

S. 937. A bill to amend the Outer Continental Shelf Lands Act to provide for the cancellation of 6 existing leases and to ban all new leasing activities in the area off the coast of Florida, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOND (for himself and Mr. BUMPERS):

S. 938. A bill to amend the Public Health Service Act to provide surveillance, research, and services aimed at the prevention and cessation of prenatal and postnatal smoking, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. COCHRAN:

S. 939. A bill to establish a National Panel on Early Reading Research and Effective Reading Instruction; to the Committee on Labor and Human Resources.

By Mr. HELMS (for himself, Mr. AKAKA, Mr. LOTT, Mr. MCCAIN, and Mr. MURKOWSKI):

S. 940. A bill to provide for a study of the establishment of Midway Atoll as a national memorial to the Battle of Midway, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INOUE (for himself, Mr. GORTON, Mr. KERRY, Mrs. MURRAY, and Mr. BREAUX):

S. 941. A bill to promote the utilization of marine ferry and high-speed marine ferry services; to the Committee on Commerce, Science, and Transportation.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MACK (for himself and Mr. GRAHAM):

S. 937. A bill to amend the Outer Continental Shelf Lands Act to provide for the cancellation of 6 existing leases and to ban all new leasing activities in the area off the coast of Florida, and for other purposes; to the Committee on Energy and Natural Resources.

##### FLORIDA COAST PROTECTION ACT

Mr. MACK. Mr. President, I rise today with my colleague, Senator GRAHAM, to introduce the Florida Coast Protection Act. This legislation will cancel the six oil and gas leases on the Outer Continental Shelf closest to Florida's coast. Representative SCARBOROUGH is leading a similar effort in the House of Representatives.

Mr. President, Floridians have always been justifiably concerned about the prospect of oil and gas exploration in the waters off our State. We are well aware of the risk this activity poses to our environment and our economy.

Throughout my tenure in the Senate I have opposed exploration and drilling off Florida's coasts. My goal—and the goal the entire Florida congressional delegation—is to permanently remove this threat from our coastlines. In recent years, we have stood together in opposition to drilling and have successfully extended the annual moratorium on all new leasing activities on Florida's continental shelf.

The reason for our concern is simple, Mr. President. In Florida, a healthy environment means a healthy economy. Millions of people come to our State each year to enjoy the climate, the coastlines, and our fine quality of life.

It would only take one disaster to end Florida's good standing as America's vacationland and we cannot afford to let that happen.

Mr. President, if the current exploration plan runs its course, there is the potential for the operation of up to 400 drill rigs off Florida's panhandle. A recent permit report from the Environmental Protection Agency states that a typical rig can be expected to discharge between 6,500 and 13,000 barrels of waste. This presents a huge potential for damage to our near-shore coastal waters and beaches. The report warns of further harmful impact on marine mammal populations, fish populations, and air quality. We cannot afford these risks in Florida and we do not want these risks in Florida.

But while the opposition of Floridians to oil drilling is well documented, the reality remains that leases have been let, potential drilling sites have been explored and it is likely that actual extraction of resources will take place 17 miles off the coast of Florida. Mr. President, if this is allowed to happen, the drill rigs will be within the line of sight from vacationers in Pensacola. This Congress must not allow that to happen.

The legislation we are introducing today is very simple. It provides for cancellation of the lease tract 17 miles off Pensacola. Under the OCS Lands Act, Mr. President, the current holders of these leases would be entitled to fair compensation for their investment. This is only fair. The bill also makes permanent the moratorium on any new leasing activity in order to ensure the past mistake of leasing in the OCS off Florida is not repeated.

If the threat of oil and gas exploration is to be permanently removed from our shores, it will require responsible leadership from the Congress. This legislation, in my view, is absolutely necessary to protect our state's economic and environmental well-being.

I urge my colleagues to support this worthwhile effort.

Mr. GRAHAM. Mr. President, I am very pleased to join my colleague Senator MACK in introducing the Florida Coast Protection Act today. It represents the next step in the State of Florida's long battle to preserve our beautiful coastal and marine ecosystem.

Floridians oppose offshore oil drilling because of the threat it presents to the State's greatest natural and economic resource: our coastal environment. Florida's beaches, fisheries, and wildlife draw millions of tourists each year from around the globe, supporting our State's largest industry. Tourism supports, directly or indirectly, millions of jobs all across Florida, and the industry generates billions of dollars every year.

The Florida coastline boasts some of the richest estuarine areas in the world. These brackish waters, with their mangrove forests and seagrass

beds, provide an irreplaceable link in the life cycle of many species, both marine and terrestrial. Florida's commercial fishing industry relies on these estuaries because they support the nurseries for the most commercially harvested fish. Perhaps the most environmentally delicate regions in the gulf, estuaries could be damaged beyond repair by a relatively small oil spill.

