

August 19, 1997; to the Committee on Governmental Affairs.

EC-2838. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation to amend the Packers and Stockyards Act, 1921, to establish a trust for the benefit of the seller of livestock until the seller receives payment in full for the livestock; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2839. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, two rules received on August 20, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2840. A communication from the Administrator of the Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, two rules; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2841. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, six rules; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2842. A communication from the Assistant Secretary of the Interior (Land and Minerals Management), transmitting, pursuant to law, a rule entitled "Pipeline Right-of-Way Applications and Assignment Fees" (RIN1010-04) received on August 14, 1997; to the Committee on Energy and Natural Resources.

EC-2843. A communication from the Director of the Reclamation and Enforcement, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, a rule entitled "The North Dakota Regulatory Program" (ND-036-FOR) received on August 19, 1997; to the Committee on Energy and Natural Resources.

EC-2844. A communication from the Acting Chair of the Federal Subsistence Board, transmitting, pursuant to law, a rule entitled "Subsistence Management Regulations for Public Lands in Alaska" received on August 22, 1997; to the Committee on Energy and Natural Resources.

EC-2845. A communication from the Secretary of Energy, transmitting, pursuant to law, the report of the summary of expenditures of rebates from the Low-Level Radioactive Waste Surcharge Escrow Account for calendar year 1996; to the Committee on Energy and Natural Resources.

EC-2846. A communication from the Assistant Secretary of the Interior (Land and Minerals Management), transmitting, pursuant to law, a rule entitled "Logical Mining Units" (RIN1004-AD12) received on August 14, 1997; to the Committee on Energy and Natural Resources.

EC-2847. A communication from the Director of the Regulations Policy, Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, three rules; to the Committee on Labor and Human Resources.

EC-2848. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Foundation for Progress: Strengthening the Infrastructure"; to the Committee on Labor and Human Resources.

EC-2849. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report on the National Institutes of Health Loan Repayment Program for Research Generally for calendar year 1996; to the Committee on Labor and Human Resources.

EC-2850. A communication from the Secretary of Health and Human Services, trans-

mitting, pursuant to law, the report on occupational safety and health for fiscal year 1995; to the Committee on Labor and Human Resources.

EC-2851. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report on the National Institutes of Health AIDS Research Loan Repayment Program for calendar year 1996; to the Committee on Labor and Human Resources.

EC-2852. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a rule entitled "Human Tissue Intended for Transplantation" (RIN0910-AA40) received on August 15, 1997; to the Committee on Labor and Human Resources.

EC-2853. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a rule received on August 25, 1997; to the Committee on Finance.

EC-2854. A communication from the Chief of the Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, a rule entitled "Country of Origin Marking" (RIN1515-AB82) received on August 14, 1997; to the Committee on Finance.

EC-2855. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a Treasury Regulation; to the Committee on Finance.

EC-2856. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Announcement 97-79 received on August 18, 1997; to the Committee on Finance.

EC-2857. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Announcement 97-89 received on August 25, 1997; to the Committee on Finance.

EC-2858. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Ruling 97-34 received on August 25, 1997; to the Committee on Finance.

EC-2859. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Ruling 97-36; to the Committee on Finance.

EC-2860. A communication from the Under Secretary of Commerce for Oceans and Atmosphere, transmitting, pursuant to law, a rule entitled "Financial Assistance for the Pribilof Environmental Restoration Program" received on August 21, 1997; to the Committee on Commerce, Science, and Transportation.

EC-2861. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, a rule entitled "Buy America" (RIN2132-AA59) received on August 21, 1997; to the Committee on Commerce, Science, and Transportation.

EC-2862. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, five rules; to the Committee on Commerce, Science, and Transportation.

EC-2863. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, seventeen rules; to the Committee on Commerce, Science, and Transportation.

EC-2864. A communication from Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, six rules; to the Committee on Commerce, Science, and Transportation.

EC-2865. A communication from the Acting Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Clifton, Arizona local flood protection project; to the Committee on Environment and Public Works.

EC-2866. A communication from the Acting Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Federal navigation project at Santa Barbara Harbor, California; to the Committee on Environment and Public Works.

EC-2867. A communication from the Acting Assistant Secretary of the Interior for Fish and Wildlife and Parks, transmitting, pursuant to law, a rule received on August 22, 1997; to the Committee on Environment and Public Works.

EC-2868. A communication from the Acting Assistant Secretary of the Interior for Fish and Wildlife and Parks, transmitting, pursuant to law, a rule received on August 14, 1997; to the Committee on Environment and Public Works.

EC-2869. A communication from the Acting Assistant Secretary of the Interior for Fish and Wildlife and Parks, transmitting, pursuant to law, a rule received on August 14, 1997; to the Committee on Environment and Public Works.

EC-2870. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, three rules received on August 14, 1997; to the Committee on Environment and Public Works.

EC-2871. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, four rules received on August 19, 1997; to the Committee on Environment and Public Works.

EC-2872. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, two rules received on August 20, 1997; to the Committee on Environment and Public Works.

EC-2873. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, six rules received on August 22, 1997; to the Committee on Environment and Public Works.

EC-2874. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, seven rules received on August 22, 1997; to the Committee on Environment and Public Works.

#### 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-192. A resolution adopted by Town Board of Babylon, New York relative to the Mid-Atlantic Coastal Partnership; to the Committee on Appropriations.

POM-193. A resolution adopted by the Greater Knoxville Chamber of Commerce relative to the National Spallation Neutron Source; to the Committee on Commerce, Science, and Transportation.

POM-194. A resolution adopted by the City Council of Harriman, Tennessee relative to the National Spallation Neutron Source; to the Committee on Commerce, Science, and Transportation.

POM-195. A resolution adopted by the Roane County Industrial Development Board (Tennessee) relative to the National Spallation Neutron Source; to the Committee on Commerce, Science, and Transportation.

POM-196. A resolution adopted by Supervisors of Lyon County, Iowa relative to the English language; to the Committee on Governmental Affairs.

POM-197. A concurrent resolution adopted by the Legislature of the State of Texas; to the Committee on Appropriations.

