two personnel management demonstration projects relative to improving laboratories; to the Committee on Governmental Affairs.

EC–2482. A communication from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, a rule relative to firearm possession, received on June 26, 1997; to the Committee on Finance.

EC–2483. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a determination relative to the assistance in Haiti; to the Committee on Appropriations.

EC–2484. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to conditions in Burma; to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–168. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania; to the Committee on Foreign Relations.

RESOLUTION

Whereas, the House of Representatives is becoming increasingly concerned that the tropical rain forests are being destroyed at a rate of between 13.5 million and 55 million acres a year; and

Whereas, it is feared that further destruction will lead to the elimination of hundreds of thousands of species of plants and animals; and

Whereas, rain forests are an important source of medicinal plants, and approximately 121 prescription drugs are derived from plants which have their origins in rain forests; and

Whereas, rain forests are storehouses of evolutionary achievement and are increasingly invaluable to humankind in our search for the mysteries of life; and

Whereas, rain forests play a major role in the way the sun's heat is distributed around the globe, and any disturbance could produce climatic choas; and

Whereas, it is imperative that something be done before the damage to the rain forests is irreversible: Therefore be it

Resolved, That the House of Representatives memorialize the President and Congress to take whatever steps are necessary to protect the rain forests from further destruction; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States and the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–169. A concurrent resolution adopted by the Legislature of the State of Michigan; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 17

Whereas, the North Atlantic Treaty Organization has proven itself to be a stabilizing factor in Europe. Through a wide variety of programs and the channels of communications it has opened, NATO has helped to secure the peace, economic development, and cooperation among its member nations and other countries; and

Whereas, Poland, a free and democratic nation with a long and proud history, enjoys numerous ties with NATO member nations. The Republic of Poland is committed to the preservation of freedom and the strengthening of democracy. This nation's well-being as a sovereign country has long been dependent upon the overall stability of central Europe; and

Whereas, the people of Poland wish to exercise their responsibilities within NATO. This country desires to become part of NATO's mission to prevent the excesses of nationalism; and

Whereas, the United States is dedicated to maintaining its friendship with Poland, a country that is pivotal to the continued stability of this area of the world; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the President and the Congress of the United States to work for the expansion of the North Atlantic Treaty Organization to include the Republic of Poland; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–170. A joint resolution adopted by the General Assembly of the State of Colorado; to the Committee on Governmental Affairs.

HOUSE JOINT RESOLUTION 97–1027

Whereas, the federal ''Personal Responsibility and Work Opportunity Reconciliation Act of 1996'', Public Law 104–193, herein referred to as the ''Act'', was passed by the United States House of Representatives on July 18, 1996, and the United States Senate on July 23, 1996, and signed into law by President Clinton on August 22, 1996; and

Whereas, Article III of such Act addresses the several states' obligation to provide child support enforcement services and mandates that the states adopt certain procedures for the location of an obligor and the establishment, modification, and enforcement of a child support obligation against such obligor; and

Whereas, the members of the Sixty-first General Assembly recognize the importance of assuring financial support for minor and dependent children; however, the General Assembly finds that those procedures specified in the Act include such far-reaching measures as the following:

(1) The necessity to implement the ''Uniform Interstate Family Support Act'', as approved by the American Bar Association and as amended by the National Conference of Commissioners on Uniform State Laws, which uniform act allows for the direct registration of foreign support orders and the activation of income-withholding procedures across state lines without any prior verification, certification, or other authentication that the child support order or the income-withholding form is accurate or valid and without a requirement that notice of such withholding be provided to the alleged obligor by any specified means or method, such as by first-class mail or personal service, to assure that the individual receives proper notice prior to the income-withholding;

(2) Liens to arise by operation of law against real and personal property for amounts of overdue support that are owed by a noncustodial parent who resides or owns property in the state, without the ability to determine if a lien exists on certain property;

(3) The obligation of the state to accord full faith and credit to such liens arising by operation of law in any other state, which results in inadequate notice and the inability of purchasers to have knowledge or notice of such liens;

(4) A duty placed upon employers to report all newly hired employees, whether or not the employee has a child support obligation, to a state directory of new hires within a restricted period of time after the employer hires the employee;