Over the years, we have met with some success in our effort to protect Florida's OCS. In 1995, the lawsuit surrounding the cancellation of the leases around the Florida Keys was settled, removing the immediate threat of oil and gas drilling from what is an extremely sensitive area. While I believe strongly that a long-term strategy is needed for the entire Florida coastline, the legislation we are introducing today focuses on a more near-term goal: to cancel six leases in an area 17 miles off the coast from Pensacola. The bill provides a mechanism for leaseholders to seek compensation under section 5 of the OCS Lands Act. Both Senator MACK and I believe the leaseholders have the absolute right to just compensation from the Federal Government in order to recover their investment.

As the member of the Florida delegation who serves on the Energy and Natural Resources Committee—the committee with jurisdiction over this issue—I anticipate a difficult and precarious road to enactment. But the Florida delegation as a whole has no other choice than to pursue with all our combined abilities the goal we envision: to take another major step toward ensuring the wellbeing of the Outer Continental Shelf offshore the State of Florida.

In addition to introducing this legislation today, Senator MACK and I intend to write to Chairman FRANK MURKOWSKI of the Energy and Natural Resources Committee to request a hearing on this bill as soon as possible. Floridians will have our very best effort to make the Florida Coast Protection Act Federal law.

By Mr. BOND (for himself and Mr. BUMPERS):

S. 938. A bill to amend the Public Health Service Act to provide surveillance, research, and services aimed at the prevention and cessation of prenatal and postnatal smoking, and for other purposes; to the Committee on Labor and Human Resources.

##### THE MOTHERS AND INFANTS HEALTH PROTECTION ACT

Mr. BOND. Mr. President, I rise today to introduce the Mothers and Infants Health Protection Act on behalf of myself and Senator BUMPERS. First, I express my sincere thanks to my colleagues in the Senate last week for having passed the Birth Defects Prevention Act. That act was a tremendous step forward in protecting the health of our Nation's most vulnerable population and in saving families from the economic and emotional hardships associated with birth defects.

However, we must keep moving forward. After having had numerous discussions with the Centers for Disease Control and child advocacy organizations about the adverse birth outcomes and infant health problems connected with smoking during and after pregnancy, I decided we would introduce this legislation here today to carry the next step in our battle against birth defects.

The main purpose of the measure introduced today is to provide surveillance, research, and services aimed at the prevention and cessation of smoking, both during and after pregnancy. The CDC, along with the Association of Maternal and Child Health Programs, is meeting today here in Washington to highlight that although the overall smoking rate for pregnant women is slowly declining, the smoking rate for pregnant teens is increasing. That is bad news. For black teenagers specifically, the rate rose 6 percent, the first increase since this information first became available in 1989. And even with this increase, smoking rates for white teenagers are still four to five times the rate for black teenagers. Furthermore, the smoking rate for those between the ages of 15 and 24 is 23 percent higher than the smoking rate among all pregnant women.

In my home State of Missouri, this public health program is even more dramatic: 20 percent of all pregnant women in Missouri admit to smoking. This is 44 percent higher than the national average. This, unfortunately, may be connected to the fact that our incidence of birth defects and infant mortality is 50 percent higher than the national average.

The consequences of smoking during and after pregnancy are downright horrifying. Recent studies show that this activity is a problem. Increases in maternal and fetal risk causes 20 to 30 percent of low birth rates and 10 percent of fetal and infant deaths in the United States.

Smoking triples the risk of sudden infant death syndrome. Smoking elevates the risk of a child being born with a birth defect. Smoking increases the risk of spontaneous abortion, premature rupture of membranes, and the delivery of a stillborn infant. Smoking may impede the growth of a fetus and increase the likelihood of mental retardation by 50 percent, and smoking increases the risk of respiratory illness in infants and children.

Adding to this devastating problem, the proportion of women who quit smoking during pregnancy but then relapse at 6 months postpartum is nearly 63 percent, thereby exposing their infants to passive smoke and increasing their risk for SIDS and other health-related problems.

These are just a few of the problems related to smoking during and after pregnancy. But in addition to the risks for the fetus and infant, smoking is associated with a wide variety of hazards for pregnant women, such as infertility and ectopic pregnancy.

There is no question that smoking during and after pregnancy is a compelling public health problem. These facts clearly underscore the necessity for smoking prevention and cessation programs aimed specifically for pregnant women. This legislation aims to reverse these devastating outcomes on several fronts.

First, the CDC is directed to foster coordination between all governmental levels, other public entities, and private voluntary organizations that conduct or support prenatal and postnatal smoking research, prevention, and surveillance.

Second, the bill provides grants to state and local health departments, community health centers, other public entities, and non-profit organizations for the development of community-based public awareness campaigns aimed at the prevention and cessation of smoking during and after pregnancy.

Third, monies would be made available to the groups just mentioned for the purpose of coordinating and conducting basic and applied research concerning prenatal and postnatal smoking and its effects on fetuses and newborns.

Fourth, the bill calls for a procedure for the dissemination of effective prevention and cessation strategies and the diagnostic criteria for infants suffering the effects of exposure to intrauterine and passive tobacco smoke to health care professionals.

Finally, this measure authorizes a modest appropriation of \$10 million to achieve these goals.

