

program, or a flexible credit hour program in effect under section 7(r) or 13A of such Act, as appropriate; and

(B) the employee is subject to an agreement described in section 7(r)(3) of such Act or subsection (b)(2)(A) or (c)(2)(A) of section 13A of such Act, as appropriate; and

(2) to section 9(a) of the National Labor Relations Act (29 U.S.C. 159(a)) shall be considered to be a reference to subchapter II of chapter 71 of title 5, United States code.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—This section shall take effect, with respect to the application of section 7(r), 13(m), or 13A of the Fair Labor Standards Act of 1938 to covered employees, on the earlier of—

(A) the effective date of regulations promulgated by the Secretary of Labor to implement such section; and

(B) the effective date of regulations issued by the Board as described in subsection (b)(5) or (c)(1) to implement such section.

(2) CONSTRUCTION.—A regulation promulgated by the Secretary of Labor to implement section 7(r), 13(m), or 13A of such Act shall be considered to be the most relevant substantive executive agency regulation promulgated to implement such section, for purposes of carrying out section 411 of Public Law 104-1.

MORNING BUSINESS

(During today's session of the Senate, the following morning business was transacted.)

BAD SCIENCE AND BAD POLITICS: THE NEED FOR REGULATORY REFORM

Mr. LOTT. Mr. President, these days, just about every aspect of our daily existence is regulated in some way by the Government. And in most instances, it makes sense because we must protect human health and the environment. We would all agree that food and drugs should be inspected, work conditions should be considered and safety measures must be enacted.

On the other hand, the Federal regulatory system is notorious for producing top-down, one-size-fits-all regulations that are often inefficient and ineffective. These regulations impose tremendous costs on business and industry, increase the costs of goods and services and reduce economic growth. Most importantly, too many regulations fail in what they are trying to do.

As I look more closely at the patchwork of regulation this Government has created in the last few decades, however, I see regulation for regulation's sake. We are witnessing an eruption of regulation based on inaccurate science, poor judgment, and bad politics. Most shocking is the fundamental lack of trust in the ability of the American people to take responsibility for their own actions.

I think it's time we returned to the basics, Mr. President. The central goal of regulating is to significantly protect human health, safety or the environment. When held to this standard, many regulations fall short of the mark. So how do we get from here to there?

First, agencies must begin issuing regulations based on sound science. This means one thing—that any Federal regulation issued must be justified by solid science. This principle sounds very simple, but many agencies have become obsessed with the power to regulate, forgetting that there must be sound scientific reasoning behind their action.

The time has come to raise the level of debate. No longer can agencies be allowed to dream up and order a regulation without genuine oversight or input from the outside scientific world. I know that the more informed Congress is about an issue, the better public policy decision we will make. The same should be true of regulatory agencies. With so many experts in the academic, Federal and private sectors, it is a shame to limit the scope of debate to one elite group of scientists. I have heard some agencies claim that their rulemakings are indeed reviewed by outside experts, but a closer look reveals that these objective scientists are not completely independent. I do not think it unreasonable to ask that there be some consensus among truly independent outside scientific experts as to the proper course of action before issuing a rulemaking.

The bottom line is that, to effectively regulate, agencies should not issue rules based on anything but honest, peer-reviewed science. Period.

Second, agencies must learn to correctly assess risk. Beginning with sound science, agencies should look at the real world risks of a situation, recognizing that not every risk is avoidable. Sometimes I think that these agencies are on a mission to create a 100 percent risk-free, accident-free—possibly industry-free—world. They also need to acknowledge that all risks are relative. Regulating small risks can have adverse side effects, resulting in greater risks and less protection. We should focus our efforts and our resources on the greatest risks.

Agencies should also realize that exposure to a chemical doesn't automatically present a risk or indicate a cause and effect relationship. The risk associated with a given dosage level should be examined. Where exposure to a truckload of almost any toxin poses a significant risk, in most cases, an extremely diluted version may not present any danger at all. Regulators should be sensitive to risks as they relate to dosage instead of assuming that any contact with chemicals presents too great a danger. Too often, regulations are issued based on a better safe than sorry mentality. This can leave us less safe and considerably sorer.

In closing, Mr. President, I reiterate the dire need for regulatory reform. The invasive regulatory hands of Government are slowly choking the life out of those whom they seek to save. Let's get back to the basics. Using sound, peer-reviewed science, agencies should make a valid assessment of real world risks and determine a solid

cause-and-effect correlation before taking action.

