

child care services is central to their ability to attend college. Campus-based child care is conveniently located, available at the hours that fit students' schedules and often available at a lower cost than community-based child care centers. Student parents rate access to campus-based child care as an important factor affecting their college enrollment. Unfortunately, such services are often in very short supply, particularly for low-income parents who may find the cost of existing services prohibitive.

Moreover, in order to meet the high demand for child care created by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, States may divert funds away from programs currently providing campus-based child care services for low-income students and use the funds to provide child care to welfare recipients, because educational activities do not count as work under the act. This may leave students with less access to child care services. If we want to fulfill the goals of the welfare reform act and ensure that families are able to remain financially self-sufficient, we need to ensure that low-income parents have access to higher education and affordable and convenient child care. This is crucial given that people who receive public assistance and then complete college are far more likely to leave welfare permanently than those who do not.

There is no question that a person's earning potential increases dramatically with a college degree. According to the Census Bureau, in 1990 the average income for high school graduates was almost \$18,000. Those who had 1 to 3 years of college education, however, earned an average of \$24,000. And those who graduated from college received an average salary of \$31,000.

Higher education is crucial to getting a job in today's global job market. More than half of the new jobs that have been and will be created between 1995 and 2000 will require education beyond high school. While nearly 40 percent of American jobs are currently in low-skill occupations, only 27 percent will fall in that category by the year 2000. Over the same period, high-skill occupations will grow from 24 to 41 percent of the work force. Getting the skills necessary to meet these market demands simply requires higher and higher levels of educational achievement.

For many low-income students who are parents, the availability of campus-based child care is key to their ability to receive a higher education and thus achieve the American dream. Student parents are more likely to remain in school, and to graduate sooner and at a higher rate if they have campus-based child care. Child care services are particularly critical for older students who choose to go back to school to get their degree or to improve their skills through advanced education. This is especially important in today's economy

where people need to continuously train and retrain in order to meet the demands of high-technology jobs.

Children placed in campus-based child care also reap numerous benefits, given its very high quality. In fact, children in high-quality child care exhibit higher earnings as adults, higher rates of secondary school graduation, lower rates of teen pregnancy, and a reduced need for special education or costly social services. We also know that quality child care is cost efficient—the public saves \$7 for every \$1 invested in child care.

The bill we are introducing today will help bring the American dream within the reach of numerous American parents who need child care in order to attend college. The CAMPUS Act will amend title IV of the Higher Education Act to help provide campus-based child care to low-income parents seeking a college degree. Under the bill, the Secretary of Education will award 3-year grants to institutions of higher education to support or help establish a campus-based child care program serving the needs of low-income student parents. The Secretary will award \$60 million in grants—equal to 1 percent of total Pell grant funding—based on an application submitted by the institution, and the grant amount will be linked to the institution's Pell grant funding level.

Under the bill, Pell grant recipients will be eligible for child care, to ensure that services target low-income students. In 1995-96, there were approximately 3.6 million Pell grant recipients, and almost 17,000 Maine residents received Pell grants. Students typically qualify for Pell grants if their income is under \$30,000 per year. This bill will make a true difference in the lives of many low-income students who need child care to attend school.

I urge my colleagues to support this important legislation which will truly make a difference in the lives of numerous American parents who wish to attend college.

#### ADDITIONAL COSPONSORS

S. 224

At the request of Mr. WARNER, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 224, a bill to amend title 10, United States Code, to permit covered beneficiaries under the military health care system who are also entitled to Medicare to enroll in the Federal Employees Health Benefits Program, and for other purposes.

S. 496

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

S. 1096

At the request of Mr. GRASSLEY, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 1096, a bill to restructure the Internal Revenue Service, and for other purposes.

S. 1103

At the request of Mr. MOYNIHAN, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 1103, a bill to amend title 23, United States Code, to authorize Federal participation in financing of projects to demonstrate the feasibility of deployment of magnetic levitation transportation technology, and for other purposes.