Similar to the Birth Defects Prevention Act, this is another stride in improving the health of our children and in reducing infant mortality and morbidity.

Fetuses, newborns, and children are too vulnerable and cannot protect themselves. We must therefore have a coordinated effort among government, nonprofit groups and local communities to get the message out on the devastating outcomes associated with pre and post natal smoking as well as information on effective prevention and cessation opportunities.

Again, it is important to note that overall, fewer pregnant women are smoking now that they know the health risks for themselves and for their babies. The bad news is that not everyone has gotten the message—in particular those between the ages of 15 and 24. They are moving directly against the trend.

This is the generation coming up; and these women are likely to go on having more children. If they are smoking more, that does not bode well for their future health, or for that of their children.

Many people still do not understand that there is a link between adverse birth outcomes and prenatal and postnatal smoking. Part of the reason is that not all women have adequate access to prenatal care.

Thus, it is my firm belief that this legislation will ensure that all mothers

will receive information on the potential tragedies of smoking during and after pregnancy and the much needed assistance in quitting their habit.

Mr. BUMPERS. Mr. President, let me first extend my sincere and profound gratitude to Senator BOND for creating and being the originator of this legislation. I am honored he has asked me to be his chief cosponsor.

I just want to say for the RECORD and for those who may be watching, I remember when I was Governor of my State and my wife, Betty, was first lady. She had spent 2 years laying the groundwork for a statewide immunization program. It was a howling success. We immunized 300,000 children one Saturday without a single reaction. That evening I said, "Betty, you ought to take great pride in what you just accomplished today." She said, "I do. Of course, this is good for your political career and it is good for the babies who were immunized today, but it is certainly no final solution because we will lapse right back into the lethargy we have experienced and watched for years with low immunization rates among children who are yet to be born." She said until we institutionalize a program that can track each child's immunizations from birth through early childhood we will not have succeeded. Thanks to her efforts and many others, including Rosalynn Carter, and the program Every Child By Two, immunization levels in this country are now at an all-time high.

The same principle applies in this case. Once we get this bill passed, and we will get it passed, it is imperative that we follow it up year after year after year so we do not lapse into the condition we are in right now where the rate of smoking among teenage women, pregnant teenage women, is going up. We got it down to 14 percent and now it is back up to 17 percent.

If you ask that same teenage mother, what and whom do you love most, she loves mostly that fetus that lies inside her womb, and when that baby is born, she loves that baby above everything under the shining sun—above all else.

So ask yourself, why would a woman, or why would parents smoke during pregnancy, and why would parents smoke after the baby is born? Every pediatrician in the country will tell you horror stories about sending children home after asthma attacks, only to see them come back with another asthma attack because people are smoking in the household.

Senator BOND and I are asking for \$10 million for this new initiative, an infinitesimal sum when compared to the savings it will produce. Hubert Humphrey stood at that desk right there. I never will forget the speech he made. "We don't have national health insurance. What we have is national sick insurance. It isn't worth anything until you get sick." He told me about preventive programs that Ford Motor Company had instituted among all their employees and how much they

were saving on health care costs through preventive medicine.

Here we are now with a chance to save 10 to 100 times more than the paltry \$10 million we will spend educating pregnant women in this country and telling them the consequences of asthma and low-birthweight babies. After the baby is born, one of the biggest single problems is sudden infant death syndrome. One of its causes is smoking around newborn babies.

Mr. President, I am honored to join my distinguished colleague, Senator BOND, in pushing this. I hope we will be able to get hearings on this very shortly. Incidentally, I hope that the Centers for Disease Control will not just conduct outreach and education among pregnant women. I hope they will also work to educate the College of Obstetricians and Gynecologists and the American Academy of Pediatrics. Sometimes the very best professionals neglect and forget to tell pregnant women how to conduct themselves during pregnancy. I do not think that is a big problem, but I do think providers must be made acutely aware that they have this grave responsibility to at least tell pregnant women what they are up against and tell women what they must do when they go home from the hospital with a newborn.

I yield the floor.

By Mr. COCHRAN:

S. 939. A bill to establish a National Panel on Early Reading Research and Effective Reading Instruction; to the Committee on Labor and Human Resources.

THE SUCCESSFUL READING RESEARCH AND INSTRUCTION ACT

Mr. COCHRAN. Mr. President, today, I am introducing the Successful Reading Research and Instruction Act. It establishes a panel that will include parents, scientists, and educators to conduct a study of the research relevant to reading development and advise the Congress of its recommendations for disseminating its findings and instruction suggestions to those who would like to have them.

Reading is the skill students must master to meet life challenges in a confident and successful manner. For a child, breaking the code of written language not only opens academic opportunities; it is a cornerstone to building high self esteem. Both reading and self esteem affect the knowledge and experiences that form a child's character and future.

Teaching children to read is the highest priority in education today. Many teachers and parents I've talked with are frustrated and confused about what method of reading instruction is best. Every American should be concerned that 40 to 60 percent of elementary school children are not reading proficiently. Even more disturbing is research that shows fewer than one child in eight who is failing to read by the end of first grade ever catches up to grade level.

