

that this legislation will be incorporated into ISTEA.

We should create new partnerships which will help us to meet current and future needs while acknowledging the limited resources available to us in this fiscal environment. If we are to rebuild our nation's infrastructure, and lay the groundwork for the next generation of transportation infrastructure, we will need to develop innovative financing programs such as TIFIA.

It is my hope that after we complete the Highway Program bill—with the inclusion of TIFIA as an innovative financing title—we will develop similar mechanisms for addressing the financing requirements of other major public works needs such as clean water systems and perhaps even school construction.

We should heed the wisdom found in the words of Daniel Burnham, a prominent architect who served as chairman of a commission charged with redeveloping the District of Columbia, "Think no small ideas. Small ideas have no magic to stir men's minds." Let us use this bill as the starting point from which to make a serious and substantial dent in our national development needs.

Mr. President, I thank the Chairman for his leadership in this area and look forward to working closely with him as we work to pass this bill and reauthorize the Highway Program.

#### ADDITIONAL COSPONSORS

S. 364

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan [Mr. ABRAHAM] 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. 387

At the request of Mr. HATCH, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of S. 387, a bill to amend the Internal Revenue Code of 1986 to provide equity to exports of software.

S. 492

At the request of Mr. SARBANES, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of S. 492, a bill to amend certain provisions of title 5, United States Code, in order to ensure equality between Federal firefighters and other employees in the civil service and other public sector firefighters, and for other purposes.

S. 496

At the request of Mr. CHAFEE, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 496, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 507

At the request of Mr. HATCH, the name of the Senator from Vermont

[Mr. LEAHY] was added as a cosponsor of S. 507, a bill to establish the United States Patent and Trademark Organization as a Government corporation, to amend the provisions of title 35, United States Code, relating to procedures for patent applications, commercial use of patents, reexamination reform, and for other purposes.

S. 551

At the request of Mr. GREGG, the names of the Senator from Ohio [Mr. DEWINE] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 551, a bill to amend the Occupational Safety and Health Act of 1970 to make modifications to certain provisions.

S. 682

At the request of Mr. HARKIN, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 682, a bill to amend title 32, United States Code, to make available not less than \$200,000,000 each fiscal year for funding of activities under National Guard drug interdiction and counterdrug activities plans.

S. 755

At the request of Mr. CAMPBELL, the name of the Senator from Colorado [Mr. ALLARD] was added as a cosponsor of S. 755, a bill to amend title 10, United States Code, to restore the provisions of chapter 76 of that title (relating to missing persons) as in effect before the amendments made by the National Defense Authorization Act for Fiscal Year 1997 and to make other improvements to that chapter.

S. 872

At the request of Mr. ROBERTS, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 872, a bill to amend the Internal Revenue Code of 1986 to provide for the nonrecognition of gain for sale of stock to certain farmers' cooperatives, and for other purposes.

#### SENATE JOINT RESOLUTION 6

At the request of Mr. KYL, the names of the Senator from New Hampshire [Mr. GREGG], the Senator from Nebraska [Mr. HAGEL], and the Senator from Colorado [Mr. CAMPBELL] were added as cosponsors of Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

#### SENATE RESOLUTION 94

At the request of Mr. WARNER, the names of the Senator from Montana [Mr. BURNS], the Senator from Rhode Island [Mr. CHAFEE], and the Senator from Louisiana [Mr. BREAU] were added as cosponsors of Senate Resolution 94, a resolution commending the American Medical Association on its 150th anniversary, its 150 years of caring for the United States, and its continuing effort to uphold the principles upon which Nathan Davis, M.D. and his colleagues founded the American Medical Association to "promote the science and art of medicine and the betterment of public health."

#### AMENDMENT NO. 469

At the request of Mr. SPECTER the names of the Senator from Pennsylvania [Mr. SANTORUM], the Senator from Maine [Ms. SNOWE], the Senator from Maine [Ms. COLLINS], and the Senator from Colorado [Mr. CAMPBELL] were added as cosponsors of amendment No. 469 proposed to S. 947, an original bill to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998.

#### AMENDMENT NO. 471

At the request of Mr. SPECTER the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of amendment No. 471 proposed to S. 947, an original bill to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998.

#### AMENDMENT NO. 492

At the request of Mr. KENNEDY the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of amendment No. 492 proposed to S. 947, an original bill to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998.

#### AMENDMENT NO. 498

At the request of Mr. HARKIN the names of the Senator from Iowa [Mr. GRASSLEY], the Senator from Massachusetts [Mr. KERRY], the Senator from Arkansas [Mr. BUMPER], and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of amendment No. 498 proposed to S. 947, an original bill to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998.