I am committed to enacting regulatory reform in the 105th Congress. I welcome the input and support of my fellow Senators.

AMERICAN AUTOMOBILE ASSOCIATION LIFESAVING MEDAL

Mr. LOTT. Mr. President, I am proud to announce to the Senate today the names of the four youngsters who are recipients of the 1997 American Automobile Association Lifesaving Medal.

This is the highest award given to members of school safety patrols throughout the United States. It is presented annually to students, who, while on duty took heroic lifesaving actions to save the life of a fellow student from imminent danger.

I would like to briefly describe the heroic actions of these four young citizens.

The first two honorees hail from the State of Ohio. On February 28, 1997, Leawood Elementary School Safety Patrol Captain Surmel D. Cummings and Patrol Edwin H. Berry were assisting students on their way home. Surmel noticed a 6-year-old boy and his 8-year-old cousin walking close to the westbound on-ramp for I-70.

The cousin was trying to prevent the 6-year-old from climbing over the guardrail next to the on-ramp. Surmel ran over to the two boys and tried to hold the 6-year-old. The boy began hitting and kicking Surmel. Edwin ran to help his partner. The 6-year-old broke loose from Surmel and scrambled over the guardrail. He was now confronted by the fast-moving cars on the on-ramp. Surmel told Edwin to try to get the 6-year-old back across the guardrail while he returned to the school to get help.

When a car driver started blowing his horn, the 6-year-old covered his ears and turned his back toward Edwin. At that moment, Edwin grabbed the 6-year-old and pulled him back across the guardrail to safety. This was a great team effort by both of these two young men.

The State of Indiana can be proud of the next honoree.

While on duty on December 6, 1996, Shambaugh Elementary School Safety Patrol Marcus A. Morgan, noticed a 6-year-old girl running alongside a van. This vehicle had just dropped her off and was pulling away from the curb. Marcus yelled for the girl to stop chasing the van, but he quickly realized the girl's string was caught in the van door. She then fell and was being dragged by the van.

Marcus raced after the van, shouting for the driver to stop. He ran to the passenger-side and banged on the window to get the driver to stop. The van kept moving so he ran to the driver-side window to get the driver's attention while a parent banged on the passenger-side window. The driver finally stopped after 54 feet. The girl was not

seriously injured due to Marcus' quick and heroic actions.

AAA's last honoree is from California.

It was a clear afternoon on November 4, 1996, at St. Jarbeth's School when School Safety Patrol Domonique Fines and April Corral took their post on the northwest corner of Harold and Champion Streets.

A white pickup truck stopped at the stop sign next to their post and then started up the steep hill on Harold Street. Near the top of the hill, the truck stalled and rolled backward. As it came down the hill, the truck picked up speed.

Unaware of the truck, April handed her patrol sign to Domonique as she bent down to tie her shoe. Domonique noticed the truck rapidly heading toward them. She shouted to April to watch out and started to cross Harold Street to get out of its way. Halfway across the street, Domonique looked back to see if her partner, April, was following her. Unaware of the danger, April was still tying her shoe. Domonique yelled again, but April couldn't hear her over the noise from the street traffic and the playground.

Unconcerned about her own safety, Domonique ran back to April, grabbed her arm, and pushed her out of the way. The truck jump the curb where April had been tying her shoe and then crashed into a fence.

I also want to recognize and thank the American Automobile Association for their invaluable safety program and for honoring these outstanding safety patrol members.

In the 1920's AAA began organizing safety patrol programs whereby older students assist younger students while crossing streets as they walked to and from school. Today, more than 500,000 students across the country serve as AAA safety patrol volunteers. In fact, there are currently 50,000 schools with safety patrols.

AAA supplies training materials, belts, badges, and other items needed to operate the safety patrol programs. Importantly, AAA promotes and recognizes patrol efforts each year through a series of awards, newsletters, summer camps, and scholarships.

On behalf of my Senate colleagues, and for parents all across the country, I want to thank AAA. Their work in helping to keep our youngsters a little safer on their way to and from school is extremely praiseworthy.

I am very proud of Surmel, Edwin, Marcus, and Domonique who exemplified courage and citizenship. I know that their parents and communities are equally as proud. These four youngsters showed great courage in saving another individuals life.

HONORING KENTUCKY SMALL
BUSINESS PERSON OF THE
YEAR, TOM CLOPTON

Mr. FORD. Mr. President, I rise today to pay tribute to Mr. Tom

Clopton of Cave City, Kentucky, who has been selected as the Kentucky Small Business Person of the Year by the U.S. Small Business Administration.