Success in reading is essential if one is to progress socially and economically. In fact, most of the federally funded literacy programs are targeted to helping adults learn to read because the education system failed them, and more than likely, failed them at an early age.

This indicates that we need to start solving the problem of poor readers at the beginning, instead of working backward. It seems to me that the first step to finding a solution is to seriously analyze sound, rigorous research on the subject.

Mr. President, at a hearing on April 16, of the Senate Appropriations Subcommittee on Labor, Health and Human Services, and Education, I brought to the attention of the Secretary of Education, Richard Riley, research by the National Institute of Child Health and Human Development mandated by the Health Research Extension Act of 1985, and asked that he use such research in the development of federally supported reading programs. This research is ongoing, in a collaborative network with multidisciplinary research programs to study genetics, brain pathology, developmental process and phonetic acquisition. NICHD has spent over \$100 million over the past 15 years, and has studied approximately ten thousand children.

On June 11 of this year, when officials from the National Institutes of Health came before the same appropriations subcommittee, I asked Dr. Duane Alexander, the Director of NICHD, about this study. Dr. Alexander's testimony about the research confirmed what I suspect most teachers already know—at least 20 percent of children have difficulty learning to read. But the research also suggests that 90 to 95 percent of these can be brought up to average reading level.

As a result of this research, techniques for early identification of those with reading problems and intervention strategies are now known. But administrators, teachers, tutors and parents are not aware of the key principles of effective reading instruction. The NICHD findings underscore the need to do a better job of teacher training, as researchers found fewer than 10 percent of teachers actually know how to teach reading to children who don't learn reading automatically.

I am surprised that the Department of Education hasn't looked to this study and found a way to effectively get the information to teachers, schools, parents, and most importantly, teacher colleges.

What scientists have learned from their studies of reading hasn't been passed on to the teachers who are teaching, so parents are telling us their kids aren't reading. It is time we put all this experience together; come up with suggestions for dealing with the problems and, if schools, teachers, parents or higher education institutions want the information, let's make it available.

This is a proposal to develop answers that are based on scientific, model based research. I think it can be a helpful beginning for successful reading instruction.

I ask unanimous consent that a copy of Dr. Duane Alexander's testimony and a copy of my bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 939

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Successful Reading Research and Instruction Act".

**SEC. 2. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress makes the following findings:

(1) At least 20 percent, and in some States 50 to 60 percent, of children in elementary school cannot read at basic levels. The children cannot read fluently and do not understand what they read.

(2) Research suggests that the majority of the children, at least 90 to 95 percent, can be brought up to average reading skills if—

(A) children at risk for reading failure are identified during the kindergarten and first grade years; and

(B) early intervention programs that combine instruction in phonological awareness, phonics, and reading comprehension are provided by well-trained teachers.

(3) If the early intervention programs described in paragraph (2)(B) are delayed until the children reach 9 years of age (the time that most children are identified), approximately 75 percent of the children will continue to have reading difficulties through high school.

(4) While older children and adults can be taught to read, the time and expense of doing so is enormous.

(b) PURPOSE.—The purposes of this Act are—

(1) to conduct an assessment of research and knowledge relevant to early reading development, and instruction in early reading, to determine the readiness of the research and knowledge for application in the Nation's classrooms; and

(2) if appropriate, to develop a national strategy for the rapid dissemination of the research and knowledge to teachers and schools throughout the United States as a means of facilitating effective early reading instruction; and

(3) to develop a plan for additional research regarding early reading development, and instruction in early reading, if the additional research is warranted.

**SEC. 3. NATIONAL PANEL.**

(a) IN GENERAL.—The Secretary of Education, or the Secretary's designee, and the Director of the National Institute of Child Health and Human Development, or the Director's designee, jointly shall—

(1) establish a National Panel on Early Reading Research and Effective Reading Instruction;

(2) establish the membership of the panel in accordance with subsection (b);

(3) select a chairperson of the panel;

(4) provide the staff and support necessary for the panel to carry out the panel's duties; and

(5) prepare and submit to Congress a report regarding the findings and recommendations of the panel.

(b) MEMBERSHIP.—The panel shall be composed of 15 individuals, who are not officers

or employees of the Federal Government. The panel shall include leading scientists in reading research, representatives of colleges of education, reading teachers, educational administrators, and parents.

(c) DUTIES.—The panel shall—

(1) conduct a thorough study of the research and knowledge relevant to early reading development, and instruction in early reading, including research described in section 9 of the Health Research Extension Act of 1985 (42 U.S.C. 281 note);

(2) determine which research findings and what knowledge are available for application in the Nation's classrooms; and

(3) determine how to disseminate the research findings and knowledge to the Nation's schools and classrooms.

(d) TERMINATION.—The panel shall terminate 9 months after the date of enactment of this Act.