(5) The requirement that social security numbers be recorded when a person applies for a professional license, a commercial driver's license, an occupational license, or a marriage license, when a person is subject to a divorce decree, a support order, or a paternity determination or acknowledgment, or when an individual dies, whether or not the person has an obligation to pay child support;

(6) A requirement that the child support enforcement agency enter into agreements with financial institutions doing business in the state in order to develop, operate, and coordinate an unprecedented and invasive data match system for the sharing of account holder information with the child support enforcement agency in order to facilitate the potential matching of delinquent obligors and bank account holders;

(7) Procedures by which the state child support enforcement agency may subpoena financial or other information needed to establish, modify, or enforce a support order and to impose penalties for failure to respond to such a subpoena and procedures by which to access information contained in certain records, including the records of public utilities and cable television companies pursuant to an administrative subpoena; and

(8) Procedures interfering with the states' right to determine when a jury trial is to be authorized; and

Whereas, the Act mandates numerous, unnecessary requirements upon the several states that epitomize the continuing trend of intrusion by government into people's personal lives; and

Whereas, the Act offends the notion of notice and opportunity to be heard guaranteed to the people by the Due Process Clauses of the 5th and 14th Amendments to the Constitution of the United States; and

Whereas, the Act offends the 10th Amendment to the Constitution of the United States, which provides that ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''; and

Whereas, the United States Supreme Court has ruled in New York v. United States, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, the Act imposes upon the several states further insufficiently funded mandates in relation to the costly development of procedures by which to implement the requirements set forth in the Act in order to preserve the receipt of federal funds under Title IV–D of the ''Social Security Act'', as amended, and other provisions of the Act: Now, therefore, be it

Resolved by the House of Representatives of the Sixty-first General Assembly of the State of Colorado, the Senate concurring herein: That we, the members of the Sixty-first General Assembly, urge the Congress of the United States to amend or repeal those specific provisions of the federal ''Personal Responsibility and Work Opportunity Reconciliation Act of 1996'' set forth in this Resolution that place undue burden and expense upon the several states, that violate provisions of the Constitution of the United States, that impose insufficiently funded mandates upon the states in the establishment, modification, and enforcement of child support obligations, or that unjustifiably intrude into the personal lives of the law-abiding citizens of the United States of America; be it further

Resolved, That copies of this Resolution be sent to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Speaker of the House and the President of the Senate of each state legislature, and Colorado's Congressional delegation.

POM–171. A concurrent resolution adopted by the Legislature of the State of Hawaii; to the Committee on the Judiciary.

CONCURRENT RESOLUTION NO. 257

Whereas, the State of Hawaii is one of the nine states that comprise the United States (U.S.) Ninth Circuit Court of Appeals that also includes Guam and the Northern Mariana Islands; and

Whereas, the U.S. Ninth Circuit Court of Appeals consists of a twenty-eight judge bench with approximately ten vacancies as of Spring, 1997; and

Whereas, the State of Hawaii has not had full-time, active representation on this important federal bench since the retirement to senior status of the Honorable Herbert Y. C. Choy in 1984; and

Whereas, a judgeship for the State of Hawaii has been denied throughout the last three presidential administrations; and

Whereas, the State of Hawaii is one of only two states in the Union without full-time, active representation on its respective federal circuits; and

Whereas, the federal circuit courts, according to U.S. Senator Diane Feinstein of California, ''have been structured to draw upon the legal traditions of several states'' in order to ''preserve the federalizing function of the courts of appeals''; and

Whereas, the ideals expressed by Senator Feinstein cannot possibly be attained in the U.S. Ninth Circuit if the State of Hawaii has no circuit judge to give voice to our ''legal traditions''; and

Whereas, the U.S. Ninth Circuit Court of Appeals receives approximately six percent of its workload from the State of Hawaii, including cases involving the Native Hawaiian Sovereignty vote, mandatory lease to fee condominium conversion, Native Hawaiian land claims, and the Waikiki vending ordinances, among many others: Now, therefore, be it

Resolved by the Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, the House of Representatives concurring, That the President of the United States and the United States Senate are respectfully requested to work diligently and appropriately to award the State of Hawaii a full and equal measure of judicial representation on the United States Ninth Circuit Court of Appeals by appointing and confirming a qualified resident of the State of Hawaii to any presently existing vacant Ninth Circuit judgeship; and be it further

Resolved That certified copies of this Concurrent Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Governor of the State of Hawaii, the members of the Hawaii Congressional Delegation, and the Honorable Orrin Hatch, Chairman of the United States Senate Judiciary Committee.