#### HOUSE CONCURRENT RESOLUTION NO. 202

Whereas, compliance with international disarmament treaties to curtail the proliferation of nuclear arms and defuse weapons of mass destruction has created new challenges for the United States related to the dismantling and cleanup of nuclear missiles; and

Whereas, the development, production, and disassembling of nuclear weapons produce transuranic waste, a highly radioactive conglomeration of contaminated laboratory gloves, tools, dried sludge, and other substances from testing and production facilities; and

Whereas, to create a safe and environmentally responsible method for permanently disposing of transuranic waste, the United States Department of Energy (DOE) has designed the Waste Isolation Pilot Plant (WIPP) in southern New Mexico that will set the standard for deep geologic disposal of defense-related radioactive waste; and

Whereas, the transuranic waste to be deposited at the WIPP facility will be shipped by truck from all across the country, traveling through many states, including Texas, which is a major thoroughfare for radioactive materials coming from South Carolina, Tennessee, Illinois, and Ohio; and

Whereas, while a majority of the proposed route through Texas is on Interstate 20, a segment runs along U.S. Highway 285; this portion of the route, which begins in Pecos, Texas, and continues into New Mexico, is a treacherous and narrow two-lane road; and

Whereas, the State of New Mexico, in a prudent move to protect the public safety of its citizens, has dedicated part of the impact funds received from the DOE for housing the WIPP to widen its section of U.S. 285; this highway is a dangerous and inadequate road that has already been the scene of one accident involving an empty WIPP transport truck; and

Whereas, there are currently no federal funds allocated for the State of Texas to take the same necessary safety precautions by widening the section of U.S. 285 running through our state; the health and safety of United States citizens residing in the Lone Star State is no less important than that of our neighbors to the northwest; Now, therefore, be it

*Resolved*, That the 75th Legislature of the State of Texas hereby respectfully request the Congress of the United States to allocate funds for road expansion in Texas along the designated route for transporting hazardous waste to the WIPP project; and, be it further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-198. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Energy and Natural Resources.

#### SENATE JOINT RESOLUTION NO. 16

Whereas, the population of Clark County, Nevada, has increased dramatically in recent years to an estimated population of more than 1.1 million; and

Whereas, because of the increased growth in the population of Clark County, several areas in the county used as shooting ranges have been closed because they were public health hazards; and

Whereas, because of the closure of those areas, many residents of Clark County do not have a legal shooting range upon which to use their firearms; and

Whereas, persons from the Division of Wildlife of the State Department of Conservation and Natural Resources, the Bureau of Land Management in Clark County, the Clark County Department of Parks and Recreation and several private organizations have determined a need for the establishment of a safe and properly supervised shooting range and recreational facility for use by the residents of Clark County; and

Whereas, the commitment of a significant amount of land and financial resources in one or more locations in Clark County will be necessary to address this demonstrated need effectively and safely: 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 establishment and operation of one or more public shooting ranges and recreational facilities in Clark County; and be it further

*Resolved*, That the Legislature of the State of Nevada hereby urges the public and private entities interested in establishing and operating public shooting ranges and recreational facilities in Clark County to work cooperatively to achieve this objective; and be it further

*Resolved*, That the Secretary of the Senate prepare and transmit a copy of this resolution to the District Manager of the Bureau of Land Management in Clark County, the State Director of the Bureau of Land Management, the Director of the Clark County Department of Parks and Recreation and the Administrator of the Division of Wildlife of the State Department of Conservation and Natural Resources; and be it further

*Resolved*, That the Legislature of the State of Nevada hereby urges the Administrator of the Division of Wildlife of the State Department of Conservation and Natural Resources to provide copies of this resolution to private organizations interested in establishing and operating public shooting ranges and recreational facilities in Clark County; and be it further

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

POM-199. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Environment and Public Works.

#### RESOLUTION

Whereas, in 1972, the federal Clean Water Act allowed a broad expansion of federal jurisdiction over wetlands by modifying the definition of navigable waters to include all waters of the United States; and

Whereas, in 1975, the United States Army Corps of Engineers expanded wetlands regulations to include restricted discharge of dredged and fill material into wetlands; and

Whereas, in 1997, the United States Army Corps of Engineers has proposed to phase out its Nationwide Permit 26 (NWP 26) that allows developers to fill wetlands from one to 10 acres without gaining individual permit approval; and

Whereas this particular action may put a financial and logistical constraint on thou-

sands of homeowners, businesses, and communities; and

Whereas Alaska contains more wetlands than all other states combined; and

Whereas approximately 99.5 percent of Alaska's original wetlands acreage remains today; and

Whereas most Alaska communities, including some 200 rural villages, are located in areas where wetlands are the dominant feature of the landscape; and

Whereas 88 percent of Alaska's wetlands are publicly owned; and

Whereas more than 60,000,000 acres of Alaska's wetlands are known to be conserved in some form of land designation, including federally designated wilderness land, federal park and refuge land, and state park and refuge land, that restricts use or degradation of wetlands; be it

*Resolved*, That the Alaska State Legislature respectfully requests the United States Congress to amend the Federal Clean Water Act to modify the wetlands regulatory program to

(1) continue existing activities related to airport safety, logging, mining, ice pads, roads, and snow removal without the existing requirement that the activity be determined not to add to the "cumulative" loss of wetlands nationally;

(2) provide flexibility in Alaska wetlands permitting commensurate with the large amount of wetlands set aside in Alaska and the low historic rate of wetlands loss in Alaska;

(3) eliminate existing requirements in states with substantial conserved wetlands to mitigate unavoidable impacts or to prove no alternative sites are available; and

(4) require the United States Army Corps of Engineers to customize a permitting process for all lands in Alaska that does not include burdensome mitigation, avoidance, and other requirements applying nationally; and be it further,

*Resolved*, That the Alaska State Legislature respectfully requests the United States Congress to recognize the unique contribution the citizens of Alaska have made to wetlands conservation and Alaska's outstanding record of wetlands conservation.