TESTIMONY OF DR. DUANE ALEXANDER

Thank you Senator Cochran:

I think that it is important to point out that our intensive research efforts in reading development and disorders is motivated to a great extent by our seeing difficulties learning to read as not only an educational problem, but also a major public health issue. Simply put, if a youngster does not learn to read, he or she will simply not likely to make it in life. Our longitudinal studies that study children from age five through their high school years have shown us how tender these kids are with respect to their own response to reading failure. By the end of the first grade, we begin to notice substantial decreases in the children's self-esteem, self-concept, and motivation to learn to read if they have not been able to master reading skills and keep up with their age-mates. As we follow them through elementary and middle school these problems compound, and in many cases very bright youngsters are deprived of the wonders of literature, history, science, and mathematics because they can not read the grade-level textbooks. By high school, these children's potential for entering college has decreased to almost nil, with few choices available to them with respect to occupational and vocational opportunities.

In studying approximately 10 thousand children over the past 15 years, we have learned the following:

(1) At least 20%, and in some states 50 to 60%, of children in the elementary grades can not read at basic levels. They can not read fluently and they do not understand what they read.

(2) However, the majority of these children—at least 90 to 95%—can be brought up to average reading skills IF:

(A) children at-risk for reading failure are identified during the kindergarten and first grade years and,

(B) early intervention programs that combine instruction in phonological awareness, phonics, and reading comprehension are provided by well trained teachers. If we delay intervention until nine-years-of-age (the time that most children are currently identified), approximately 75% of the children will continue to have reading difficulties through high school. While older children and adults CAN be taught to read, the time and expense of doing so is enormous.

(3) We have learned that phonological awareness—the understanding that words are made up of sound segments called phonemes—plays a casual role in reading acquisition, and that it is a good predictor because it is a foundational ability underlying basic reading skills.

(4) We have learned how to measure phonological skills as early as the beginning of kindergarten with tasks that take only 15

minutes to administer—and over the past decade we have refined these tasks so that we can predict with 92% accuracy who will have difficulties learning to read.

(5) The average cost of assessing each child during kindergarten or first grade with the predictive measures is between \$15 to \$20 depending upon the skill level of the person conducting the assessment. This includes the costs of the assessment materials. If applied on a larger scale, these costs may be further decreased.

(6) We have learned that just as many girls as boys have difficulties learning to read. The conventional wisdom has been that many more boys than girls have such difficulties. Now females should have equal access to screening and intervention programs.

(7) We have begun to understand how genetics are involved in learning to read, and this knowledge may ultimately contribute to our prevention efforts through assessment of family reading histories.

(8) We are entering very exciting frontiers in understanding how early brain development can provide us a window on how reading develops. Likewise, we are conducting studies to help us understand how specific teaching methods change reading behavior and how the brain changes as reading develops.

(9) Very importantly, we continue to find that teaching approaches that specifically target the development of a combination of phonological skills, phonics skills, and reading comprehension skills in an integrated format are the most effective ways to improve reading abilities.

At the present time, we have held several meetings with officials from the USDOE and have discussed how these findings can be used across the two agencies. As an example of this collaboration, NICHD and USDOE have been developing a preliminary plan to determine which scientific findings are ready for immediate application in the classroom and how to best disseminate that information to the Nation's schools and teachers.

By Mr. HELMS (for himself, Mr. AKAKA, Mr. LOTT, Mr. MCCAIN and Mr. MURKOWSKI):

S. 940. A bill to provide for a study of the establishment of Midway Atoll as a national memorial to the Battle of Midway, and for other purposes; to the Committee on Energy and Natural Resources.

THE BATTLE OF MIDWAY NATIONAL MEMORIAL ACT

Mr. HELMS. Mr. President, on July 31, 1995, Senator Dole and I introduced S. 1098, the Battle of Midway Memorial Act. Today I am proud to offer an updated version of S. 1098 on behalf of the majority leader, Mr. LOTT, the Senator from Hawaii, Mr. AKAKA, the Senator from Arizona, Mr. MCCAIN, and the Senator from Alaska, Mr. MURKOWSKI.

This bill directs the Secretary of the Interior to study the feasibility and advisability of establishing Midway Atoll as a national memorial to the Battle of Midway. It goes without saying that the sponsors of this bill strongly believe that this should be done without delay. I am confident that the Interior Secretary will agree.

Mr. President, it was on June 4, 1942, that courageous American sailors, soldiers, and airmen stationed on Midway Atoll, and aboard 29 warships, clashed with 350 warships of the Imperial Japa-

nese Navy in what became known as the Battle of Midway. When the smoke cleared, the small American force, under the overall command of Admiral Nimitz, had soundly defeated the Imperial Japanese Navy in one of the most spectacular and historically significant naval battles of all time, and a turning point in the Pacific theater in World War II.

There is no reason to delay further the establishment of Midway Atoll as a national memorial to honor the American heroes who fought and died there in defense of our liberties. Approval of this bill will be the first step in recognizing what those gallant Americans did in 1942—and that recognition is in fact long overdue.