POM–172. A joint resolution adopted by the General Assembly of the State of Tennessee; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 41

Whereas, in 1976, the United States Supreme Court ruled to allow the several states to impose the death penalty as punishment for certain crimes; and

Whereas, Tennessee has had a constitutional death penalty statute since 1977; and

Whereas, during the last twenty years, Tennessee has not carried out a single death penalty sentence, in part because of lengthy habeas corpus proceedings by death row inmates and the inaction of the federal court system; and

Whereas, most recently, the Honorable John T. Nixon, U.S. District Court Judge for the Middle District of Tennessee, has overturned the capital convictions of four (4) of Tennessee's most heinous convicted killers; and

Whereas, in overturning these four (4) convictions, Judge Nixon has continued a pattern of judicial conduct that raises an issue as to his bias against capital punishment; and

Whereas, during his tenure on the U.S. District Court for the Middle District of Tennessee, Judge Nixon has continually delayed ruling on capital cases before his court; and

Whereas, he has also repeatedly reversed the convictions and/or sentences of many capital cases which were tried and adjudicated years ago, making it difficult for such cases to be retried; and

Whereas, the State of Tennessee Attorney General has even filed a petition for writ of mandamus against Judge Nixon to expedite a death penalty matter in a particular case that languished in his court: Now, therefore, be it

Resolved by the Senate of the one-hundredth General Assembly of the State of Tennessee, the House of Representatives Concurring, That this General Assembly hereby memorializes the House of Representatives and Senate of the U.S. Congress to consider amending the United States Constitution to remove Federal Judges for ''dereliction of duty'', and not just ''high crimes and misdemeanors'', in order to ensure that judges act with due dispatch and care in carrying out their duties on appeals of capital cases and other habeas corpus matters, and writs of mandamus, be it further

Resolved, That this General Assembly hereby memorializes the House of Representatives of the United States Congress to thoroughly and timely investigate whether ground exist to impeach John T. Nixon, Judge for the United States District Court for the Middle District of Tennessee, in accordance with the United States Constitution, and if such grounds exist, then to initiate proceedings to impeach Judge John T. Nixon in accordance with the United States Constitution, be it further

Resolved, That the Chief Clerk of the Senate is directed to transmit certified copies of this resolution to the Speaker and the Clerk of the U.S. House of Representatives, the President and the Secretary of the U.S Senate, the Clerk of the U.S. Supreme Court, and to each member of the Tennessee delegation to the U.S. Congress.

POM–173. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 6

Whereas, the Las Vegas Valley has in recent years experienced a tremendous increase in population and growth in the number of businesses and residential homes in the area; and

Whereas, the Federal Government presently manages public land located within the Las Vegas Valley; and

Whereas, a sale or other transfer of some or all of that public land would facilitate community expansion and growth in the Las Vegas Valley; and

Whereas, because public lands managed by the Federal Government in Nevada are not taxable, a sale or transfer of those lands into state or private ownership would provide additional land subject to taxation in the State of Nevada; and

Whereas, although the sale or other transfer of public land managed by the Federal Government in the Las Vegas Valley would be beneficial to the State of Nevada and its residents, such transfers may adversely affect sparsely populated and rural counties in Nevada by increasing the amount of land managed by the Federal Government in those counties, thereby reducing the amount of land in those counties that is privately owned or owned by the State of Nevada or a local government; and

Whereas, during the 105th session of Congress, Representative John Ensign introduced the Southern Nevada Public Land Management Act of 1997 (H.R. No. 449), which, if enacted, would direct the Secretary of the Interior to dispose of certain Federal lands in the Las Vegas Valley and authorize the State of Nevada to elect to obtain the lands for public purposes: Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That the Legislature of the State of Nevada hereby expresses its support for the Southern Nevada Public Land Management Act of 1997 and for the sale or other transfer of public land managed by the Federal Government in the Las Vegas Valley if the transfer does not adversely affect sparsely populated and rural counties in Nevada; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage and approval.

POM–174. A joint resolution adopted by the General Assembly of the State of Colorado relative to the proposed ''American Land Sovereignty Protection Act''; to the Committee on Energy and Natural Resources.

