

like any other in that war, he also had the modesty to return to acting and wonder if he could reclaim a place in Hollywood. And he did, of course. "It's a Wonderful Life" was his first film after the war and it not only returned him to American movie audiences, it gave us and every future generation the wonderful character of George Bailey. George Bailey, who changed so many lives without even knowing it. And, of course for many of us, Jimmy Stewart was George Bailey. Someone who succeeded in so many ways without ever appearing to fully realize how extraordinary those achievements were.

Jimmy Stewart continued to distinguish himself as a citizen, as an actor, and a devoted husband and father for the rest of his life. Once he retired from the movies, he remained active in charitable and community work, wrote poetry and became an ardent champion of film preservation, often coming to Washington to testify before Congress on the subject of colorizing old black and white films—a practice he opposed.

With his death, he leaves two twin daughters and a son. He also leaves millions of devoted fans who admired him as much for his work as for the exemplary character and intelligence he projected throughout his lifetime.

Jimmy Stewart once said that he agreed to do "It's a Wonderful Life" because of one line in it: "Nobody is born to be a failure." He believed that ordinary Americans, in their everyday life, could, and did, do extraordinary things. Jimmy Stewart may have behaved as if he were just like everyone else. And he may have even believed it himself. But he really wasn't. He wasn't average at all. It was simply a final act of skill and generosity that he let us believe he was.●

#### ALLOWING MEDICARE ELIGIBLE MILITARY RETIREES TO JOIN THE FEDERAL EMPLOYEES HEALTH BENEFITS PLAN

● Mr. BURNS. Mr. President, I recently added my name to the list of cosponsors of S. 224, introduced by Senator WARNER, which will allow Medicare-eligible military retirees to join the Federal Employees Health Benefits Plan. After hearing from military retirees in Montana, I am convinced that this is a necessary step to help ensure that military retirees have access to quality health care.

When military retirees turn 65, they no longer have guaranteed access to military health care. The lucky ones can get services from military treatment facilities [MTF's] on a space-available basis, but the rest do not have access to MTF's. They must rely on Medicare, which has less generous benefits, despite the commitment they received for lifetime health benefits by virtue of their service to this country. They are the only group of Federal employees to have their health benefits cut off at age 65. That's just not right.

This bill offers a simple solution by allowing military retirees who are eligible for Medicare to join the Federal Employees Health Benefits Plan. This is a popular program which provides good benefits at a reasonable cost. It will serve military retirees well and uphold the Government's commitment to provide quality health benefits. Our military retirees deserve no less.●

#### HONORING THE RETIRED AND SENIOR VOLUNTEER PROGRAM [RSVP] OF WATERLOO, IA

● Mr. GRASSLEY. Mr. President, I would like to acknowledge the accomplishments of the Retired and Senior Volunteer Program [RSVP] in Waterloo, IA. This program is celebrating 25 years in their community, this year of 1997. In the last 25 years, over two million volunteer hours have been donated to the communities it serves. Among the recipients of these hours have been children, teachers, elderly, handicapped and a variety of service and community agencies. Some of the many community needs RSVP is assisting with are mentoring, assisting teachers, clerical, carpentry, transportation for the frail and elderly, mediation, respite care, tax preparation assistance, bulk mailings, money management, etc. The needs are as diverse as the volunteers themselves.

This RSVP program started out as a clearinghouse for volunteers and now includes sponsoring several programs of its own: a mediation program that assists with the small claims courts; a school volunteer program that provides mentors and other volunteers to assist with student needs; a money management program that helps individuals remain independent in their own homes; a respite program that provides relief to care givers; and a tax assistance program that provides tax preparation assistance to the low income and elderly.

RSVP provides challenging volunteer opportunities to those 55 and older. At the same time meeting many community needs through the dedication of their unselfish volunteers, who have proven to be a valuable asset to the communities they serve.●

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 105-13 AND TREATY DOCUMENT NO. 105-14

Mr. BROWNBACK. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on July 9, 1997 by the President of the United States:

Extradition Treaty with France (Treaty Document No. 105-13);

Extradition Treaty with Poland (Treaty Document No. 105-14).

I further ask unanimous consent that the treaties be considered as having been read the first time; that they be

referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The messages of the President are as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty between the United States of America and France, signed at Paris on April 23, 1996.

In addition, I transmit, for the information of the Senate, the report of the Department of State with respect to the Treaty. As the report explains, the Treaty will not require implementing legislation.

This Treaty will, upon entry into force, enhance cooperation between the law enforcement communities of both countries. It will thereby make a significant contribution to international law enforcement efforts.

The provisions of this Treaty, which includes an Agreed Minute, follow generally the form and content of extradition treaties recently concluded by the United States.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 9, 1997.

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty between the United States of America and the Republic of Poland, signed at Washington on July 10, 1996.

