Northwest coast. The Eiteljorg collection is perhaps the finest of its type anywhere in the world.

Harrison Eiteljorg found absolute joy in the pursuit, discovery and acquisition of paintings and sculptures of the American West. Early in his life, business interests took Eiteljorg on frequent and extended trips to the West and Southwest. His interest in Indian artifacts and crafts developed at this time, together with his attraction to Western painting and sculpture.

Eiteljorg began assembling his collections in the late 1940's. His first

piece was Olaf Weighorst's *Cutting Horse*, which depicts a cowboy about to rope a steer. As his collection grew, Eiteljorg tried to meet many of the artists whose works he purchased, in an effort to share a few moments of their lives. And, he gave his encouragement and financial support to several young artists, enabling them to devote full time and attention to their art.

Harrison Eiteljorg was also a supporter and active member of the Indianapolis Museum of Art. He became a member of the IMA Board of Trustees in 1962, served as board chairman from 1974 to 1983, and had been honorary chairman since 1987. In the 1980's, Eiteljorg made a gift to the IMA of more than 1,000 pieces from his collection of African and oceanic art.

As a former mayor of Indianapolis, I understand the importance of citizens being involved in their local communities. Harrison Eiteljorg's strong sense of civic responsibility and duty helped make Indianapolis a showcase for art and culture.

Harrison Eiteljorg's personal commitment to preserving the heritage of American Indians and the evolution of the West is to be commended. While he will be sorely missed, his important collections will continue to educate and enchant visitors to the Eiteljorg Museum and the Indianapolis Museum of Art for many years to come.●

#### AFRICAN-AMERICAN MEDAL OF HONOR RECIPIENTS

● Mr. TORRICELLI. Mr. President, I rise today in strong support of Senator KEMPTHORNE's effort to provide Medal of Honor recipient Vernon Joseph Baker, and the heirs of Medal of Honor recipients Edward Carter and Charles Thomas, with retroactive compensation for their awards.

During World War II Mr. Baker was an Army 2d lieutenant serving with the 92d Infantry Division in Europe. During a 2-day action near Viareggio, Italy he single-handedly wiped out two German machinegun nests, led successful attacks on two others, drew fire on himself to permit the evacuation of his wounded comrades, and then led a battalion advance through enemy minefields. Mr. Baker is the only one of these three men still alive today, and he currently resides in St. Maries, ID.

Edward Carter, of Los Angeles, was a staff sergeant with the 12th Armored Division when his tank was destroyed in action near Speyer, Germany, in March of 1945. Mr. Carter led three men through extraordinary gunfire that left two of them dead, the third wounded, and himself wounded five times. When eight enemy riflemen attempted to capture him, he killed six of them, captured the remaining two and, using his prisoners as a shield, recrossed an exposed field to safety. The prisoners yielded valuable information. Mr. Carter died in 1963.

Charles Thomas, of Detroit, was a major with the 103d Infantry Division

serving near Climbach, France, in December of 1944. When his scout car was hit by intense artillery fire, Mr. Thomas assisted the crew to cover and, despite severe wounds, managed to signal the column some distance behind him to halt. Despite additional multiple wounds in the chest, legs, and left arm, he ordered and directed the dispersion and emplacement of two antitank guns that effectively returned enemy fire. He refused evacuation until certain his junior officer was in control of the situation. Mr. Thomas died in 1980.

I commend Mr. Baker, Mr. Carter, and Mr. Thomas for their bravery and Senator KEMPTHORNE for leading this effort.

As a result of their heroics, these men had clearly met the criteria for being awarded a Medal of Honor, the Nation's highest award for valor. This medal is only awarded to a member of the U.S. armed services who "distinguishes themselves conspicuously by gallantry and intrepidity at the risk of their life and beyond the call of duty," with an act "so conspicuous as to clearly distinguish the individual above their comrades." However, because of the racial climate of the time and the segregated nature of the Army in 1945, African-Americans were denied the Medal of Honor. It is a sad testament to America's legacy of discrimination that although 1.2 million African-Americans served in the military during the Second World War, including Mr. Baker, Mr. Carter, and Mr. Thomas, none received 1 of the 433 Medals of Honor awarded during the conflict.

This past January our Nation took an important step in correcting this injustice by awarding Mr. Vernon Joseph Baker, and six of his dead comrades, the Medal of Honor during a long-overdue ceremony at the White House. This recognition of these men's extraordinary courage was a vindication for all African-American heroes of World War II. In order to further demonstrate our profound thanks to these brave men, I support Senator KEMPTHORNE's effort to retroactively compensate Mr. Baker, and the heirs of Mr. Carter and Mr. Thomas for the money that they would have received from the Army for receiving the Medal of Honor. The other three heroes died as a result of the brave deeds which qualified them to receive the Medal, and thus would not have received any compensation by the military.

Each recipient of this Medal is entitled to receive a token monthly stipend from their respective branch of the military after they leave active duty service. In 1945 the stipend was \$10 and today it has risen to \$400. Since he was denied the Medal more than a half century ago, Mr. Baker and the survivors of Mr. Carter and Mr. Thomas, deserve to receive the same amount of money that they would have received had they been awarded the Medal at the close of World War II. America is profoundly thankful for the patriotism of these