

The PRESIDING OFFICER. All time granted to the Senator from Georgia has now expired.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### REPORT OF DRAFT LEGISLATION ENTITLED "THE CLONING PROHIBITION ACT OF 1997"—MESSAGE FROM THE PRESIDENT—PM 46

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Judiciary.

*To the Congress of the United States:*

I am pleased to transmit today for immediate consideration and prompt enactment the "Cloning Prohibition Act of 1997." This legislative proposal would prohibit any attempt to create a human being using somatic cell nuclear transfer technology, the method that was used to create Dolly the sheep. This proposal will also provide for further review of the ethical and scientific issues associated with the use of somatic cell nuclear transfer in human beings.

Following the February report that a sheep had been successfully cloned using a new technique, I requested my National Bioethics Advisory Commission to examine the ethical and legal implications of applying the same cloning technology to human beings. The Commission concluded that at this time "it is morally unacceptable for anyone in the public or private sector, whether in a research or clinical setting, to attempt to create a child using somatic cell nuclear transfer cloning" and recommended that Federal legislation be enacted to prohibit such activities. I agree with the Commission's conclusion and am transmitting this legislative proposal to implement its recommendation.

Various forms of cloning technology have been used for decades resulting in important biomedical and agricultural advances. Genes, cells, tissues, and even whole plants and animals have been cloned to develop new therapies for treating such disorders as cancer, diabetes, and cystic fibrosis. Cloning technology also holds promise for producing replacement skin, cartilage, or bone tissue for burn or accident victims, and nerve tissue to treat spinal cord injury. Therefore, nothing in the "Cloning Prohibition Act of 1997" restricts activities in other areas of biomedical and agricultural research that involve: (1) the use of somatic cell nuclear transfer or other cloning tech-

nologies to clone molecules, DNA, cells, and tissues; or (2) the use of somatic cell nuclear transfer techniques to create animals.

The Commission recommended that such legislation provide for further review of the state of somatic cell nuclear transfer technology and the ethical and social issues attendant to its potential use to create human beings. My legislative proposal would implement this recommendation and assign responsibility for the review, to be completed in the fifth year after passage of the legislation, to the National Bioethics Advisory Commission.

I urge the Congress to give this legislation prompt and favorable consideration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 9, 1997.

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILL SIGNED

At 1:30 p.m., a message from the House of Representatives, delivered by one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1469. An act making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore [Mr. THURMOND].

#### MEASURES READ THE FIRST TIME

The following bills, previously received from the House of Representatives for the concurrence of the Senate, were read the first time:

H.R. 908. An act to establish a Commission on Structural Alternatives for the Federal Courts of Appeals.

H.R. 1000. An act to require States to establish a system to prevent prisoners from being considered part of any household for purposes of determining eligibility of the household for food stamp benefits and the amount of food stamp benefits to be provided to the household under the Food Stamp Act of 1977.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2085. A communication from the Acting Assistant Attorney General of the Department of Justice, transmitting pursuant to law, a report on a rule entitled "Revision of Regulations Governing the Remission or Mitigation of Civil and Criminal Forfeitures" (RIN1105-AA23), received on June 2, 1997; to the Judiciary Committee.

EC-2086. A communication from the General Counsel of the Office of Management and Budget, from the Executive Office of the President, transmitting, pursuant to law, a report on a rule entitled "Release of Official Information, and Testimony by OMB Person-

nel as Witnesses, In Litigation", received on May 22, 1997; to the Committee on Governmental Affairs.

EC-2087. A communication from the Secretary of Education, transmitting, a draft of proposed legislation entitled "Career Preparation Education Reform Act of 1997", received on June 4, 1997; to the Committee on Labor and Human Resources.

EC-2088. A communication from the Acting Under Secretary for Food, Nutrition, and Consumer Services from the Department of Agriculture, transmitting, pursuant to law, a rule entitled "Quality Control Provisions of the Mickey Leland Childhood Hunger Relief Act", received on June 2, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2089. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a major rule relative to licensing, inspection, and annual fees charged to its applicants and licensees, (RIN3150-AF55) received on May 22, 1997; to the Committee on Environment and Public Works.

EC-2090. A communication from the Administrator of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, a report entitled "NHTSA Plan for Achieving Harmonization of the U.S. and European Side Impact Standards"; to the Committee on Appropriations.

EC-2091. A communication from the Legislative Counsel of the Office of the Congressional and Legislative Affairs, Department of the Interior, transmitting, pursuant to law, a draft of proposed legislation to make corrections to the Omnibus Parks and Public Lands Management Act of 1996, received on June 4, 1997; to the Committee on Energy.

EC-2092. A communication from the Secretary of the Interior, Department of Interior, transmitting, a report relative to sustained agricultural production under irrigation; to the Committee on Energy and Natural Resources.

EC-2093. A communication from the Acting General Counsel of the Department of Energy, transmitting, pursuant to law, a rule that amends the Energy Policy and Conservation Act, (RIN1904-AA45) received on June 4, 1997; to the Committee on Energy and Natural Resources.

EC-2094. A communication from the Director of the Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, a rule entitled "Guidelines for Furnishing Sensori-neural Aids," (RIN2900-AI60) received on June 3, 1997; to the Committee on Veterans' Affairs.

EC-2095. A communication from the Director of the Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, a rule entitled "Scheduling for Rating Disabilities; Muscle Injuries," (RIN2900-AE89) received on June 3, 1997; to the Committee on Veterans' Affairs.

EC-2096. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 95-15; to the Committee on Appropriations.

#### REPORTS OF COMMITTEE

The following report of committee were submitted:

By Mr. SPECTER, from the Committee on Veterans' Affairs:

Special entitled "Legislative and Oversight Activities During the 104th Congress by the Senate Committee on Veterans' Affairs" (Rept. 105-23).

By Mr. SHELBY, from the Select Committee on Intelligence, without amendment:

S. 858. An original bill to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 105-24).

#### 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. FAIRCLOTH (for himself and Mr. HELMS):

S. 849. A bill to amend the Internal Revenue Code of 1986 to increase the unified estate and gift tax credit to exempt farms and small businesses from estate taxes, and for other purposes; to the Committee on Finance.

By Mr. AKAKA (for himself, Mr. SMITH of New Hampshire, Mr. REID, and Mr. TORRICELLI):

S. 850. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory livestock, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DORGAN (for himself, Mr. CONRAD, Mr. WELLSTONE, Mr. JOHNSON, and Mr. DASCHLE):

S. 851. A bill entitled the Emergency Disaster Assistance Act; to the Committee on Appropriations.

By Mr. LOTT (for himself and Mr. FORD):

S. 852. A bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles; to the Committee on Commerce, Science, and Transportation.

By Mr. D'AMATO (by request):

S. 853. A bill to protect the financial interests of the Federal government through debt restructuring and subsidy reduction in connection with multifamily housing; to enhance the effectiveness of enforcement provisions relating to single family and multifamily housing (including amendments to the Bankruptcy code); to consolidate and reform the management of multifamily housing programs; and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GREGG (for himself, Mr. FORD, Mr. GRAHAM, and Mr. HAGEL):

S. 854. A bill to amend the Internal Revenue Code of 1986 to provide a reduction in the capital in the capital gains tax for assets held more than 2 years, and for other purposes; to the Committee on Finance.

By Mr. FAIRCLOTH (for himself, Mr. HAGEL, Mr. SHELBY, and Mr. HUTCHINSON):

S. 855. A bill to provide for greater responsiveness by Federal agencies in contracts with the public, and for other purposes; to the Committee on Governmental Affairs.

By Mr. ROBB:

S. 856. A bill to provide for the adjudication and payment of certain claims against the Government of Iraq; to the Committee on Foreign Relations.

By Mr. SARBANES:

S. 857. A bill for the relief of Roma Salobrit; to the Committee on the Judiciary.

By Mr. SHELBY:

S. 858. An original bill to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community

Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. KYL (for himself and Mr. GRAMM):

S. 859. A bill to repeal the increase in tax on social security benefits; to the Committee on Finance.

By Mr. HARKIN:

S. 860. A bill to protect and improve rural health care, and for other purposes; to the Committee on Finance.

By Mr. INHOFE:

S. 861. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize donation of Federal law enforcement canines that are no longer needed for official purposes to individuals with experience handling canines in the performance of law enforcement duties; to the Committee on Governmental Affairs.

By Mr. GRASSLEY (for himself, Mr. BAUCUS, Mr. JEFFORDS, Mr. HATCH, Mr. KERREY, Mr. THOMAS, Mr. ROBERTS, and Mr. HAGEL):

S. 862. A bill to amend title XVIII of the Social Security Act to change the payment system for health maintenance organizations and competitive medical plans; to the Committee on Finance.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FAIRCLOTH (for himself and Mr. HELMS):

S. 849. A bill to amend the Internal Revenue Code of 1986 to increase the unified estate and gift tax credit to exempt farms and small businesses from estate taxes, and for other purposes; to the Committee on Finance.

#### THE AMERICAN FARM HERITAGE AND SMALL BUSINESS PRESERVATION ACT

Mr. FAIRCLOTH. Mr. President, I rise to introduce the American Farm Heritage and Small Business Preservation Act, and I am joined by the senior Senator from North Carolina. The act excludes the first \$1.5 million of estate and gift assets from taxation, and it carries an effective date of January 1, 1998.

The act will relieve the tax burden that befalls farmers and small businessmen upon the death of the proprietor. There is truth in the old axiom that farmers "live like paupers and die like kings," and, in fact, the IRS reports that farmers face estate taxes six times more often than other Americans.

There are numerous estate and gift tax relief bills in the congressional hopper. However, I favor a straightforward approach, and, rather than require some form of participation in the business operation for a fixed period of time—and thus permit the IRS to establish nebulous and complicated regulations—the American Farm Heritage and Small Business Preservation Act proposes a simple \$1.5 million exclusion for all estates.

The estate tax encourages the demise of the family farm and forces heirs to mortgage their agricultural heritage to the IRS. The estate tax is not a threat to just large farmers: some 20 percent

of farms that report annual sales over \$50,000 will trigger inheritance taxes. Indeed, the nature of a farm operation—75 percent of farm assets are nonliquid—complicates the difficulties inherent in the payment of estate taxes for farm families, and the financial structure of a farm thus further contributes to this erosion of our agricultural heritage. The average annual return on farm assets is just 4 percent, and the addition of mortgage obligations reduces the return to a mere 0.5 percent, so it is almost impossible for the next generation to continue to farm the family land.

As metropolitan areas continue to grow and encroach upon the farms that sit outside these areas, the value of the farms increases, and it drives up the estate tax burden. This pattern forces heirs to sell the farmland to developers rather than continue their agricultural heritage. Further, the Agriculture Department estimates that 500,000 farmers will retire over the next two decades. The failure of the Congress to reduce the impact of estate taxes thus threatens the continued operation of almost one-quarter of the farms in the United States.

I am thus committed to estate tax relief for American families. The IRS is a tax collection agency, not a board of directors, and Washington does not deserve a windfall from every funeral.

By Mr. AKAKA (for himself, Mr. SMITH of New Hampshire, Mr. REID, and Mr. TORRICELLI):

S. 850. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory livestock, and for other purposes.

#### THE DOWNED ANIMAL PROTECTION ACT OF 1997

• Mr. AKAKA. Mr. President, today I am introducing the Downed Animal Protection Act, a bill to eliminate inhumane and improper treatment of downed animals at stockyards. Senators SMITH, REID, and TORRICELLI have joined me in sponsoring this bill. The legislation prohibits the sale or transfer of downed animals unless they have been humanely euthanized.

Downed animals are severely distressed recumbent animals that are so sick they cannot rise or move on their own. Once an animal becomes immobile and cannot stand, it must lie where it falls, often without receiving basic assistance. Downed animals that survive the stockyard are slaughtered for human consumption.

These animals are extremely difficult, if not impossible, to handle humanely. They have very demanding needs, and must be fed and watered individually. The suffering of downed animals is so severe that the only humane solution is immediate euthanasia.

Mr. President, the bill I have introduced requires that these hopelessly sick and injured animals be euthanized by humane methods that rapidly and