POM-200. A concurrent resolution adopted by the Legislature of the State of Texas; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 211

Whereas, private activity tax-exempt bonds finance many worthy projects with a public benefit such as environmental infrastructure projects, including sewage facilities, solid waste disposal facilities, and hazardous waste disposal facilities, industrial development projects, student loans, and low-income housing projects; and

Whereas, in 1986 the United States Congress imposed a state-by-state volume cap on the issuance of private activity tax-exempt bonds, with a cap of \$75 per person per year for Texas; and

Whereas, in 1988 the cap was lowered to \$50 per person and has not increased, even with the passage of time and inflation; and

Whereas, many worthy projects with a public benefit, such as environmental infrastructure projects undertaken by private firms, industrial development projects, low-income housing projects, and others, are not going forward due to the lack of available financing; and

Whereas, while taxable financing may be available, the cost of such financing can make a project uneconomic because most of these projects do not provide a positive rate of return; and

Whereas, the allocation of these bonds in Texas has been oversubscribed each year

since 1988, and last year applications exceeded allocations by 211 percent, with two out of three applicants in the nondedicated category being denied a tax-exempt bond under the lottery system of allocation because of a shortage of funds; and

Whereas, demand for private activity bond cap allocation will certainly continue to increase, given Texas' growing economy, but the \$50 per person allocation will decrease in real value over time, increasing demand relative to the available ceiling; and

Whereas, unless congress increases the volume cap and provides an inflation adjustment for the future, there will be fewer and fewer projects that will receive financing; and

Whereas, as entities decide to delay or cancel planned investments, economic growth will necessarily slow, causing ripple effects throughout the economy; and

Whereas, legislation has been introduced in the Congress of the United States that would increase the volume caps and index them for inflation in the future: Now, therefore, be it

*Resolved*, That the 75th Legislature of the State of Texas hereby respectfully request the Congress of the United States to pass legislation that would increase the volume caps; and, be it further

*Resolved*, That the congress be specifically requested to ensure that inflation in the future be addressed in any legislation on this issue; and, be it further

*Resolved*, That the congress be specifically requested to ensure that funds for this program that are not used by other states be allowed to be allocated to oversubscribed states such as Texas; and, be it further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the CONGRESSIONAL RECORD as a memorial to the Congress of the United States of America.

POM-201. A concurrent resolution adopted by the Legislature of the State of Texas; to the Committee on Governmental Affairs.

#### HOUSE CONCURRENT RESOLUTION NO. 168

Whereas, academic health sciences centers and other teaching hospitals play a critical role in educating our nation's health care providers and serving as hospitals of last resort for some of our most vulnerable citizens; and

Whereas, the Office of the Inspector General of the U.S. Department of Health and Human Services is now conducting a national audit of teaching hospitals to determine compliance with standards for billing by teaching physicians for patient care; and

Whereas, during the audit, the Office of the Inspector General is applying retroactively, for the period of 1990-1995, uniform physical presence and documentation requirements on teaching physicians and did not go into effect until July 1, 1996; and

Whereas, in so doing, the Office of the Inspector General is knowingly disregarding uncontroverted evidence of decades of government confusion and misdirection by the Health Care Financing Administration to teaching physicians about appropriate billing and documentation standards; and

Whereas, the Office of the Inspector General is assessing overbilling, even human error, as "fraud," thus ensuring maximum financial penalties, and is not considering or crediting an institution for underbilling according to the same audit formula; and

Whereas, the Office of the Inspector General refuses to provide written audit proto-

cols and standards to an affected institution until that institution has agreed to be bound by them; and

Whereas, the federal government should audit professional fee billing by teaching physicians and should deal with demonstrable violations of clearly articulated rules in an appropriate fashion, but should not do so in a capricious and unfair manner that causes our nation's academic health sciences centers and other teaching hospitals to inappropriately forfeit millions of dollars to the federal government; Now, therefore, be it

*Resolved*, That the 75th Legislature of the State of Texas hereby respectfully request the Congress of the United States to conduct thorough oversight hearings of the Office of the Inspector General audit process sufficient to ensure that the rights and protections inherent in the nation's legal code are maintained and upheld in the process; and, be it further

*Resolved*, That the congress be specifically requested to ensure that physical presence and documentation requirements are not applied retroactively, that overbilling of services is offset against underbilling, and that the Office of the Inspector General fairly and freely disclose all protocols and procedures; and, be it further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-202. A concurrent resolution adopted by the Legislature of the State of Texas; to the Committee on Labor and Human Resources.

#### SENATE CONCURRENT RESOLUTION NO. 34

Whereas, improving patient access to quality health care is a paramount national goal; and

Whereas, the key to improved health care, especially for persons with serious unmet medical needs, is the rapid approval of safe and effective new drugs, biological products, and medical devices; and

Whereas, minimizing the delay between discovery and eventual approval of a new drug, biological product, or medical device derived from research conducted by innovative pharmaceutical and biotechnology companies could improve the lives of millions of Americans; and

Whereas, current limitations on the dissemination of information about pharmaceutical products reduce the availability of information to physicians, other health care professionals, and patients and unfairly limit the right of free speech guaranteed by the First Amendment to the United States Constitution; and

Whereas, the current rules and practices governing the review of new drugs, biological products, and a medical device by the United States Food and Drug Administration can delay approvals and are unnecessarily expensive; Now, therefore, be it

*Resolved*, That the 75th Legislature of the State of Texas respectfully urge the Congress of the United States to address this important issue by enacting comprehensive legislation to facilitate the rapid review and approval of innovative new drugs, biological products, and medical devices, without compromising patient safety or product effectiveness; and, be it further

*Resolved*, That copies of this resolution be prepared and forwarded by the Texas secretary of state to the President of the United

States, the Speaker of the United States House of Representatives, the President of the United States Senate, and to all members of the Texas delegation to the Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States.

POM-203. A resolution adopted by the Legislature of the State of Alaska; to the Committee on the Judiciary.