#### SENATE CONCURRENT RESOLUTION 30

At the request of Mr. HELMS, the names of the Senator from Oklahoma [Mr. INHOFE] and the Senator from Georgia [Mr. CLELAND] were added as cosponsors of Senate Concurrent Resolution 30, a concurrent resolution expressing the sense of the Congress that the Republic of China should be admitted to multilateral economic institutions, including the International Monetary Fund and the International Bank for Reconstruction and Development.

#### AMENDMENTS SUBMITTED

#### THE DEPARTMENT OF LABOR APPROPRIATIONS ACT FOR FISCAL YEAR 1998

##### GRAHAM AMENDMENT NO. 1084

(Ordered to lie on the table.)

Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill (S. 1061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes; as follows:

At the end of the bill, insert the following:

#### **TITLE —NATIONAL COMMISSION ON PUBLIC EDUCATION FACILITIES CONSTRUCTION AND REHABILITATION**

##### **SEC. 01. FINDINGS.**

Congress finds the following:

(1) The condition of our Nation's public pre-kindergarten through grade 12 school facilities play an enormous role in the educational development of our children as there is a relationship between the condition of school facilities and student achievement. In addition to their educational value, neighborhood public schools that are structurally safe and sound, and well-supported by the community can act as important civic and social institutions within our communities.

(2) The financing of public pre-kindergarten through grade 12 school construction and renovation has historically been primarily a local function. Typically, tax-exempt bond issues must be approved through a referendum reliant on local property taxes and are sold to finance capital spending. However, recent national trends indicate a decrease in bond referendum approval to pay for school construction projects. The General Accounting Office reports that 33 percent of school districts have had an average of 2 bond issues fail in the past 10 years.

(3) The United States is currently experiencing a 20-year rise in public elementary and secondary school enrollments which is projected to peak at over 54,000,000 students by 2006 from less than 40,000,000 in the mid-1980's.

(4) The General Accounting Office has reported the following conditions regarding education facilities construction in the United States:

(A) Approximately \$112,000,000,000 is needed in order to make necessary infrastructure repairs to our Nation's schools and to comply with current Federal mandates.

(B) One-third of schools nationwide are in need of extensive repair or replacement and 60 percent of schools nationwide reported needing at least 1 major building feature extensively repaired, overhauled, or replaced with most of these schools requiring multiple features repaired.

(C) 60 percent of students in the United States attend school in buildings with at least 1 unsatisfactory environmental condition, with heating, ventilation, and air conditioning systems being the most frequently reported building feature in need of repair. It is estimated that nearly \$2,400,000,000 is required to comply with new regulations on asbestos management.

(D) Often the schools with major renovation and rehabilitation needs are least prepared for 21st century technology learning and teaching needs, with over 14,000,000 students attending approximately 40 percent of our schools which report not being able to provide facilities to well meet the functional requirements of laboratory science or large-group instruction.

(5) As the result of the school enrollment increases, the need to prepare postsecondary academic institutions for the influx of these new students will be ever more important.

**SEC. 02. ESTABLISHMENT OF NATIONAL COMMISSION ON PUBLIC EDUCATION FACILITIES CONSTRUCTION AND REHABILITATION.**

There is established a Commission to be known as the "National Commission on Public Education Facilities Construction and Rehabilitation" (in this title referred to as the "Commission").

**SEC. 03. MEMBERSHIP OF COMMISSION.**

(a) APPOINTMENT.—The Commission shall be composed of 7 members as follows:

(1) Two individuals shall be appointed by the Speaker of the House of Representatives.

(2) One individual shall be appointed by the Minority Leader of the House of Representatives.

(3) Two individuals shall be appointed by the Majority Leader of the Senate.

(4) One individual shall be appointed by the Minority Leader of the Senate.

(5) One individual shall be appointed by the Secretary of Education.

(6) One individual shall be appointed by the Secretary of the Treasury.

(b) ADDITIONAL QUALIFICATIONS.—Each of the individuals appointed under subsection (a) shall be an individual with expertise and experience in public education facilities construction and financing (including financing the construction of public institutions of higher education).