In addition, I transmit, for the information of the Senate, the report of the Department of State with respect to the Treaty. As the report explains, the treaty will not require implementing legislation.

This Treaty will, upon entry into force, enhance cooperation between the law enforcement communities of both countries. It will thereby make a significant contribution to international law enforcement efforts.

The provisions in this Treaty follow generally the form and content of extradition treaties recently concluded by the United States.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 9, 1997.

#### FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT AMENDMENTS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 103, H.R. 680.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 680) to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer of surplus personal property to States for donation to nonprofit providers of necessities to impoverished families and individuals, and to authorize the transfer of surplus real property to States, political subdivisions and instrumentalities of States, and nonprofit organizations for providing housing or housing assistance for low-income individuals or families.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

#### AMENDMENT NO. 788

(Purpose: To provide that the Administrator of General Services shall ensure that nonprofit organizations shall consider the mental or physical disability of individuals for purposes of self-help requirements, and for other purposes)

Mr. BROWNBAC. Mr. President, Senators THOMPSON and GLENN have an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBAC], for Mr. THOMPSON, for himself and Mr. GLENN, proposes an amendment numbered 788.

Mr. BROWNBAC. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 4, insert between lines 5 and 6 the following:

“(D)(i) The Administrator shall ensure that nonprofit organizations that are sold or leased property under subparagraph (B) shall develop and use guidelines to take into consideration any disability of an individual for the purposes of fulfilling any self-help requirement under subparagraph (C)(i).

“(ii) For purposes of this subparagraph, the term ‘disability’ has the meaning given such term under section 3(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2)).

On page 4, line 6, strike “(D)” and insert “(E)”.

Mr. BROWNBAC. Mr. President, I ask unanimous consent that the amendment be agreed to.

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

The amendment (No. 788) was agreed to.

Mr. BROWNBAC. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, as amended; that the motion to reconsider be laid upon the table; and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

The bill (H.R. 680), as amended, was deemed read the third time and passed.

#### CLARIFYING PROTECTIONS OF THE FEDERAL TORT CLAIMS ACT

Mr. BROWNBAC. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1901, which was received from the House.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1901) to clarify that the protections of the Federal Tort Claims Act apply to the members and personnel of the National Gambling Impact Study Commission.

The Senate proceeded to consider the bill.

Mr. BROWNBAC. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The bill (H.R. 1901) was deemed read the third time and passed.

#### AUTHORIZING PRODUCTION OF RECORDS

Mr. BROWNBAC. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 107, submitted earlier today by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 107) to authorize the production of records by Senator ROBERT C. BYRD and Senator JOHN D. ROCKEFELLER IV.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, Senator BYRD and Senator ROCKEFELLER have each received a request from a State prosecutor in West Virginia for copies of correspondence between a West Virginia resident and their offices for use in a pending criminal prosecution in that State. Senator BYRD and Senator ROCKEFELLER believe that granting the prosecutor's request would serve the ends of justice. This resolution authorizes them to provide copies of correspondence in response to the prosecutor's request.

Mr. BROWNBAC. Mr. President, I ask unanimous consent that the resolution be agreed to; that the preamble be agreed to; that the motion to reconsider be laid upon the table; and that any statements relating to the resolution appear at the appropriate place in the RECORD.

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

The resolution (S. Res. 107) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

#### S. RES. 107

Whereas, a prosecutor for the State of West Virginia has requested that Senator Robert C. Byrd and Senator John D. Rockefeller IV provide him with copies of constituent correspondence relevant to a criminal case, *State of West Virginia v. Brenda S. Cook*, No. 97-F-20 (Circ. Ct. of Hardy Cnty., W. Va.);

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that documents, papers, and records under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Senator Robert C. Byrd and Senator John D. Rockefeller IV are authorized to provide to the State of West Virginia copies of correspondence relevant to the criminal case, *State of West Virginia v. Brenda S. Cook*.

#### ORDERS FOR THURSDAY, JULY 10, 1997

Mr. BROWNBAC. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m., Thursday, July 10. I further ask unanimous consent that on Thursday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate immediately resume consideration of S. 936, the defense authorization bill.

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

Mr. BROWNBAC. Mr. President, tomorrow morning, the Senate will resume consideration of the defense authorization bill and immediately begin 90 minutes of debate on the Grams second-degree amendment to the Cochran amendment. Following that vote, the Senate will continue debating amendments with rollcall votes occurring throughout the day. The majority leader has stated that it is his intention to assess the progress on the bill following these votes in order to determine if and when the cloture vote will occur.

#### POSTPONEMENT OF CLOTURE VOTE

Mr. BROWNBAC. Mr. President, I now ask unanimous consent that the cloture vote be postponed at a time to be determined by the majority leader, after consultation with the Democratic leader.

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

#### PROGRAM

Mr. BROWNBAC. Mr. President, on behalf of the majority leader, I announce that it is his intention to complete action on the defense authorization bill this week. Senators can expect