#### RESOLUTION

Whereas it is in the national interest for the federal government to live within its means; and

Whereas eliminating the national deficit and controlling national government spending could be accomplished by the passage of a balanced budget amendment by the United States Congress and ratification of the amendment by the states of the Union; be it

*Resolved* that the Alaska State Legislature urges the United States Congress to pass, and the President to support, a resolution proposing an amendment to the United States Constitution that requires the balancing of the federal budget; and be it further

*Resolved* that the Alaska State Legislature urges the legislature of each state of the nation to ratify a balanced budget amendment that is passed by the United States Congress.

POM-204. A joint resolution adopted by the Legislature 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 grounds 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-205. A joint resolution adopted by the Legislature of the State of California; to the Committee on the Judiciary.

#### ASSEMBLY JOINT RESOLUTION No. 24

Whereas, artists, songwriters, producers, engineers, educators, executives, and other professionals in the music industry provide inspiration and leadership through the creation of music, disseminate of educational information, and financial contributions to charitable and community-based organizations; and

Whereas, African-American genres of music such as gospel, blues, jazz, rhythm and blues, rap, and hip-hop are indigenous to the United States, and have their roots in the African-American experience; and

Whereas, black music, including African-American music, has a pervasive influence on dance, fashion, language, art, literature, cinema, media, advertising, and other aspects of our culture; and

Whereas, the prominence of African-American and other black music in the 20th century has renewed interest in the legacy and heritage of this art form; and

Whereas, black music embodies the strong presence of, and significant contributions made by, African-Americans in the music industry and society as a whole; and

Whereas, black music has generated a multibillion dollar industry that contributes greatly to the domestic and worldwide economy; and

Whereas, in 1979, a meeting between then-President Jimmy Carter, Kenneth Gamble, the president of Philadelphia International Records and cofounder of the Black Music Association, and a delegation of 77 black music professionals, resulted in President Carter's designation of June as Black Music Month; and

Whereas, black music has a broad appeal to diverse groups, both nationally and internationally: Now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature recognizes the significance of African-American and other black music to global culture, and the positive impact of this art form on global commerce; and be it further

*Resolved*, That the Legislature hereby designates the month of June as Black Music Month throughout the State of California, and calls upon the people of the state to study, reflect on, and celebrate the majesty, vitality, and importance of African-American and other black music; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies to this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-206. A joint resolution adopted by the Legislature of the State of Tennessee; to the Committee on the Judiciary.

#### HOUSE JOINT RESOLUTION No. 32

Whereas, on February 26, 1869, the Fortieth Congress of the United States of America, at its third session, by a two-thirds (⅔) majority of both Houses, submitted to the legislatures of the several states for ratification a proposal to amend the Constitution of the United States of America in the following words, to wit:

##### "AMENDMENT 15

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

"Section 2. The Congress shall have power to enforce this article by appropriate legislation."; and

Whereas, by proclamation of Federal Secretary of State Hamilton Fish, dated March 30, 1870 (16 Stat. 1131-2), this proposed amendment to the United States Constitution was officially declared to have been duly ratified by the legislatures of the constitutionally-required margin of at least three-fourths (¾) of the several states, there being at the time 37 states in the Union; and

Whereas, after Amendment 15 had made its way into our Nation's highest law in early 1870, the legislatures of five other states which had been in the Union prior to its adoption—but which, like Tennessee, had not approved the amendment—post-ratified it, many years after 1870, as follows:

Delaware in 1901 (Senate Joint Resolution No. 13);

Oregon in 1959 (Senate Joint Resolution No. 7);

California in 1962 (Senate Joint Resolution No. 9);

Maryland in 1973 (Senate Joint Resolution No. 56);

Kentucky in 1976 (House [Joint] Resolution No. 75); and

Whereas, for the past 21 years, Tennessee has stood alone as the only State in the Union, both well before Amendment 15 was proposed and long after it was adopted, whose legislature has never placed its own unique imprimatur upon these fundamental two sentences of the United States Constitution; Now, therefore, be it

*Resolved by the House of Representatives of the One Hundredth General Assembly of the State of Tennessee, the Senate concurring*, That Amendment 15 to the United States Constitution, quoted above, is hereby post-ratified by the Tennessee General Assembly, be it further

*Resolved*, That House Joint Resolution No. 98 (Act "Number LXXX") of the Thirty-Sixth General Assembly of the State of Tennessee, in which Amendment 15 was rejected by the Tennessee House of Representatives and by the Tennessee Senate, be hereby revoked, repealed, and utterly rescinded, be it further

*Resolved*, That a properly inscribed copy of this Resolution be transmitted by the Secretary of State of Tennessee to the Archivist of the United States, Washington, D.C., in compliance with Pub. L. 98-497, be it further

*Resolved*, That properly inscribed copies of this Resolution be individually transmitted by the Secretary of State of Tennessee to each of the following persons in Washington, D.C. with the respectful request that this Resolution be published in the Congressional Record: the Vice-President of the United States, as presiding officer of the United States Senate; the Parliamentarian of the United States Senate; the Speaker of the United States House of Representatives; and the Parliamentarian of the United States House of Representatives.

POM-207. A resolution adopted by the Oak Ridge Chamber of Commerce (Tennessee) relative to the National Spallation Neutron Source; to the Committee on Commerce, Science, and Transportation.

POM-208. A joint resolution adopted by the Legislature of the State of California; to the Committee on Armed Services.