Whereas, the United Nations has designated sixty-seven sites in the United States as ''World Heritage Sites'' or ''Biosphere Reserves'', which altogether are about equal in size to the State of Colorado, the eighth largest state; and

Whereas, section 3 of Article IV of the United States Constitution provides that the United States Congress shall make all needed rules and regulations governing lands belonging to the United States; and

Whereas, many of the United Nations designations include private property inholdings and contemplate ''buffer zones'' of adjacent land; and

Whereas, some international land designations, such as those under the United States Biosphere Reserve Program and the Man and Biosphere Program of the United Nations Scientific, Educational, and Cultural Organization, operate under independent national committees, such as the United States National Man and Biosphere Committee, which have no legislative directives or authorization from Congress; and

Whereas, these international designations, as presently handled, are an open invitation to the international community to interfere in domestic land use decisions; and

Whereas, local citizens and public officials usually have no say in the designation of land near their homes for inclusion in an international land use program; and

Whereas, the President and Executive Branch of the United States have, by Executive Order and other agreements, implemented these designations without the approval of Congress; and

Whereas, actions by the President in applying international agreements to lands owned by the United States may circumvent Congress; and

Whereas, in the 105th Congress, Congressman Don Young introduced HR–901, entitled the ''American Land Sovereignty Act'', to protect American public and private lands from jurisdictional encroachments by certain United Nations programs, and such resolution has been referred to the Resource Committee with 77 cosponsors; Now, therefore, be it

Resolved by the House of Representatives of the Sixty-first General Assembly of the State of Colorado, the Senate concurring herein: That the State of Colorado supports this legislation, which reaffirms the Constitutional Authority of Congress as the elected representatives of the people, and urges the ''American Land Sovereignty Protection Act'' be introduced and passed by both the House of Representatives and the Senate as soon as possible during the 105th Congressional session; be it further

Resolved, That copies of this Resolution be sent to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to each member of the Congressional delegation from Colorado.

POM–175. A joint resolution adopted by the General Assembly of the State of Colorado; to the Committee on Energy and Natural Resources.

HOUSE JOINT RESOLUTION 97–1038

Whereas, in 1976, the United States Congress enacted the Payment in Lieu of Taxes (PILT) program administered by the United States Bureau of Land Management to compensate local governments for the tax-exempt nature of and the costs associated with the presence of federal lands; and

Whereas, counties have historically and traditionally shared in the benefits of economic activity on public lands through statutory formulas that guarantee a percentage of all gross receipts to be returned to the counties where the activity occurs; and

Whereas, shared natural resource payments to counties from economic activities such as timber sales, mineral leasing, and grazing are absolutely vital to the financial stability of county government; and

Whereas, counties utilize shared receipts to provide vital services through long-standing intergovernmental agreements with the federal government; and

Whereas, the United States Congress considered and passed legislation in 1994 known as S. 455, which adjusted the PILT program by increasing the authorization level to reflect full value as enacted in 1976; and

Whereas, in 1995, Congress increased the authorization for PILT to double the previous $100 million level gradually over several years in order to make up for inflation, making a full appropriation for fiscal year 1999 of $190 million rather than the $101.5 million Interior Secretary Babbitt is asking for; and

Whereas, the United States Secretary of the Interior, Bruce Babbitt, announced that the Clinton Administration's budget proposal calls for a $12 million cut in PILT funding that dramatically impacts western states; and

Whereas, the money cut from the PILT program will apparently be used to help pay for the management of the new Escalante Monument in Utah, which was established by President Clinton without the usual environmental and public hearing process; and

Whereas, an 11 percent reduction of Colorado's $8 million share of the PILT payments would mean that approximately $900,000 per year would be taken from Colorado counties to contribute to the Escalante Monument project; and

Whereas, cutting money from the PILT program violates the original agreement between the federal government and our nation's counties: Now, therefore, be it,

Resolved by the House of Representatives of the Sixty-first General Assembly of the State of Colorado, the Senate concurring herein: That we, the members of the General Assembly, support full funding of the federal PILT program as authorized by the passage of S. 455 in 1994 and urge the Colorado Congressional Delegation to advocate for the full funding level; be it further

Resolved, That copies of this Resolution be sent to the President of the United States, the United States Secretary of Interior, the President of the United States Senate, the Speaker of the United States House of Representatives, and members of the Colorado Congressional Delegation.