Mr. President, on April 25, 1996, the Energy Committee's Subcommittee on Parks, Historic Preservation, and Recreation held an extensive hearing on S. 1098, the predecessor to the bill we introduce today. Chairman NIGHTHORSE CAMPBELL received testimony from my treasured friend, Adm. Tom Moorer, who in my judgment, was the greatest Chairman of the Joint Chiefs of Staff ever to serve in that post—and a veteran of the Pacific theater of World War II, and Dr. James D'Angelo, president of the International Midway Memorial Foundation.

If the committee chooses to have another hearing on this issue, I hope Chairman MURKOWSKI and Chairman NIGHTHORSE CAMPBELL will ask whether any historic structures on Midway Atoll have been destroyed, and if so, why. If this has occurred, I will support modifying the bill to prohibit explicitly any further destruction of any historic structure on Midway Atoll.

Mr. President, Adm. James W. (Bud) Nance, chief of staff of the Foreign Relations Committee, Esther Kia'aina of Sen. AKAKA's staff, and Jim O'Toole with the Energy and Natural Resources Committee deserve special thanks. When Midway Atoll becomes a national memorial, it will in large part be due to their tireless efforts.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 940

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SEC. 1. SHORT TITLE.

This Act may be cited the "Battle of Midway National Memorial Act".

SEC. 2. FINDINGS.

The Senate makes the following findings:

(1) September 2, 1997, marks the 52th anniversary of the United States victory over Japan in World War II.

(2) The Battle of Midway proved to be the turning point in the war in the Pacific, as United States Navy forces inflicted such severe losses on the Imperial Japanese Navy during the battle that the Imperial Japanese Navy never again took the offensive against United States or allied forces.

(3) During the Battle of Midway on June 4, 1942, an outnumbered force of the United States Navy, consisting of 29 ships and other units of the Armed Forces under the command of Admiral Nimitz and Admiral Spruance, out-maneuvered and out-fought 350 ships of the Imperial Japanese Navy.

(4) It is in the public interest to establish Midway Atoll as a national memorial to the Battle of Midway to express the enduring gratitude of the American people for victory in the battle and to inspire future generations of Americans with the heroism and sacrifice of the members of the Armed Forces who achieved that victory.

#### SEC. 3. SENSE OF THE SENATE.

It is the sense of the Senate that—

(1) Midway Atoll and the surrounding seas deserve to be a national memorial;

(2) the historical significance of the Battle of Midway deserves more recognition;

(3) the historic structures on Midway Atoll deserve to be protected and maintained;

#### SEC. 4. STUDY OF THE ESTABLISHMENT OF MIDWAY ATOLL AS A NATIONAL MEMORIAL TO THE BATTLE OF MIDWAY.

(a) IN GENERAL.—Not later than six months after the date of enactment of this Act, the Secretary of the Interior shall, acting through the Director of the National Park Service and in consultation with the Director of the United States Fish and Wildlife Service, the International Midway Memorial Foundation, Inc. (hereafter referred to as the 'Foundation'), and Midway Phoenix Corporation, carry out a study of the feasibility and advisability of establishing Midway Atoll as a national memorial to the Battle of Midway.

(b) CONSIDERATIONS.—In studying the establishment of Midway Atoll as a national memorial to the Battle of Midway under subsection (a), the Secretary shall consider the following:

(1) Whether, and under what conditions, to lease or otherwise allow the Foundation or another appropriate organization to administer, maintain, and utilize fully for use as a national memorial to the Battle of Midway the lands (including any equipment, facilities, infrastructure, and other improvements) and waters of Midway Atoll.

(2) Whether, and under what circumstances the needs and requirements of the wildlife refuge should take precedence over the needs and requirements of a national memorial on Midway Atoll.

(3) Whether, and under what conditions, to permit the use of the facilities on Sand Island for purposes other than a wildlife refuge or a national memorial.

(4) Whether to impose conditions on public access to Midway Atoll as a national memorial.

(c) REPORT.—Upon completion of the study required under subsection (a), the Secretary shall submit to Congress a report on the study, including any recommendations for further legislative action. The report shall also include an inventory of all past and present structures of historic significance on Midway Atoll.

#### SEC. 5. RULE OF STATUTORY CONSTRUCTION.

Nothing under this Act should be construed to delay or inhibit discussions between the Foundation and the United States Fish and Wildlife Service or any other government entity regarding the future role of the Foundation on Midway Atoll.

By Mr. INOUE (for himself, Mr. GORTON, Mr. KERRY, Mrs. MURRAY, and Mr. BREAUX):

S. 941. A bill to promote the utilization of marine ferry and high-speed marine ferry services; to the Committee on Commerce, Science, and Transportation.

#### HIGH-SPEED MARINE FERRY ACT

Mr. INOUE. Mr. President, I rise today to introduce legislation, cosponsored by Senators GORTON, KERRY, MURRAY, and BREAUX to promote the use of marine ferry and high-speed marine ferry services.