Tom is the President and CEO of Tekno, Inc., a manufacturing company in Cave City. He started the company in 1989 with nothing more than a home computer and his personal savings. Today Tekno is a premier designer and manufacturer of material handling, factory automation, and specialty machinery systems for industrial applications.

Tekno's success is remarkable. Annual sales have grown from \$354 thousand in 1989 to nearly \$13.2 million in 1995. Revenues have increased nearly four thousand percent in just seven and a half years. This remarkable growth has resulted in Tekno being ranked as one of America's fastest growing privately owned companies for three consecutive years, 1994-1996.

Not only have Tom's business and managerial skills fostered the growth of a productive company, his ingenuity and engineering skills have enabled him to acquire 13 patents from the U.S. Patent and Trademark Office. In addition, he has patents pending in both Canada and Mexico.

And as any good boss will do, Tom attributes much of his success to his employees. He knows that happy employees are productive employees and he makes every effort to ensure that Tekno provides a pleasant working environment. In return, his employees take pride in their job and are quick to volunteer for extra hours when urgent tasks need to be completed.

And finally, I want to say that Tom's dedication and commitment to his customers, employees and community sets an example for every small business. I am happy that Tom is being recognized for all of the good work he has done. I congratulate him on this significant accomplishment and wish him many future years of success.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, June 2, 1997, the federal debt stood at \$5,336,777,463,335.09. (Five trillion, three hundred thirty-six billion, seven hundred seventy-seven million, four hundred sixty-three thousand, three hundred thirty-five dollars and nine cents)

Five years ago, June 2, 1992, the federal debt stood at \$3,940,929,000,000. (Three trillion, nine hundred forty billion, nine hundred twenty-nine million)

Ten years ago, June 2, 1987, the federal debt stood at \$2,300,635,000,000. (Two trillion, three hundred billion, six hundred thirty-five million)

Fifteen years ago, June 2, 1982, the federal debt stood at \$1,077,417,000,000. (One trillion, seventy-seven billion, four hundred seventeen million)

Twenty-five years ago, June 2, 1972, the federal debt stood at \$427,622,000,000 (Four hundred twenty-seven billion, six

hundred twenty-two million) which reflects a debt increase of nearly \$5 trillion—\$4,909,155,463,335.09 (Four trillion, nine hundred nine billion, one hundred fifty-five million, four hundred sixty-three thousand, three hundred thirty-five dollars and nine cents) during the past 25 years.

TRIBUTE TO SENATOR STROM THURMOND

Mr. MOYNIHAN. Mr. President, of necessity, I was at the Finance Committee hearing on trade negotiating authority this morning, and so was unable to be on the floor to pay tribute—as so many others have done—to our esteemed colleague, Senator THURMOND, who now holds the record for Senate longevity. But I would like to pay such tribute now.

Just about 1 year ago—June 13, 1996, to be precise—my daughter Maura and I traveled to the White House for a state dinner in honor of Ireland's president, Mary Robinson, and her husband Nicholas. We stopped at the northwest gate, to be scrutinized by White House security officials. An earnest young man in a uniform peered into our Jeep, studied my face, consulted a clipboard, and then said smartly, "Good evening, Senator THURMOND!"

A fine compliment, to be mistaken for a man more robust, more vigorous, more irrepressible than individuals half his age or mine!

I will leave to others the task of highlighting our beloved colleague's absolutely extraordinary private and public lives, which span the 20th century. A few things come to mind which bear mentioning, however. He learned his populist brand of politics from "Pitchfork Ben" Tillman—a man born 150 years ago—whose Senate seat he now occupies. And yet he was just re-elected for the eighth time, again with little difficulty. Senator THURMOND embodies the political and social transformation of the South.

As a 40-year-old, he volunteered for active duty during World War II and landed at Normandy with the 82d Airborne Division. Immediately after the war, he was elected governor of South Carolina. While governor, in 1948, he ran for president as a States' Rights Democrat and garnered 39 electoral votes.

He was elected to the Senate in 1954 as a write-in candidate, the first person ever elected to major office by this method. But true to a campaign pledge he made, he resigned in 1956 and stood for re-election. In 1964, he left the Democratic Party and became a Goldwater Republican, presaging—or, perhaps, ushering in—GOP gains in the South that continue to this day. He has served as a delegate to six Democratic and eight Republican National Conventions—a distinction I doubt anyone else shares. Suffice it to say that if STROM THURMOND did not exist, it might be necessary for us to invent him.