POM–176. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Energy and Natural Resources.

RESOLUTION NO. 12

Whereas the Tongass National Forest has been chosen by the Clinton Administration to provide Christmas trees to decorate the nation's Capitol and congressional offices; and

Whereas the grace and beauty of Alaska's native tree species are well suited for such a distinct purpose; and

Whereas Alaskans are a generous people, and their State's resources a tremendous asset that if carefully managed by the people most closely affected can be the backbone of a strong economy; and

Whereas trees harvested for the economic benefit of the people of the Tongass are subject to full public comment and environmental review; and

Whereas, under normal conditions, the Alaska Legislature would regard the opportunity to provide federal offices with Christmas trees from our national forest as the highest compliment and honor; and

Whereas conditions are not normal, as one of Alaska's two pulp mills and the state's largest sawmill have shut down while Alaska's remaining pulp mill has announced it will close in March at a cost of thousands of jobs; and

Whereas, even with the recent signing of a three-year contract to supply wood to Southeast Alaska's two largest sawmills, consistent supply remains a concern for their continued existence; and

Whereas over 60 percent of Southeast Alaska's timber-related jobs have been eliminated since 1990; and

Whereas the Clinton Administration has ignored the efforts of the Alaska congressional delegation and the Alaska State Legislature to secure the livelihoods of the workers, their families, and the timber dependent communities of Southeast Alaska; and

Whereas the Alaska State Legislature deems it inappropriate to harvest trees for decorative purposes, and ask Southeast Alaskans to incur the cost, while Southeast Alaska timber jobs are being extinguished, depressing the area's economy; and

Whereas what should be an honor is instead an affront as it carries the message that careful harvesting of our trees is acceptable to decorate the nation's Capitol and the halls of Congress, yet not acceptable to provide jobs for the people of Southeast Alaska; be it

Resolved, That the Alaska State Legislature recognizes harvesting of Alaska's trees to provide pleasure for those far removed is symbolic of a failed national policy which has cost Southeast Alaska communities thousands of year-round, family supporting jobs and caused untold personal suffering; and be it further

Resolved, That the Alaska Legislature opposes the harvesting of Christmas trees for the nation's Capitol and other federal and congressional offices from the Tongass National Forest and urges that it not be done without full public comment and a comprehensive Environmental Impact Statement; and be it further

Resolved, That the Alaska State Legislature requests the Clinton Administration to find another source for the 1998 White House Christmas tree festivities in light of the social and economic hardship forced upon the unemployed timber workers, their families, and the timber dependent communities of the Tongass.

POM–177. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 11

Whereas, by section 8 of chapter 262, 14 Statutes 253 (former 43 U.S.C. Sec. 932), enacted in 1866, the right of way was granted for the construction of highways over public lands not reserved for other public uses; and

Whereas, the placement of that section in an act primarily devoted to the encouragement of mining upon the public lands suggests that an important purpose of the grant was to provide access to mining claims, but its operation was extended by section 17 of the Placer Law of 1870, which also affected other patents, pre-emptions and homesteads, so that the right of access was extended broadly to private property; and

Whereas, when section 8 of chapter 262 of the Statutes of 1866 was repealed in 1976 by section 706 of Public Law 94–579, section 701 of Public Law 94–579 also provided: ''Nothing in this Act * * * shall be construed as terminating any valid * * * right-of-way [sic], or other land use right or authorization existing on the date of approval of this Act''; and

Whereas, this legislature in its 67th Session enacted Assembly Bill No. 176 and Senate Bill No. 235 and adopted Senate Joint Resolution No. 12, which recognized the acceptance of rights of way across public land by private use as accessory roads, dispensed with public maintenance but declared all such roads open to public use, and urged the Federal Government to recognize the rights so acquired: Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That the Nevada Legislature, speaking on behalf of all its residents, calls upon the Congress of the United States to continue to ensure the permanent rights existing in those roads over public land that serve private property; and be it further

Resolved, That the Nevada Legislature hereby urges the Secretary of the Interior to allow for the identification of rights of way over public land in the State of Nevada through an administrative process; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation and the Secretary of the Interior; and be it further

Resolved, That this resolution becomes effective upon passage and approval.