

of Massachusetts; to the Committee on Governmental Affairs.

Whereas, targeted business incentive programs have proliferated into a counter-productive economic war between the States and now form the cornerstone of State-sponsored "economic development" policies; and

Whereas, these programs fail to promote healthy and equitable statewide economic growth and, in reality, result in States engaging in economic warfare by moving businesses from one location to another both within and between States, with no significant economic benefit in the aggregate; and

Whereas, America's future in the global economy lies within its educational, industrial, technological, and research capabilities throughout the entire fifty States; and

Whereas, disarmament of wasteful programs can be achieved through a combination of new State and Federal policies; and

Whereas, States would be better off providing a less burdensome tax climate for all businesses and a quality educational system geared to providing an adequately trained and ready work force, support for research and development, and a quality transportation system, along with other high-quality traditional Government services; and

Whereas, efforts are currently under way in the United States Congress to identify and eliminate federally funded programs that are used by the States to escalate this economic warfare: Therefore be it

*Resolved*, That the Massachusetts House of Representatives urges the Congress of the United States to embrace and support efforts in the United States Congress such as H.R. 1842 and other legislative initiatives that will begin to mitigate this economic warfare: And be it further

*Resolved*, That a copy of these resolutions be forwarded by the Clerk of the House of Representatives to the Presiding Officer of each branch of the Congress, and to the members thereof from this Commonwealth.

POM-109. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia; to the Committee on Governmental Affairs.

#### HOUSE JOINT RESOLUTION No. 415

Whereas, the federal government distributed almost \$229 billion in grants to state and local governments in federal fiscal year 1995; and

Whereas, Virginia received approximately \$3.5 billion in federal grants in federal fiscal year 1995; and

Whereas, Virginia's receipt of federal grants on a per-capita basis is the lowest of any state in the country and has been for five consecutive years; and

Whereas, many federal grants are awarded using mathematical formulas that may be disadvantageous to the Commonwealth; and

Whereas, the United States General Accounting Office last prepared a catalogue of federal grant formulas in 1987; and

Whereas, an updated catalogue of federal grant formulas is vital for Virginia to better understand and address its receipt of federal grant moneys: Now therefore, be it

*Resolved by the House of Delegates, the Senate concurring*, That the Congress of the United States be urged to direct the General Accounting Office to update its 1987 catalogue of federal grant-in-aid formulas as soon as possible; and, be it

*Resolved further*, That the Clerk of the House of Delegates transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, the members of the Congressional Delegation of Virginia, and the Director of the Virginia Liaison Office in order that they may be apprised

of the sense of the General Assembly of Virginia in this matter.

POM-110. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia; to the Committee on Governmental Affairs.

#### SENATE JOINT RESOLUTION No. 228

Whereas, the federal government was granted carefully limited powers by the states through the ratification of the Constitution of the United States; and

Whereas, the 10th Amendment to the Constitution of the United States specifies that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people"; and

Whereas, the framers of the Constitution recognized that the separation of powers is essential in protecting the rights of the people and extends not only to the three branches of the federal government, but also to the relationship between the federal government and state governments; and

Whereas, the three branches of the federal government have by many actions usurped powers reserved by the Constitution of the United States to the states and the people, thus severely unbalancing the relationship between the federal government and the state governments; and

Whereas, the federal judiciary has not taken any action to control these unwarranted assumptions of power by the federal government; and

Whereas, less federal preemption means states can act as true laboratories of democracy, developing novel social and economic policies without intruding into the affairs of the rest of the nation; and

Whereas, in order to restore the balance of power between the federal government and state governments as intended by the framers of the Constitution of the United States, the federal government must carefully consider, and be accountable for, the constitutional boundaries of its jurisdiction; now, therefore, be it

*Resolved by the Senate, the House of Delegates concurring*, That the Congress of the United States be urged to enact legislation that would require Congress to cite the constitutional authority for all proposed laws; and, be it

*Resolved further*, That the enabling legislation enacted by Congress contain the following provisions:

1. To require Congress to state explicitly the extent to which the proposed section of any new law preempts any state, local, or tribal law, and if so, to provide the reasons for such preemptions;

2. To prohibit federal agencies from promulgating rules or regulations (i) that preempt or otherwise interfere with state and local powers without expressed statutory authority and (ii) that do not give states notice and an opportunity to be heard in the rule-making process; and

3. If clause 3 of Section 8 of Article I of the Constitution of the United States is cited as the constitutional authority for the proposed law, to require Congress to report a list of factual findings establishing a substantial nexus between the regulatory effect of the proposed law and interstate commerce; and, be it

*Resolved finally*, That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and the members of the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly in this matter.