#### ASSEMBLY JOINT RESOLUTION No. 19

Whereas, the military and the defense industry provide California with highly skilled professionals working in the leading edge of technology, and generate jobs that complement and support the state's industrial and commercial leadership in aerospace, advanced computing, and telecommunications technology; and

Whereas, since the inception of the Base Realignment and Closure Commission in 1988, 29 military installations have been closed or severely realigned in the State of California, resulting in the loss of half a million direct and indirect defense jobs; and

Whereas, there is strong indication that another base realignment and closure is in the offing and without strong vigilance to retain the remaining installations, California could experience additional closures and realignments; and

Whereas, during the 1995 Base Realignment and Closure, the Joint Cross Service Groups on Laboratories and Test and Evaluation, both under the sponsorship of the Office of the Secretary of Defense, recommended that military services consider consolidating a major portion of aircraft and air-launched weapons research, development, testing, evaluation, and training installations in the southwest United States; and

Whereas, the Southwest Defense Complex has a network of existing military installations that are already electronically linked and cooperatively managed; and

Whereas, the Southwest Defense Complex would consist of facilities in California, New Mexico, Nevada, Arizona, and Utah; and

Whereas, the Southwest Defense Complex is the only area in the United States where research, development, testing, evaluation, and training using advanced technology can be conducted in a realistic, high fidelity environment with minimal impact upon the general public; and

Whereas, this unique southwestern area, with ideal weather for testing and training operations, consists of mostly Department of Defense and government lands that are largely free of commercial airline routes, electromagnetic interference, and high population density; and

Whereas, this complex of nearly contiguous facilities has the technical assets—scientific and engineering work force, laboratories, test facilities, ranges, land and airspace—plus the track record of cooperation to allow it to assume the principal Department of Defense role in developing and testing complex air warfare systems; and

Whereas, the Southwest Defense Alliance, consisting of a group of local elected officials, representatives from private industry, chambers of commerce, economic development associations, base retention groups, and community leaders, is dedicated to supporting and enhancing the Southwest Defense Complex; and

Whereas, the California Legislature unanimously expressed support in 1994 for the Southwest Defense Complex, by enacting a joint resolution; and

Whereas, it would be desirable to reaffirm the California Legislature's support for the Southwest Defense Complex, to reduce the chances of additional base closures in California: Now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California respectfully

memorializes the President and the Congress of the United States to endorse and support the Southwest Defense Complex, and the efforts of the Southwest Defense Alliance in furtherance of the Southwest Defense Complex; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-209. A joint resolution adopted by the Legislature of the State of New Hampshire; to the Committee on Environment and Public Works.

#### HOUSE JOINT RESOLUTION 5

Whereas, the state of New Hampshire has continued to decrease air pollution emissions in accordance with the federal Clean Air Act Amendments of 1990; and

Whereas, the United States Environmental Protection Agency (EPA) has continued to fund scientific air pollution research which has shown that some of the scientific assumptions behind the federal Clean Air Act Amendments of 1990 are invalid; and

Whereas, certain regions of the country, including the state of New Hampshire, are required to make considerable additional expenditures on scientifically obsolete or ineffective air pollution controls mandated by the federal Clean Air Act; and

Whereas, the federal Clean Air Act does not allow the EPA to authorize states to substitute more cost effective air pollution control strategies for scientifically obsolete or ineffective air pollution control strategies, thereby stifling innovation; and

Whereas, certain regions of the country, including the state of New Hampshire, are currently victims of air pollution emitted upwind from the region, but are being held responsible for that pollution by the federal Clean Air Act; and

Whereas, the federal Clean Air Act requires the EPA to adopt standards which protect public health with an adequate margin of safety, despite recent scientific research which indicates that no safe level exists, providing opponents of air pollution control expenditures with unnecessary opportunities to question the implementation of the Clean Air Act; and

Whereas, the EPA is in the process of mandating low-emission vehicle requirements for new automobiles which needlessly mix cost-effective stricter nitrogen oxide emission standards with scientifically obsolete requirements for stricter hydrocarbon emission standards; and

Whereas, the EPA in its procedures for assessing state implementation plans for air pollution control gives little or no credit for voluntary pollution reductions already in place that are not mandated by law, and gives excessive credit for promises of future mandatory control measures; now, therefore, be it

*Resolved by the Senate and House of Representatives in General Court convened*: That the federal Clean Air Act should be amended to require the EPA to permit states to substitute more effective air pollution control strategies for less effective strategies mandated by the federal Clean Air Act, so that states will be allowed to devise cost-effective strategies that will produce more air pollution improvement for less cost; and

That the federal Clean Air Act should be amended so that regions which are victims of windborne air pollution are not held responsible, and if polluted air gets cleaner as it passes over a region of a non-attainment area, that region should not be required to

observe the additional air pollution control requirements for non-attainment areas, and the EPA should instead look to upwind polluters to apply additional controls; and

That the federal Clean Air Act should be amended to promote reductions in ground level ozone through nitrogen oxide emission reductions from power plants, industrial boilers, new automobiles, and new trucks, rather than further reducing hydrocarbon emissions from existing gasoline vehicles or industrial solvents; and

That the federal Clean Air Act should be amended so that the EPA may more justifiably set air quality standards at a level other than zero, which improve over time at a steady rate, based on scientific analysis of public health damage, ecological damage, and cost of control; and

That the EPA should revise its policies regarding motor vehicle emissions, including low-emission vehicle standards, to concentrate on nitrogen oxide emission reductions, not hydrocarbon emission reductions; and

That the EPA should revise its policies regarding state implementation plans for air pollution control so that states shall be given full credit in their state emission inventories for non-mandatory pollution reductions which can reasonably be expected to occur or to remain in place, including low-emission vehicles already registered in the state; and

That the EPA should act on its responsibility to forcefully communicate the results of its ongoing scientific research to the United States Congress and encourage Congress to amend the Clean Air Act so as to bring it in line with current research; and

That the EPA should promptly amend its own policies so as to bring them in line with current research; and

That the copies of this resolution be sent by the house clerk to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the chairpersons of committees of the United States Congress having jurisdiction over the Clean Air Act, the Administrator of the United States Environmental Protection Agency, and each member of the New Hampshire congressional delegation.

POM-210. A resolution adopted by Council of the City of Cincinnati, Ohio relative to workforce development areas; to the Committee on Labor and Human Resources.

POM-211. A joint resolution adopted by the Legislature of the State of California; to the Committee on Appropriations.