The marine ferry system of the United States provides an invaluable component to the transportation requirements of our Nation. As a Senator from an island State, I appreciate the need for passenger/vehicle ferry services. In general, marine ferries require minimal costs as compared to the costs of new infrastructure such as highways, bridges, and tunnels. In addition, marine ferries are one of the most environmentally friendly modes of transportation.

In coastal urban centers, marine ferry service can provide low-cost, environmentally friendly transportation to areas suffering from congestion. In rural coastal areas, such as barrier islands, marine ferries have been utilized as the sole source of transportation to connect coastal communities to the mainland. While States with marine barriers such as rivers or lakes have utilized marine ferries as low-cost alternatives to highway bridges or additional roadways. Marine ferries have also been used to provide transportation in areas devastated by natural disasters and floods. Ferries were used in the aftermath of the earthquakes in northern California to provide transportation across San Francisco Bay.

States such as Washington, Alaska, North Carolina, and Delaware have invested, with great success, in State-run marine ferry services. While other States such as New York, New Jersey, and my own State of Hawaii, are exploring incentives to induce private ferry operations in order to fulfill certain transportation objectives. Private ferry operations and high-speed marine passenger vessels used for dinner cruises and tour excursions, have contributed to the tourism potential of certain areas as well.

I am particularly hopeful that the Marine Ferry and High-Speed Marine Ferry Act will help us to fulfill our Nation's potential for high-speed marine technology. In the early 1970's, Boeing Marine pioneered the development and construction of commercial passenger hydrofoils capable of operating at 45 knots. Boeing built 25 hydrofoils for high-speed use on the Hong Kong-Macau route before licensing production to Kawasaki Heavy Industries of Japan in the early 1980's, and by 1989, only one high-speed marine passenger/vehicle ferry of significant size was in operation.

The international and domestic high-speed marine passenger vessel market has recently seen a dramatic expansion, and currently over 60 high-speed marine passenger/vehicle ferries are in service or under construction. Fast ferries, until recently, have been primarily used in short sea services on protected routes, but recent advances

in design and materials have allowed for the construction of larger vessels capable of being operated on longer open sea routes. New technologies have also opened possibilities for high-speed cargo-carrying operations.

The United States has benefited from a number of recent high-speed projects, and from the establishment of a shipyard specifically designed for high-speed marine passenger vessel construction. The Maritime Administration's "1996 Outlook for the U.S. Shipbuilding and Repair Industry" indicates:

New orders for ferries should also continue to provide work for the second-tier shipyards. The enactment of ISTEA continues to provide a significant boost to new ferry projects. In addition, MARAD has a Title XI application pending for the construction of two passenger/vehicle ferries for a foreign owner, valued at more than \$171 million. Demand will come from continued promotion of states of ferries for use in their tourist industries, as well as in transportation/commuting, as an alternative to building infrastructure projects such as highways and bridges. The recent award of a \$181 million contract to Todd Seattle for three 2,500-passenger ferries and the solicitation for proposals for two additional 350-passenger ferries by the State of Washington, is an added sign that the ferry industry is strong. On the private sector side, there is a demand for the deployment of high-speed, high-tech ferries in the passenger excursion industry.

The Marine Ferry and High-Speed Marine Ferry Act will build on previous enactments aimed at promoting marine ferry operations. The bill would reauthorize section 1064 of ISTEA, at levels consistent with past years, to allow State-run ferry programs to apply for Federal grants for the construction of ferries, and/or related ferry infrastructure. The bill would also initiate a new program to help provide loan guarantees for private marine ferry operators. A number of States have decided not to operate their own ferry vessels, but instead, have encouraged the private sector to establish marine ferry operations. The provision of loan guarantees to qualified applicants will allow private sector operators to contribute to legitimate public sector transportation needs by providing favorable financing through federally guaranteed loans.

The bill would also require DOT to report on existing marine ferry operations and to make recommendations on areas that could benefit from future marine ferry operations, and directs DOT to meet with relevant State and local municipal planning agencies to discuss the marine ferry program. The bill also directs the Marine Board to study high-speed marine technologies, and potential utilization of such technology.

I hope my colleagues can join in to continue our support of marine ferry operations. For a relatively small investment, we can leverage State and private operations to address our pressing infrastructure demands.

## ADDITIONAL COSPONSORS

S. 293

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 293, a bill to amend the Internal Revenue Code of 1986 to make permanent the credit for clinical testing expenses for certain drugs for rare diseases or conditions.

S. 317

At the request of Mr. CRAIG, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 317, a bill to reauthorize and amend the National Geologic Mapping Act of 1992.

S. 364

At the request of Mr. LIEBERMAN, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 364, a bill to provide legal standards and procedures for suppliers of raw materials and component parts for medical devices.

S. 412

At the request of Mr. LAUTENBERG, the names of the Senator from Ohio [Mr. GLENN], the Senator from New Mexico [Mr. BINGAMAN], the Senator from California [Mrs. BOXER], and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of S. 412, a bill to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals.