#### REPORT OF COMMITTEE SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 23, 1997, the following reports of committees were submitted on May 28, 1997:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 210. A bill to amend the Organic Act of Guam, the Revised Organic Act of the Virgin Islands, and the Compact of Free Association Act, and for other purposes (Rept. No. 105-22).

#### 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. WARNER:

S. 819. A bill to designate the United States courthouse at 200 South Washington Street in Alexandria, Virginia, as the "Martin V.B. Bostetter, Jr. United States Courthouse"; to the Committee on Environment and Public Works.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. THURMOND:

S. Res. 95. A resolution designating August 16, 1997, as "National Airborne Day"; to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WARNER:

S. 819. A bill to designate the United States courthouse at 200 South Washington Street in Alexandria, Virginia, as the "Martin V.B. Bostetter, Jr. United States Courthouse"; to the Committee on Environment and Public Works.

THE MARTIN V.B. BOSTETTER, JR. UNITED STATES COURTHOUSE DESIGNATION ACT OF 1997

• Mr. WARNER. Mr. President, I am introducing a bill today to designate the U.S. Bankruptcy Courthouse, at 200 S. Washington Street in Alexandria, VA the "Martin V.B. Bostetter, Jr. United States Courthouse."

I authored previous legislation which is now law, authorizing the transfer of the Albert V. Bryan U.S. Courthouse building name from 200 S. Washington Street to the new Alexandria U.S. Courthouse. Since that time the old Albert V. Bryan Courthouse has remained nameless, while still serving the U.S. Bankruptcy Court. I can think of no better person to name the bankruptcy court after than Chief Judge Bostetter given his long service to the bankruptcy court in Alexandria.

Chief Judge Bostetter is currently the Chief Judge for the Eastern District of Virginia. He was appointed to the U.S. Bankruptcy Court in 1959, and appointed Chief Judge on February 1, 1985. He has the longest tenure on the bench of any bankruptcy judge in the country, a record he will probably hold for sometime.

Born in Baltimore, MD, on March 11, 1926, Judge Bostetter, has spent most of his life in Virginia. He attended Mount Vernon High School in Fairfax County, VA, and, after serving in the U.S. Navy during World War II, attended the University of Virginia where he obtained his B.A. Degree in 1950 and his law degree LL.B. Degree in 1952.

I might add that I attended the University of Virginia Law School entering in 1949, then serving in the Korean war and returning for completion of my degree in 1953, 1 year after Judge Bostetter.

Since 1952, Chief Judge Bostetter's entire legal career has occurred within an 8 block radius of Old Town Alexandria. He began his practice of law in the city of Alexandria, and, in 1953 he was appointed special assistant to the city attorney, serving in the capacity of city prosecutor. Judge Bostetter resigned that position in 1957 to become associate judge of the municipal court of the city of Alexandria, where he served for a period of 2 years, resigning in 1959.

In 1959, Chief Judge Bostetter set up the first Bankruptcy Court in Alexandria at 200 S. Washington St.—the very building which he now occupies as Chief Judge of the Bankruptcy Court for the Eastern District of Virginia 38 years later.

Over the last 38 years Judge Bostetter has seen the work of the Bankruptcy Court for the Eastern District of Virginia grow from 9 filings per month to more than 2,600 filings per month and its personnel requirements increase from 1 clerk to three divisions with 5 full time judges and an administrative staff of 90 employees. The Alexandria Division where Judge Bostetter serves now has 2 full time judges, 22 employees and averages 790 filings per month. During much of his career, Judge Bostetter has, by necessity, handled this increasingly heavy case load of approximately 2½ judges.

During his tenure as a bankruptcy judge, Chief Judge Bostetter has been a dedicated and loyal public servant serving the people of Virginia faithfully with honor, integrity and distinction. Chief Judge Bostetter has fulfilled his duties as a bankruptcy judge with a strong sense of fairness and pragmatism while at the same time adhering to the constraints imposed by the Bankruptcy Code and related caselaw. In addition, Chief Judge Bostetter has set very high standards for the lawyers who practice before him making those lawyers better prepared and more effective advocates for their respective clients' interests.