#### ASSEMBLY JOINT RESOLUTION NO. 12

Whereas, the Bolinas Lagoon, located in Northern California, is one of nature's most magnificent, fragile, wonderlands and includes a tidal embayment; and

Whereas, Bolinas Lagoon provides a unique coastal environment for fish, water birds, and marine mammals that is unparalleled along the Northern California Coast, and is one of the finest examples of marine wildlife areas on the earth; and

Whereas, Bolinas Lagoon is a state and national treasure that has existed for more than 8,000 years; and

Whereas, Bolinas Lagoon is unique in that it adjoins or is part of the Point Reyes National Seashore, the Gulf of the Farallones National Marine Sanctuary, Audubon Canyon Ranch, Tamalpais State Park, and the Golden Gate National Recreation Area and is located in an area where there are several essentially intact ecosystems that include both land and water, side-by-side within already protected areas; and

Whereas, few other places can offer such a unique opportunity for so many species and

habitat types to live and coexist in a natural lagoon; and

Whereas, the 1,000 acre Bolinas Lagoon preserve of the Audubon Canyon Ranch, which maintains a nesting colony of great and snowy egrets and great blue herons, fronts the Bolinas Lagoon and is dependent on the viability of the lagoon; and

Whereas, more than 20,000 visitors a year observe the egrets and herons feed their young and observe the young birds taking their first flights from the canyon side high above the lagoon; and

Whereas, the Bolinas Lagoon is also home to brown pelicans, harbor seals and their pups, and is nationally important wintering area for water birds of the Pacific Flyway; and

Whereas, Stinson Beach abuts the lagoon to the delight and educational benefit of nearly 1,000,000 visitors a year; and

Whereas, the economic value of the lagoon as a continuing, viable ecological system is estimated to be in the hundreds of millions of dollars; and

Whereas, the Bolinas Lagoon is home to the magnificent Audubon Canyon Ranch that has been designated by the United States Department of the Interior as a National Natural Landmark; and

Whereas, the California Legislature is proud to recognize Bolinas Lagoon as a state and national treasure of extraordinary and irreplaceable beauty, economic value, and environmental diversity: now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California urges the President and Congress of the United States to appropriate federal funds to be used to preserve and protect the Bolinas Lagoon; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-212. A joint resolution adopted by the Legislature of the State of California; to the Committee on Armed Services.

#### ASSEMBLY JOINT RESOLUTION NO. 22

Whereas, San Diego has a lengthy history associated with the United States Navy and Naval Air Forces, and San Diego was shaped by the birth of aviation technology and is proudly and inextricably linked to the military's presence; and

Whereas, the acquisition of the aircraft carrier Midway would preserve a vital part of the United States military history and its establishment as a museum would be a fitting memorial to San Diego's contributions to victory in World War II; and

Whereas, the carrier museum would add excitement to the maritime ambience of the cruise ship center, Mission Bay, Seaport Village, the shipyards, and harbor islands; and

Whereas, the carrier museum would be an attraction to both domestic and foreign tourists, thereby enhancing the global competitive position of the nearby convention center; and

Whereas, the added attraction of a carrier museum would result in longer tourist stays, with consequent increases in retail sales, hotel and motel occupancy, and restaurant patronage, resulting in higher sales and transient occupancy tax revenues; and

Whereas, the projected number of annual visitors to the carrier museum would exceed 700,000, bringing at least fifty million dollars (\$50,000,000) in additional revenues into the regional economy; and

Whereas, carrier museum could be used as an ongoing exposition to showcase San Diego's leadership in aerospace and defense technology, to develop educational programs for schoolage children, and to provide entertainment attractions based on naval aviation history; and

Whereas, the presence of a military museum in San Diego would promote positive community relations between the citizens and the military; and

Whereas, the aircraft carrier Midway has been recently decommissioned and is in good structural condition, and will soon be coming up for sale as military surplus; and

Whereas, a group of like-minded San Diego citizens have established a nonprofit corporation and a committee to pursue the acquisition of the aircraft carrier Midway; Now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That in order to enhance the public's awareness of the contributions of the citizens of the State of California and the County of San Diego to military preparedness and, in particular, naval aviation history, and to enhance the region's economy by increasing tourism and creating new employment opportunities, the Legislature of the State of California endorses the efforts to acquire the aircraft carrier Midway as a permanent museum, educational, and entertainment complex to be located in San Diego Bay; and be it further

*Resolved,* That the Legislature of the State of California respectfully requests the President and Congress of the United States, and the Joint Chiefs of Staff of the Department of Defense, to support the efforts of the citizens of the State of California and the County of San Diego to acquire the aircraft carrier Midway; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-213. A joint resolution adopted by the Legislature of the State of California; to the Committee on Energy and Natural Resources.

#### ASSEMBLY JOINT RESOLUTION NO. 21

Whereas, the United States Department of Energy has planned five shipments of spent nuclear fuel rods from seven Asian nations through the San Francisco Bay to the Concord Naval Weapons Station over the next 13 years, with the first shipment scheduled for early 1998, and

Whereas, from the Concord Naval Weapons Station, the spent nuclear fuel rods will be transported by rail or truck through northern California, including Sacramento, and through Nevada and Utah before arriving at the United States Department of Energy's National Engineering and Environmental Laboratory in Idaho; and

Whereas, the proposed rail route from California to Idaho will involve the shipments passing through the Feather River Canyon where trains have derailed 28 times in 16 years; and

Whereas, the combined shipments of spent nuclear fuel rods will involve approximately one-half ton of uranium and small amounts of plutonium; and

Whereas, the planned shipments of spent nuclear fuel rods will be made by private foreign flag ships; and

Whereas, the United States Department of Energy intends to ship the spent nuclear fuel rods to the Concord Naval Weapons Station in a total of 38 20-ton steel casks purportedly able to withstand airdrops from 200 feet and immersion in water depths of 650 feet; and

Whereas, the policy of bringing spent fuel from foreign countries to the United States was adopted as a part of the Atoms for Peace program enacted 50 years ago, when 41 countries agreed not to make nuclear weapons in exchange for enriched uranium to use in research reactors; and

Whereas, under the Atoms for Peace program, the United States agreed to take the used fuel to relieve foreign countries of problems with disposal and ease fears about terrorists abroad using the fuel to make bombs; and