At the request of Mr. DOMENICI his name, and the name of the Senator from Missouri [Mr. BOND] were added as cosponsors of amendment No. 498 proposed to S. 947, supra.

#### SENATE RESOLUTION 103—TO CONGRATULATE THE CHICAGO BULLS

Ms. MOSELEY-BRAUN (for herself and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

#### S. RES. 103

Whereas the Chicago Bulls at 69-13, posted the second best regular season record in the history of the National Basketball Association;

Whereas the Bulls once again roared through the playoffs, sweeping the Washington Bullets and defeating the Atlanta Hawks in 5 games, before beating the Miami Heat in 5 games to return to the NBA Finals for the second straight year;

Whereas the Bulls displayed a potent offense and stifling defense throughout the playoffs before beating the Utah Jazz to win their second consecutive NBA championship, their fifth in the last 7 years;

Whereas head coach Phil Jackson and the entire coaching staff skillfully led the Bulls through a 69-win season and a 15-4 playoff run;

Whereas Michael Jordan and Scottie Pippen were again named to the NBA's "All-

Defensive First Team', the only 2 players from the same team to be so named, and were each voted to be among the 50 greatest players in NBA history;

Whereas Michael Jordan won his record ninth scoring title, is the sixth leading scorer in NBA history, and was named playoff most valuable player for the fifth time in 5 playoff appearances;

Whereas Scottie Pippen again exhibited his outstanding offensive and defensive versatility, providing himself to be one of the best all-round players in the NBA;

Whereas the quickness, tireless defensive effort, and athleticism of the colorful Dennis Rodman, who won his sixth straight rebounding title, keyed a strong Bulls front line;

Whereas veteran guard Ron Harper, in shutting down many of the league's top point guards throughout the playoffs, demonstrated the defensive skills that have made him a cornerstone of the league's best defense;

Whereas center Luc Longley frustrated many of the all-star caliber centers that he faced in this year's playoffs while at times providing a much needed scoring lift;

Whereas Toni Kukoc, despite injury, displayed his awesome variety of offensive skills in both assisting on, and hitting, several big short when the Bulls needed them most;

Whereas Steve Kerr, with his laser-like 3-point shooting, sparked many a Bulls rally and hit the championship winning shot in game 6 of the NBA finals;

Whereas the outstanding play of Brian Williams and Jason Caffey, and the tenacious defense of Randy Brown, each of whom came off the bench to provide valuable contributions, were an important part of each Bulls victory;

Whereas Jud Buechler and Robert Parish provided valuable contributions throughout the season and the playoffs, both on and off the court, at times giving the Bulls the emotional lift they needed; and

Whereas the regular season contributions of injured center Bill Wennington, forward Dickey Simpkins, and rookie Matt Steigenga, both on the court and in practice, again demonstrated the total devotion of Bulls personnel to the team concept that has made the Bulls one of the great sports dynasties of modern times: Now, therefore, be it *Resolved*, That the Senate congratulates the Chicago Bulls on winning the 1997 National Basketball Association championship.

#### AMENDMENTS SUBMITTED

#### THE TAX FAIRNESS ACT OF 1997

#### BOND (AND OTHERS) AMENDMENT NO. 514

(Ordered to lie on the table.)

Mr. BOND (for himself, Mr. ENZI, Mr. NICKLES, Mrs. HUTCHISON, and Mr. HAGEL) submitted an amendment intended to be proposed by them to the bill, S. 949, to provide revenue reconciliation pursuant to section 104(b) of the concurrent resolution on the budget for fiscal year 1998; as follows:

On page 212, between lines 11 and 12, insert the following:

#### SEC. . DEDUCTION FOR HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS INCREASED.

(a) IN GENERAL.—Section 162(l)(1) (relating to special rules for health insurance costs of

self-employed individuals) is amended to read as follows:

“(1) ALLOWANCE OF DEDUCTION.—In the case of an individual who is an employee within the meaning of section 401(c)(1), there shall be allowed as a deduction under this section an amount equal to the amount paid during the taxable year for insurance which constitutes medical care for the taxpayer, the taxpayer's spouse, and dependents.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 1996.

#### DORGAN AMENDMENTS NOS. 515–517

Mr. DORGAN proposed three amendments to the bill, S. 949, *supra*; as follows:

#### AMENDMENT NO. 515

On page 211, between lines 5 and 6, insert the following:

#### SEC. 724. ABATEMENT OF INTEREST ON UNDERPAYMENTS BY TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.

(a) IN GENERAL.—Section 6404 (relating to abatements) is amended by adding at the end the following:

“(h) ABATEMENT OF INTEREST ON UNDERPAYMENTS BY TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.—

“(1) IN GENERAL.—If the Secretary extends for any period of time for filing income tax returns under section 6081 and the time for paying income tax with respect to such returns under section 6161 (and waives any penalties relating to the failure to so file or so pay) for any taxpayer located in a Presidentially declared disaster area, the Secretary shall abate for such period the assessment of any interest prescribed under section 6601 on such income tax.