Mr. President, in addition to being an accomplished jurist, Judge Bostetter has also held several other distinguished positions. In 1957, he was appointed by the city of Alexandria as one of the original commissioners to serve on the Juvenile Detention Commission for Northern Virginia and served as its chairman from the incep-

tion of the commission until 1974. In 1959, the Alexandria Junior Chamber of Commerce awarded him the Distinguished Service Award as the "Outstanding Young Man of the Year 1959," and the Kiwanis Club of Alexandria designated him as an honorary member for his civic contributions to the city. In 1960, he was nominated by the Alexandria Junior Chamber of Commerce as 1 of the 10 outstanding men of the United States for his work on the Juvenile Detention Commission.

Along with his responsibilities as a bankruptcy judge, Chief Judge Bostetter served as a member of the Committee on Court Administration of the Judicial Conference of the United States from July 1, 1982, until it was dissolved by reorganization of the Judicial Conference in 1987. On October 16, 1984, he was elected by the Judicial Conference of the United States to the Board of Directors of the Federal Judicial Center, serving in that position until September 1987. He is a former member of the Transition Advisory Committee on Bankruptcy to the Director of the Administrative Office of the U.S. Courts. In 1986, he was appointed by Chief Justice Warren Burger as chairman of a committee to expand and improve the educational programs for all bankruptcy judges. Justice Rehnquist, upon assuming the position of Chief Justice of the United States, reappointed Chief Judge Bostetter to continue as chairman of that committee until his term expired in 1989. In addition, Chief Judge Bostetter was appointed to the State-Federal Judicial Relations Committee of the Commonwealth of Virginia in 1991.

In addition to his significant public service as a judge, Chief Judge Bostetter has a strong record of civic contributions as well. He has served as president of the Alexandria Bar Association, president of the Alexandria Junior Chamber of Commerce, president and chairman of the Board of the Alexandria Sertoma Club, president of Alexandria Mental Health Association, and has also served on the boards of the Alexandria Hospital Corporation, the Alexandria Mental Health Clinic, the Alexandria Community Chest, and the Alexandria Boys' Club.

Mr. President, I can think of no better tribute to Judge Bostetter than to name the U.S. Bankruptcy Court, at 200 South Washington Street, Alexandria, VA the Martin V.B. Bostetter, Jr. U.S. Bankruptcy Courthouse.●

#### ADDITIONAL COSPONSORS

S. 50

At the request of Mr. FAIRCLOTH, the names of the Senator from Arkansas [Mr. HUTCHINSON], the Senator from Idaho [Mr. KEMPTHORNE], and the Senator from Montana [Mr. BURNS] were added as cosponsors of S. 50, a bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable tax credit for the expenses of an education at a 2-year college.

S. 220

At the request of Mr. GRASSLEY, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 220, a bill to require the United States Trade Representative to determine whether the European Union has failed to implement satisfactorily its obligations under certain trade agreements relating to United States meat and pork exporting facilities, and for other purposes.

S. 230

At the request of Mr. THURMOND, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 230, a bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

S. 356

At the request of Mr. GRAHAM, the names of the Senator from Montana [Mr. BAUCUS], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of S. 356, a bill to amend the Internal Revenue Code of 1986, the Public Health Service Act, the Employee Retirement Income Security Act of 1974, the title XVIII and XIX of the Social Security Act to assure access to emergency medical services under group health plans, health insurance coverage, and the Medicare and Medicaid programs.

S. 436

At the request of Mr. ROTH, the name of the Senator from New Jersey [Mr. TORRICE] was added as a cosponsor of S. 436, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of an intercity passenger rail trust fund, and for other purposes.

S. 531

At the request of Mr. ROTH, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 531, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 535

At the request of Mr. MCCAIN, the names of the Senator from Georgia [Mr. CLELAND], the Senator from Virginia [Mr. WARNER], the Senator from Oregon [Mr. WYDEN], and the Senator from Nebraska [Mr. KERREY] were added as cosponsors of S. 535, a bill to amend the Public Health Service Act to provide for the establishment of a program for research and training with respect to Parkinson's disease.

S. 685

At the request of Mr. CAMPBELL, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 685, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity tax credit for an additional fiscal year.

S. 709

At the request of Mr. HAGEL, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of S. 709, a bill to protect private property rights guaranteed by the fifth amendment to the Constitution by requiring