

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:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 308. A bill to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges (Rept. No. 105-64).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 542. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel FAR HORIZONS (Rept. No. 105-65).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 662. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel VORTICE (Rept. No. 105-66).

S. 880. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel DUSKEN IV (Rept. No. 105-67).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 931. A bill to designate the Marjory Stoneman Douglas Wilderness and the Ernest F. Coe Visitor Center (Rept. No. 105-68).

S. 965. A bill to amend title II of the Hydrogen Future Act of 1996 to extend an authorization contained therein, and for other purposes (Rept. No. 105-69).

H.R. 63. A bill to designate the reservoir created by Trinity Dam in the Central Valley project, California, as "Trinity Lake" (Rept. No. 105-70).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany the bill (S. 871) to establish the Oklahoma City National Memorial as a unit of the National Park System, to designate the Oklahoma City Memorial Trust, and for other purposes (Rept. 105-71).

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations: Treaty Doc. 105-3 U.S.-Hong Kong Extradition Treaty (Executive Rept. 105-2).

### TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF RATIFICATION

*Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Agreement Between the Government of the United States of America and the Government of Hong Kong for the Surrender of Fugitive Offenders signed at Hong Kong on December 20, 1996 (Treaty Doc. 105-3), subject to the understandings of subsection (a), the declarations of subsection (b), and the proviso of subsection (c).*

(a) UNDERSTANDINGS.—The Senate's advice and consent is subject to the following two understandings, which shall be included in the instrument of ratification, and shall be binding on the President:

(1) THIRD PARTY TRANSFERS.—The United States understands that Article 16(2) permits the transfer of persons surrendered to Hong Kong under this Agreement beyond the jurisdiction of Hong Kong when the United States

so consents, but that the United States will not apply Article 16(2) of the Agreement to permit the transfer of persons surrendered to the Government of Hong Kong to any other jurisdiction in the People's Republic of China, unless the person being surrendered consents to the transfer.

(2) HONG KONG COURTS' POWER OF FINAL ADJUDICATION.—The United States understands that Hong Kong's courts have the power of final adjudication over all matters within Hong Kong's autonomy as guaranteed in the 1984 Sino-British Joint Declaration on the Question of Hong Kong, signed on December 19, 1984, and ratified on May 27, 1985. The United States expects that any exceptions to the jurisdiction of the Hong Kong courts for acts of state shall be construed narrowly. The United States understands that the exemption for acts of state does not diminish the responsibilities of the Hong Kong authorities with respect to extradition or the rights of an individual to a fair trial in Hong Kong courts. Any attempt by the Government of Hong Kong or the Government of the People's Republic of China to curtail the jurisdiction and power of final adjudication of the Hong Kong courts may be considered grounds for withdrawal from the Agreement.

(b) DECLARATIONS.—The Senate's advice and consent is subject to the following two declarations, which shall be binding on the President:

(1) REPORT ON THE HONG KONG JUDICIAL SYSTEM.—One year after entry into force, the Secretary of State, in coordination with the Attorney General shall prepare and submit a report to the Committee on Foreign Relations that addresses the following issues during the period after entry into force of the Agreement:

(i) an assessment of the independence of the Hong Kong judicial system from the Government of the People's Republic of China, including a summary of any instances in which the Government of the People's Republic of China has infringed upon the independence of the Hong Kong judiciary;

(ii) an assessment of the due process accorded all persons under the jurisdiction of the Government of Hong Kong;

(iii) an assessment of the due process accorded persons extradited to Hong Kong by the United States;

(iv) an accounting of the citizenship and number of persons extradited to Hong Kong from the United States, and the citizenship and number of persons extradited to the United States from Hong Kong;

(v) an accounting of the destination of third party transfer of persons who were originally extradited from the United States, and the citizenship of those persons;

(vi) a summary of the types of crimes for which persons have been extradited between the United States and Hong Kong;

(2) TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification with respect to the INF Treaty.

(c) PROVISIO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

(1) SUPREMACY OF THE CONSTITUTION.—Nothing in the Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second time by unanimous consent, and referred as indicated:

By Mr. D'AMATO:

S. 1140. A bill to prohibit reactivation of the High Flux Beam Reactor at Brookhaven National Laboratory; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON (for himself, Mr. CRAIG, Mr. WELLSTONE, and Mr. GRASSLEY):

S. 1141. A bill to amend the Energy Policy Act of 1992 to take into account newly developed renewable energy-based fuels and to equalize alternative fuel vehicle acquisition incentives to increase the flexibility of controlled fleet owners and operators, and for other purposes; to the Committee on Energy and Natural Resources.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. DEWINE, and Mr. WELLSTONE):

S. Res. 117. A resolution congratulating the Federal Mediation and Conciliation Service on the occasion of its fiftieth anniversary and commending the many men and women of the Federal Mediation and Conciliation Service who have served the Nation's labor-management community and the American people; considered and agreed to.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. D'AMATO:

S. 1140. A bill to prohibit reactivation of the High Flux Beam Reactor at Brookhaven National Laboratory; to the Committee on Energy and National Resources.

### THE LONG ISLAND DRINKING WATER PROTECTION ACT

Mr. D'AMATO. Mr. President, I ask unanimous consent that the bill, S. 1140, regarding Long Island drinking water protection be printed in the RECORD.

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

S. 1140

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the Long Island Drinking Water Protection Act.

### SECTION 2. PROHIBITION OF REACTIVATION OF THE HIGH FLUX BEAM REACTOR.

The Secretary of Energy shall ensure that the High Flux Beam Reactor at Brookhaven National Laboratory is not reactivated.

By Mr. JOHNSON (for himself, Mr. CRAIG, Mr. WELLSTONE, and Mr. GRASSLEY):

S. 1141. A bill to amend the Energy Policy Act of 1992 to take into account newly developed renewable energy-based fuels and to equalize alternative fuel vehicle acquisition incentives to increase the flexibility of controlled fleet owners and operators, and for other purposes; to the Committee on Energy and Natural Resources.