S. 472

At the request of Mr. GRAHAM, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 472, a bill to provide for referenda in which the residents of Puerto Rico may express democratically their preferences regarding the political status of the territory, and for other purposes.

S. 513

At the request of Mr. D'AMATO, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 513, a bill to reform the multifamily rental assisted housing programs of the Federal Government, maintain the affordability and availability of low-income housing, and for other purposes.

S. 570

At the request of Mr. NICKLES, the names of the Senator from North Carolina [Mr. FAIRCLOTH], and the Senator from Arkansas [Mr. HUTCHINSON] were added as cosponsors of S. 570, a bill to amend the Internal Revenue Code of 1986 to exempt certain small businesses from the mandatory electronic fund transfer system.

S. 608

At the request of Mr. FEINGOLD, the name of the Senator from Michigan [Mr. ABRAHAM] was added as a cosponsor of S. 608, a bill to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment.

S. 711

At the request of Mr. BREAUX, the name of the Senator from Kentucky [Mr. FORD] was added as a cosponsor of S. 711, a bill to amend the Internal Revenue Code of 1986 to simplify the method of payment of taxes on distilled spirits.

S. 747

At the request of Mr. CHAFEE, the names of the Senator from Kansas [Mr. ROBERTS] and the Senator from Colorado [Mr. ALLARD] were added as cosponsors of S. 747, a bill to amend trade laws and related provisions to clarify the designation of normal trade relations.

S. 836

At the request of Mr. ABRAHAM, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 836, a bill to offer small businesses certain protections from litigation excesses.

S. 852

At the request of Mr. LOTT, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 852, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, non-repairable, and rebuilt vehicles.

S. 885

At the request of Mr. D'AMATO, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 885, a bill to amend the Electronic Fund Transfer Act to limit fees charged by financial institutions for the use of automatic teller machines, and for other purposes.

S. 927

At the request of Mr. D'AMATO, his name was added as a cosponsor of S. 927, a bill to reauthorize the Sea Grant Program.

## SENATE RESOLUTION 85

At the request of Mr. GREGG, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Resolution 85, a resolution expressing the sense of the Senate that individuals affected by breast cancer should not be alone in their fight against the disease.

## SENATE RESOLUTION 93

At the request of Mr. GRASSLEY, the names of the Senator from Michigan [Mr. ABRAHAM], the Senator from Montana [Mr. BURNS], the Senator from Georgia [Mr. COVERDELL], the Senator from New York [Mr. D'AMATO], the Senator from Ohio [Mr. DEWINE], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Tennessee [Mr. FRIST], the Senator from Utah [Mr. HATCH], the Senator from North Carolina [Mr. HELMS], the Senator from Indiana [Mr. LUGAR], the Senator from Oklahoma [Mr. NICKLES], the Senator from Alaska [Mr. STEVENS], the Senator from South Carolina [Mr. THURMOND], the Senator from Virginia [Mr. WARNER], the Senator from Hawaii [Mr. AKAKA], the Senator from Illinois [Mr. DURBIN], the Senator

from Massachusetts [Mr. KENNEDY], the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from Washington [Mrs. MURRAY], the Senator from Virginia [Mr. ROBB], and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of Senate Resolution 93, a resolution designating the week beginning November 23, 1997, and the week beginning on November 22, 1998, as "National Family Week," and for other purposes.

## AMENDMENTS SUBMITTED

## THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1998

## WELLSTONE AMENDMENT NO. 415

Mr. WELLSTONE proposed an amendment to the bill (S. 858) 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; as follows:

At the appropriate place, insert the following: "It is the sense of the Senate that any tax legislation enacted by the Congress this year should meet a standard of fairness in its distributional impact on upper, middle and lower income taxpayers, and that any such legislation should not disproportionately benefit the highest income taxpayers."

TORRICELLI (AND OTHERS)  
AMENDMENT NO. 416

Mr. TORRICELLI (for himself, Mr. SPECTER, Mr. KERREY, and Mr. BUMPERS) proposed an amendment to the bill, S. 858, supra; as follows:

On page 14, between lines 19 and 20, insert the following:

## SEC. 309. REQUIREMENTS FOR SUBMITTAL OF BUDGET INFORMATION ON INTELLIGENCE ACTIVITIES.

(a) SUBMITTAL WITH ANNUAL BUDGET.—Notwithstanding any other provision of law, the President shall include in each budget for a fiscal year submitted under section 1105 of title 31, United States Code, the following information:

(1) The aggregate amount appropriated during the current fiscal year on all intelligence and intelligence-related activities of the United States Government.

(2) The aggregate amount requested in such budget for the fiscal year covered by the budget for all intelligence and intelligence-related activities of the United States Government.

(b) FORM OF SUBMITTAL.—The President shall submit the information required under subsection (a) in unclassified form.

## THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

LAUTENBERG (AND OTHERS)  
AMENDMENT NO. 417

Mr. LAUTENBERG (for himself, Mr. TORRICELLI, and Mr. BAUCUS) proposed an amendment to the bill (S. 936) to authorize appropriations for fiscal year