Whereas, shipments of similar nuclear fuel rods began on the east coast of the United States with no public notice as early as 1958, with a total of 150 shipments through the Charleston Naval Weapons Station in South Carolina; and

Whereas, the Concord Naval Weapons Station has been the secret west coast shipping point for nuclear bombs and missiles since the beginning of the Cold War; and

Whereas, the proposed route for the shipments to the Concord Naval Weapons Station runs through the San Francisco Bay area, placing over 6.5 million residents of California's second largest metropolis in harm's way; and

Whereas, portions of the San Francisco Bay area are subject to intense shaking amplification and are still recovering from major damage caused by the 1989 Lorna Prieta earthquake; and

Whereas, the planned shipments will result in unreimbursed local government expenditures for enhanced emergency and hazardous materials response systems; and

Whereas, the United States Department of Energy has inadequately addressed potential environmental and safety impacts in the Final Environmental Impact Statement for the shipment project, failed to fully inform local communities in California of the catastrophic impacts of a potential shipment accident, and failed to adequately document the necessity of using the Concord station rather than alternative shipping points, such as the naval base at Bremerton, Washington; and

Whereas, if the steel casks containing the spent nuclear fuel rods are breached, there is no assurance that persons, land, and waters will not be exposed to dangerous radioactive materials; and

Whereas, this state is committed foremost to protecting the health and safety of its people and environment; and

Whereas, on behalf of, and in addition to, local government officials in the nine-county San Francisco Bay area, including those with the City and County of San Francisco, the County of Contra Costa, the City of Concord, the San Francisco Bay Conservation and Development Commission, and the Association of Bay Area Governments, 11 Members of the Assembly have requested that the state Attorney General sue the United States Department of Energy for a federal court injunction to halt the shipments through the San Francisco Bay region to Concord; Now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California memorializes the President and Congress of the United States to call upon the Department of Energy to halt indefinitely the five planned shipments of spent nuclear fuel rods through the San Francisco Bay to the Concord Naval Weapons Station for land transport to Idaho; and be it further

*Resolved,* That the Department of Energy is further memorialized to prevent any planned shipments of spent nuclear fuel rods until appropriate public notice has been provided and the safety and environmental impacts are fully addressed, including how the full

catastrophic impacts of a potential shipment accident would be addressed by federal, state, and local governments; and be it further

*Resolved,* That the Department of Energy is further memorialized to prevent any planned shipments of spent nuclear fuel rods until there is a legally binding agreement that the federal government will fully compensate local governments, the state, individuals, and businesses that might be impacted by the shipments, including compensation for any accidents or security costs associated with the shipments; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to each Senator and Representative from California in the Congress of the United States, and the Secretary of the Department of Energy.

POM-214. A joint resolution adopted by the Legislature of the State of California; to the Committee on Energy and Natural Resources.

#### ASSEMBLY JOINT RESOLUTION NO. 7

Whereas, on the evening of January 2, 1997, inflows at Millerton Lake, behind Friant Dam, surged from 22,441 cubic feet per second to 95,040 cubic feet per second in seven hours; and

Whereas, Millerton Lake storage peaked at a record 530,452 acre-feet, nearly 10,000 acre-feet above capacity, on January 3, 1997; and

Whereas, widespread flooding followed along the San Joaquin River below Friant Dam; and

Whereas, the resultant flooding partially washed out bridges linking the Counties of Fresno and Madera as well as homes and the Friant Fish Hatchery; and

Whereas, downstream levee breaks flooded thousands of acres of farmland; and

Whereas, the yield of the San Joaquin River system is currently overcommitted with respect to meeting obligations to contractors, fisheries, and the water quality concerns of downstream water users; and

Whereas, the waters of the San Joaquin River, as impounded by the Friant Dam, are currently put to beneficial use serving some of the most productive small family farms in the nation in the water-short Friant Division of the federal Central Valley Project; and

Whereas, diversions from the San Joaquin River have resulted in diminished water quality for downstream users, particularly those on the lower San Joaquin River; and

Whereas, California's population is projected to increase by 20 million residents in the next 25 years, particularly in the Central Valley region of the state, thereby placing further demands on the state's ability to provide flood protection as well as an adequate water supply; and

Whereas, the increasing difficulty of meeting these various, sometimes competing, needs gives cause to review the feasibility of raising Friant Dam to help meet those needs by building on the existing investment on the San Joaquin River; and

Whereas, the United States Bureau of Reclamation reconnaissance studies conducted in 1952, 1975, and 1982 attest to the physical, but not the economic, feasibility of raising Friant Dam; Now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to authorize and fund a prompt evaluation of the physical potential for, and economic feasibility of, raising Friant Dam and making use of the increased capacity to help meet flood protection and

water supply needs for citizens of this state, without impairing the existing rights of, and benefits to, and without altering the costs to, the current users of the waters of the San Joaquin River; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Secretary of the Interior, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States.

POM-215. A joint resolution adopted by the General Assembly of the State of Tennessee; to the Committee on Environmental and Public Works.

#### HOUSE JOINT RESOLUTION No. 77

Whereas, the authorization of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), which has appropriated over \$150 billion for our nation's highway, transit, motor carrier, safety and research programs during the past six (6) years, is due to expire on September 30, 1997; and

Whereas, as Congressional reauthorization of ISTEA fast approaches, it is imperative for all viable alternatives that provide more equitable transportation funding support for the states to be carefully considered; and

Whereas, the Streamlined Transportation Efficiency Program for the 21st Century (STEP 21) is a large, multi-state coalition of State Departments of Transportation that has developed a proposal to reorient the nation's surface transportation program toward the 21st Century; and

Whereas, STEP 21 limits its proposal to the highway mode and focuses on a few critical issues in the federal highway plan—flexibility, equity, streamlining and funding distribution; and

Whereas, in fact, STEP 21 builds on traditional ISTEA partnerships, while modernizing federal aid formulas that are inadequate to meet the mobility and economic development needs of the next century; and

Whereas, STEP 21's evolutionary approach provides the following benefits:

(1) Appropriately funds the National Highway System as the key federal responsibility in surface transportation. This program will benefit the entire nation by providing consistent mobility, connectivity, and economic benefit for all states;

(2) Recognizes states' diversity and provides the flexibility to tailor transportation solutions to their particular circumstances by reaffirming ISTEA planning processes, returning decision-making to the state and local levels, and eliminating federal mandates;

\* \* \* \* \*

*Resolved*, That this General Assembly urges Congress to continue, as an integral component of STEP 21, the local Metropolitan Planning Organizations that have assured local governments a meaningful role in setting transportation priorities and policies, be it further

*Resolved*, That this General Assembly memorializes each member of the U.S. Congress from Tennessee to utilize the full measure of his or her influence to effect the enactment of "The ISTEA Integrity Restoration Act" or STEP 21 legislation, and especially the provision guaranteeing all states a ninety-five percent (95%) return on their total contributions to the Federal Highway Trust Fund, be it further

*Resolved*, That this General Assembly recognizes the important role that counties perform in maintaining rural bridges and roads across the State of Tennessee and therefore pledges, that in the event Congress enacts STEP 21 legislation, resulting in an increase in federal highway funding for the State of Tennessee, the State should share a portion of such increased funding with the local gov-

ernments who perform this vital task, be it further

*Resolved*, That the Chief Clerk of the House of Representatives is directed to transmit a certified copy of this resolution to the Honorable Bill Clinton, President of the United States; the President and the Secretary of the U.S. Senate; the Speaker and the Clerk of the U.S. House of Representatives; and to each member of the Tennessee delegation to the U.S. Congress.

POM-216. A joint resolution adopted by the Legislature of the State of California; to the Committee on Governmental Affairs.

#### ASSEMBLY JOINT RESOLUTION No. 25

Whereas, breast cancer is the most common malignancy found in women and the most common cause of cancer-related death in women 15 to 54 years of age; and

Whereas, breast cancer is the second leading cause of cancer-related deaths among women, with one in every eight women likely to develop breast cancer in her lifetime, and 183,400 new diagnoses of breast cancer each year; and

Whereas, it is estimated that 46,240 women died from breast cancer in 1996, with five new diagnoses and one death occurring every 15 minutes in the United States, and worldwide, every 30 seconds a new diagnosis of breast cancer and a death as a result of breast cancer; and

Whereas, the cause or causes of breast cancer have not been identified and no cure is available at this time, which demonstrates that more intense research is needed to improve care and treatment and to find a cure for this dreadful disease; and

Whereas, the Congress has introduced bills in the United States Senate and the House of Representatives, S.R. 1937 and H.R. 3401 and most recently H.R. 407 (January 9, 1997), which would create a new first-class postage stamp at a rate of one cent (\$0.01) above the first-class postage rate charged which would be offered to postal patrons on a voluntary basis as an alternative to the rate that would otherwise apply; and

Whereas, the amounts attributable to the one cent (\$0.01) differential established under the Breast-Cancer Research Stamp Act of 1997 would be paid by the United States Postal Service to the National Institutes of Health under arrangements by which these agencies mutually agree to carry out the purposes of the act; and

Whereas, the Cure Breast Cancer postage stamp has received strong support and endorsements from Members of Congress, breast cancer research organizations, corporations, medical associations, voluntary organizations, and state-elected officials, leading to the introduction of the Breast-Cancer Research Stamp Act of 1997 to create the Cure Breast Cancer postal stamp donation program; Now, therefore be it

*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature urges the Congress and the President to enact H.R. 407 (January 9, 1997), the Breast-Cancer Research Stamp Act of 1997, to create the Cure Breast Cancer Research Postage Stamp and memorialize the Board of Governors of the United States Postal Service to implement this voluntary program to supplement the funds available for breast cancer research; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Board of Governors of the United States Postal Service, and to each Senator and Representatives from California in the Congress of the United States.

POM-217. A joint resolution adopted by the Legislature of the State of California; to the Committee on Veterans' Affairs.

#### ASSEMBLY JOINT RESOLUTION No. 28

Whereas, during World War II, the military forces of the Commonwealth of the Philippines were drafted to serve in the United States armed forces by Executive Order of President Franklin Delano Roosevelt of July 26, 1941; and

Whereas, Filipino soldiers defended the American flag in the battles of Bataan and Corregidor; and

Whereas, thousands of Filipino prisoners of war died during the 65-mile Bataan Death March, and those who survive were imprisoned under inhumane conditions, suffered numerous casualties, and endured four long years of occupation; and

Whereas, the soldiers who escaped capture, together with Filipino civilians, valiantly fought against the occupation forces, their guerrilla attacks foiling the plans of the Japanese for a quick takeover of the region, and allowing the United States the time needed to prepare forces to defeat Japan; and

Whereas, despite the vital participation of the Filipino soldiers in the outcome of the war, the 79th United States Congress voted after the war ended to deny benefits and recognition to the Filipino World War II veterans, in what was known as the Rescissions Act of 1946; and

Whereas, on February 26, 1997, House Resolution 836, a bill to provide full benefits from the Department of Veterans Affairs to veterans who served in the Philippine Commonwealth Army, and the Special Philippine Scouts, was introduced in the House of Representatives of the United States Congress by Representative Benjamin Gilman of New York, and Representative Bob Filner of this state; Now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California commends the heroic acts of Filipino war veterans, and honors these individuals for their contributions to the United States armed forces; and be it further

*Resolved*, That the Legislature of the State of California respectfully memorializes and urges the President and Congress of the United States to enact House Resolution 836; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

#### REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of July 31, 1997, the following reports of committees were submitted on August 19, 1997:

By Mr. BOND, from the Committee on Small Business, without amendment:

S. 1139: An original bill to reauthorize the programs of the Small Business Administration, and for other purposes (Rept. No. 105-62).

By Mr. BOND, from the Committee on Small Business:

Special Report entitled "Legislative Oversight Activities During the 104th Congress" (Rept. No. 105-63).

#### REPORTS OF COMMITTEES

The following reports of committees were submitted: