

sense of courage, caring and conviction throughout the ordeal. Never have I been more proud to represent the State of North Dakota than I am now. They are the best citizens in the country. They know the meaning of neighbor. Whenever and wherever they were able, they extended a hand to those less fortunate.

The great spirit of our people is embodied in the mayor of Grand Forks, Pat Owens. While small in stature, she has the heart of a giant. She gave us the courage not to lose courage. Her indomitable spirit held the citizens of Grand Forks together during the worst days of the tragedy, and now is guiding us patiently and compassionately through the recovery.

I also want to thank all the Federal agencies for their long hours and hard work in bringing emergency assistance to relieve the immediate suffering of our citizens. They have done a magnificent job under extremely trying circumstances, and we are grateful for their superhuman efforts. James Lee Witt, the Director of FEMA, has been the guiding light in this endeavor. He came to North Dakota and personally witnessed the devastation, and then rushed personnel and resources into the State to assess damages and provide emergency assistance. He has also coordinated the activities of other Federal agencies in trying to get assistance to those in need as quickly as possible. That process is ongoing, and James Lee remains the stalwart in that endeavor. We thank him for all he has done and continues to do.

In conclusion, let me thank my colleagues once again for their help in passing an historic disaster relief bill. North Dakotans are grateful for the helping hand the disaster relief bill provides. Recovery will be a long and painful process, but we will face the challenges ahead with courage and commitment. With our prairie faith to guide us, we will rebuild, we will recover, and we will be a stronger community.

The letter follows:

DEPARTMENT OF THE ARMY, ST.
PAUL DISTRICT, CORPS OF ENGINEERS,

St. Paul, MN, May 19, 1997.

Hon. BYRON DORGAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR DORGAN: Thank you for your recent inquiry on the requirements to modify the levee work underway at the City of Devils Lake, North Dakota to provide protection from a lake level at elevation 1450. This letter will describe the work required to provide this additional protection.

The levee project at the City of Devils Lake that is currently under construction is a raise of the Federal levee project built by the Corps of Engineers in the 1980s under the Continuing Authorities program. The ongoing construction is raising and extending the existing levee system to provide an increased level of protection from the lake. The original levee was design to protect against a lake level of elevation 1440. The ongoing construction will protect against a lake level five feet higher, to an elevation 1445. The top of levee is being constructed five feet higher

than the design lake level to provide the necessary freeboard to handle wind, waves & ice action.

The current work was started in 1996 when the lake was at elevation 1437, approaching the protection level of the original levee, 1440. The early National Weather Service forecast for the lake level this summer was elevation 1440.5, well within the level of protection being provided by the current work. However, in mid-April this year, the National Weather Service increased the forecast lake level by three plus feet to elevation 1443.5 to 1444, projecting this level to be reached in July 1997. Based on this revised forecast lake level, it is necessary to consider additional protection by raising the levee system even higher than currently being constructed.

An additional levee raise to provide protection against a lake level of 1450 is highly desirable and can be constructed cost effectively. The additional work required to provide this higher level of levee protection, with appropriate freeboard, would consist of the following features:

Increase the height and base width of the existing earthen levee sections.

Extend and modify the levee alignment to tie into high ground at the new top of levee elevation. This could include the extension of the line of protection to areas which were not previously considered practical to protect, but which due to the higher level of protection may now be necessary and effective;

Increase the extent and thickness of the riprap on the lakeward side of the levee to assure adequate erosion protection;

Modification of the pumping stations and/or installation of another pumping station, and modification of interior drainage facilities to accommodate increases in the drainage area behind the levee protected and increased pumping head;

Additional road relocation work and closures at levee crossing; and,

Additional utility relocation work.

If you have any questions regarding the above information, or wish to discuss this matter further, please contact me.

Sincerely,

J.M. WONSIK,
Colonel, Corps of
Engineers District Engineer.●

SOLVING CITIZEN BAND RADIO INTERFERENCE PROBLEMS

● Mr. ABRAHAM. Mr. President, I rise today in support of S. 608, a bill offering potential relief to neighborhood residents victimized by the illegal use of a citizen band [CB] radio. In Grand Rapids, MI, and in other towns in Michigan and across the country, CB operators have boosted the power of their signal using equipment prohibited under FCC regulations. As a result, nearby residents have been unable to watch television, listen to their radios, or have a telephone conversation without experiencing interference from a neighbor's illegal use of a CB radio.

Currently, there exists a series of rules governing the appropriate use of CB radio, including restrictions on equipment and frequencies, duration of broadcast, and appropriate content. Due to a change in priority, the FCC no longer investigates related interference complaints. The Commission merely sends individuals a packet of information outlining steps which can be taken

to reduce the interference. Unfortunately, these solutions have been met with only limited success. In many cases, after having exhausted all available options, residents are left with no legal recourse. In addition, when residents turn to local authorities, they are denied assistance. Because of the Communications Act of 1934, the Federal Government has exclusive authority to regulate radio frequency usage and to enforce related rules. Therefore, State and local authorities are prevented from enforcing FCC rules already in existence.

This is where S. 608 would provide a remedy. This bill, which I have cosponsored, would give limited authority to State and local governments to enforce FCC rules governing CB radio equipment. I would like to emphasize this legislation will not jeopardize the exclusive regulatory jurisdiction of the FCC, neither will it impose added requirements on State and local governments. This bill merely allows localities to enforce rules already in effect, thereby giving citizens a legal recourse in solving radio interference disputes.

Mr. President, I view this legislation as a small, yet simple approach to solving CB radio interference problems. I urge my colleagues to support this bill, and I look forward to working with Senator FEINGOLD to secure its passage.

I ask that the text of a Grand Rapids City Commission resolution in support of S. 608 be printed in the RECORD.

The material follows:

GRAND RAPIDS, MI, May 7, 1997.

Senator SPENCER ABRAHAM,
Southfield, MI.

DEAR SENATOR ABRAHAM: Enclosed is a certified copy of Resolution 63295 approved by the Grand Rapids City Commission on April 29, 1997, which encourages you and all the members of the Michigan Congressional Delegation to support Senate Bill S. 608 which changes Federal Communications Commission rules to allow states and local units of government to enforce certain regulations regarding the operation of citizen band radio equipment.

Sincerely,

MARY THERESE HEGARTY,
City Clerk.

Enclosure.

Your committee of the whole recommends adoption of the following resolution encouraging Senator Abraham and the Michigan Congressional Delegation to support Senate Bill S. 608 which would amend the Federal Communications Act of 1934 to allow state and local governments to prohibit citizens band radio equipment and operations which are not authorized by the Federal Communications Commission and to enforce those regulations.

J. H. LOGIE, JAMES C.
KOZAK, ERIN J.
WILLIAMS, SHARON WEST,
LINDA SAMUELSON, ROY
L. SCHMIDT.
Committee of the
Whole.

Com. Kozak, supported by Com. Schmidt, moved adoption of the following resolution:

Resolved, that the City Commission encourages Senator Spencer Abraham and all the members of the Michigan Congressional Delegation to support Senate Bill S. 608 which changes Federal Communications Commission rules to allow states and local

units of government to enforce certain regulations regarding the operation of citizen band radio equipment. •

INDIAN EDUCATION

• Mr. CAMPBELL. Mr. President, today, I lend my support of the resolution my colleague Senator DOMENICI has introduced to bring the quality of Indian education on par with the rest of America. Increasing the quality of education available to our Native American youth will go far in solving many of the problems facing tribal governments and Indian people.

This resolution acknowledges that the facts are discouraging. Indian youth lead all ethnic and racial groups in drop-out and poverty rates. Their juvenile delinquency rate continues to grow faster than the rest of young people in America. Both Indian reservation and Bureau of Indian Affairs schools are severely underfunded from a programmatic standpoint. These schools attempt to provide services to their children in spite of substandard facilities—facilities that no parent should have to send their child to and that no teacher should have to work in. These schools are understaffed and Indian educators are sorely underpaid.

As this resolution makes clear, the United States has a moral and legal obligation to provide or aid tribal governments in providing quality education to American Indian and Alaskan Native youth. This responsibility is recognized in treaties, Executive orders, court decisions, and statutes. Yet, the disturbing facts that I have just mentioned make it clear that this obligation is not being met. It is my hope that this resolution will be the first step in building awareness of the current state of Indian education that will allow us to focus on a pragmatic solution.

The importance of Indian education cannot be overstated. It holds the key to solving the most prevalent and devastating problems in Indian country: grinding poverty and the absence of opportunity for Indian youth.

I am drafting legislation to address the unemployment problem on reservations by helping tribes create jobs and attract businesses. But in addition to a lack of capital and an abundance of regulatory obstacles, tribes face the challenge of filling jobs with trained people. Education and job creation must go hand-in-hand if tribes are to improve the standard of living for their members. Only through education will Indian tribes be able to solve problems such as unemployment, economic development, and achieving higher standards of living.