“(2) PRESIDENTIALLY DECLARED DISASTER AREA.—For purposes of paragraph (1), the term ‘Presidentially declared disaster area’ means, with respect to any taxpayer, any area which the President has determined warrants assistance by the Federal Government under the Disaster Relief and Emergency Assistance Act.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to disasters declared after December 31, 1996.

#### AMENDMENT NO. 516

On page 211, between lines 5 and 6, insert the following:

#### SEC. 724. DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT ACCOUNTS MAY BE USED WITHOUT PENALTY TO REPLACE OR REPAIR PROPERTY DAMAGED IN PRESIDENTIALLY DECLARED DISASTER AREA.

(a) IN GENERAL.—Section 72(t)(2) (relating to exceptions to 10-percent additional tax on early distributions), as amended by sections 203 and 303, is amended by adding at the end the following new subparagraph:

“(G) DISTRIBUTIONS FOR DISASTER-RELATED EXPENSES.—Distributions from an individual retirement plan which are qualified disaster-related distributions.”.

(b) QUALIFIED DISASTER-RELATED DISTRIBUTIONS.—Section 72(t), as amended by sections 203 and 303, is amended by adding at the end the following new paragraph:

“(9) QUALIFIED DISASTER-RELATED DISTRIBUTIONS.—For purposes of paragraph (2)(E)—

“(A) IN GENERAL.—The term ‘qualified disaster-related distribution’ means any payment or distribution received by an individual to the extent that the payment or distribution is used by such individual within 60 days of the payment or distribution to pay for the repair or replacement of tangible

property which is disaster-damaged property. Such term shall only include any payment or distribution which is made during the 2-year period beginning on the date of the determination referred to in subparagraph (C).

“(B) DISASTER-DAMAGED PROPERTY.—The term ‘disaster-damaged property’ means property—

“(i) which was located in a disaster area on the date of the determination referred to in subparagraph (C), and

“(ii) which was destroyed or substantially damaged as a result of the disaster occurring in such area.

“(C) DISASTER AREA.—The term ‘disaster area’ means an area determined by the President to warrant assistance by the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.”.

“(c) EFFECTIVE DATE.—The amendments made by this section shall apply to payments and distributions after December 31, 1996, with respect to disasters occurring after such date.

#### SEC. 725. ELIMINATION OF 10 PERCENT FLOOR FOR DISASTER LOSSES.

“(a) GENERAL RULE.—Section 165(h)(2)(A) (relating to net casualty loss allowed only to the extent it exceeds 10 percent of adjusted gross income) is amended by striking clauses (i) and (ii) and inserting the following new clauses:

“(i) the amount of the personal casualty gains for the taxable year,

“(ii) the amount of the federally declared disaster losses for the taxable year (or, if lesser, the net casualty loss), plus

“(iii) the portion of the net casualty loss which is not deductible under clause (ii) but only to the extent such portion exceeds 10 percent of the adjusted gross income of the individual.

For purposes of the preceding sentence, the term ‘net casualty loss’ means the excess of personal casualty losses for the taxable year over personal casualty gains.”.

(b) FEDERALLY DECLARED DISASTER LOSS DEFINED.—Section 165(h)(3) (relating to treatment of casualty gains and losses) is amended by adding at the end the following new subparagraph:

“(C) FEDERALLY DECLARED DISASTER LOSS.—The term ‘federally declared disaster loss’ means any personal casualty loss attributable to a disaster occurring in an area subsequently determined by the President of the United States to warrant assistance by the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.”.

(c) CONFORMING AMENDMENT.—The heading for section 165(h)(2) is amended by striking “NET CASUALTY LOSS” and inserting “NET NONDISASTER CASUALTY LOSS”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to losses attributable to disasters occurring after December 31, 1996, including for purposes of determining the portion of such losses allowable in taxable years ending before such date pursuant to an election under section 165(i) of the Internal Revenue Code of 1986.

Strike section 751 of the bill.

On page 239 strike lines 18 and 19.

On page 239, line 20, strike “(5)” and insert “(4)”.

On page 240, line 1, strike “(6)” and insert “(5)”.

#### AMENDMENT NO. 517

On page 96, strike lines 11 through 16, and insert:

“(3) ADJUSTED NET CAPITAL GAIN.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘adjusted net capital gain’ means net capital gain determined without regard to—