At a recent Indian Affairs Committee hearing, a member of the Office of Juvenile Justice stated in his testimony that "while violent crime is falling in American cities, it is rising on American Indian reservations." Additionally, a report released by the Federal Law Enforcement Training Center re-

veals that over the past 5 years gang related crimes, in the form of drive-by-shootings and homicides, have increased by more than 500 percent in some Indian communities. Mr. President, it must be understood that many of the problems facing Indian youth today center on the erosion of their culture. Too often, Indian children lack pride in who they are, where they live, and where they come from. This lack of self-esteem has caused consequences that ripple through the lives of Indian youth such as high drop-out rates and a growing juvenile delinquency and gang problem. As we resolve to better the quality of education for Indian children, we must strive to do so while acknowledging the importance of promoting Indian culture.

Mr. President, as the 105th Congress proceeds, I urge my colleagues to join in supporting this resolution. •

BENNETT AMENDMENT TO STATE DEPARTMENT AUTHORIZATION BILL

• Mr. KYL. Mr. President, I rise in support of the amendment offered by Senator BENNETT, which urges the administration to enforce the Gore-McCain Iran-Iraq Nonproliferation Act of 1992.

There is wide agreement among leaders in the Congress and the administration that the proliferation of weapons of mass destruction [WMD] and advanced conventional weapons is one of the key national security threats facing the United States today. In fact, in 1994, President Clinton issued Executive Order 12938 declaring that the proliferation of weapons of mass destruction and the means of delivering them constitutes "an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States," and that he had therefore decided to "declare a national emergency to deal with that threat." The President reaffirmed this Executive order in 1995 and 1996.

But despite declaring a national emergency, the administration has been unwilling to take actions which would reduce the threat we face, such as enforcement of the nonproliferation laws passed by the Congress and signed by the President. For example, the administration has refused to invoke sanctions on China for the transfer of advanced C-802 antiship cruise missiles to Iran as required by the Gore-McCain Nonproliferation Act of 1992. This act requires the United States to impose sanctions on any entity that transfers "goods or technology so as to contribute knowingly and materially to the efforts by Iran or Iraq (or any agency or instrumentality of either such country) to acquire chemical, biological or nuclear weapons or to acquire destabilizing numbers and types of advanced conventional weapons."

The administration's failure to invoke sanctions as required by law is particularly disappointing in light of

the statement then-Senator AL GORE made on the Senate floor on October 17, 1991, about the need for strong actions to combat proliferation. Mr. GORE urged governments around the world to make sales of sensitive technologies "high crimes under each country's legal system; to devote the resources necessary to find those who have violated those laws or who are conspiring to violate them, and to punish the violators so heavily as to guarantee the personal ruin of those who are responsible, and to easily threaten the destruction of any enterprise so engaged."

In 1996, China sold C-802 antiship cruise missiles and fast-attack patrol boats to Tehran. The C-802 has a range of 120 km with a 165 kg warhead and is especially lethal due to its "over-the-horizon" capability. In an interview last year, Vice Adm. Scott Redd, commander of the U.S. Fifth Fleet expressed concern that the C-802 gave the Iranian military increased firepower and represented a new dimension to the threat faced by the U.S. Navy in the Persian Gulf.

On April 10, 1997, former U.S. Ambassador to China, James Lilley, testified to the Senate that Iran planned to increase the survivability and mobility of its force of C-802's, by mounting some of the missiles on trucks, which could use numerous caves along the gulf coast for concealment. And just this morning, Secretary of Defense Cohen announced that Iran had successfully tested an air-launched version of the missile earlier this month.

Yet despite these facts, the administration has narrowly interpreted its legal obligations and has not invoked sanctions on China for the sale of these missiles to Iran. The administration concedes that the missiles are advanced, but claims the sale was not destabilizing, thereby dodging the requirement to impose sanctions.

As we saw in 1987, when 37 sailors died from the impact of one missile on the U.S.S. *Stark*, cruise missiles like the C-802 pose a dangerous threat to U.S. forces and our allies in the gulf. The presence of the U.S. Navy in and around the Persian Gulf is critical to the fragile equilibrium of that region. Iran's possession of C-802 cruise missiles threatens this equilibrium and is clearly destabilizing. As Secretary Cohen said this morning, "Iran's word and action suggests that it wants to be able to intimidate neighbors and interrupt commerce in the Gulf."

Mr. President, the time has come for us to back up our words about the terrible threat we face from weapons of mass destruction and advanced conventional arms with actions. Actions that will reduce the threat we face by punishing those countries that supply these dangerous weapons to irresponsible regimes like the one in Iran. We should begin by enforcing the nonproliferation laws currently in place. The amendment sponsored by Senator BENNETT is a meaningful step in the