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the Commission shall elect a Chairperson and a Vice Chairperson of the Commission. In the absence of the Chairperson, the Vice Chairperson will assume the duties of the Chairperson.

(d) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business.

(e) APPOINTMENTS.—All appointments under subsection (a) shall be made within 30 days after the date of enactment of this Act. In the event that an officer authorized to

make an appointment under subsection (a) has not made such appointment within such 30 days, the appointment may be made for such officer as follows:

(1) The Chairman of the Committee on Education and the Workforce may act under such subsection for the Speaker of the House of Representatives for 1 of the Speaker's appointments, and the Chairman of the Committee on Ways and Means may act under such subsection for the Speaker of the House of Representatives for the second.

(2) The Ranking Minority Member of the Committee on Education and the Workforce may act under such subsection for the Minority Leader of the House of Representatives.

(3) The Chairman of the Committee on Labor and Human Resources may act under such subsection for the Majority Leader of the Senate for 1 of the Leader's appointments, and the Chairman of the Committee on Finance may act under such subsection for the Majority Leader of the Senate for the second.

(4) The Ranking Minority Member of the Committee on Labor and Human Resources may act under such subsection for the Minority Leader of the Senate.

(f) VOTING.—Each member of the Commission shall be entitled to 1 vote, which shall be equal to the vote of every other member of the Commission.

(g) VACANCIES.—Any vacancy on the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(h) PROHIBITION OF ADDITIONAL PAY.—Members of the Commission shall receive no additional pay, allowances, or benefits by reason of their service on the Commission. Members appointed from among private citizens of the United States may be allowed travel expenses, including per diem, in lieu of subsistence, as authorized by law for persons serving intermittently in the government service to the extent funds are available for such expenses.

(i) INITIAL MEETING.—The initial meeting of the Commission shall occur within 40 days after the date of enactment of this Act.

**SEC. 04. FUNCTIONS OF COMMISSION.**

(a) SPECIFIC FINDINGS AND RECOMMENDATIONS.—The Commission shall study and make findings and specific recommendations regarding the following:

(1) The extent, degree, and national implications of the needs in public education construction and rehabilitation.

(2) The role of public education facilities with respect to the education of children and its impact on performance and achievement.

(3) The existing financing options available for school construction and rehabilitation, and how and to what extent the options are being utilized, including the identification of new sources of finances to assist with school construction.

(4) The adequacy of current State and local programs and policies to meet school construction and rehabilitation needs.

(5) The extent to which creative financing options are being explored and what yet-to-be utilized options could and should be formulated.

(6) The trends and practices in the construction and renovation of public school facilities, including the modernization of facilities to access and utilize new technologies.

(7) The cost of current construction practices and the impact of modernization and technological advances on these costs.

(8) The unmet needs of 21st century technology for education.

(9) Other related topics determined to be appropriate by the Commission.

(b) SPECIAL RULE.—The Commission primarily shall study and make findings and specific recommendations regarding the matters described in subsection (a) with respect to pre-kindergarten through grade 12 public schools, but also may study and make findings and specific recommendations regarding the matters with respect to public institutions of higher education.

**(c) FINAL REPORT.—**

(1) IN GENERAL.—Subject to paragraph (2), the Commission shall submit to the President and to Congress, not later than 120 days after the date of the first meeting of the Commission, a report which shall contain a detailed statement of the findings and conclusions of the Commission, including the Commission's recommendations for administrative and legislative action that the Commission considers advisable.

(2) MAJORITY VOTE REQUIRED FOR RECOMMENDATIONS.—Any recommendation described in paragraph (1) shall be made by the Commission to the President and to Congress only if such recommendation is adopted by a majority vote of the members of the Commission who are present and voting.

**SEC. 05. POWERS OF COMMISSION.**

(a) HEARINGS.—The Commission may, for the purpose of carrying out this title, hold such hearings and sit and act at such times and places, as the Commission may find advisable.

(b) RULES AND REGULATIONS.—The Commission may adopt such rules and regulations as may be necessary to establish the Commission's procedures and to govern the manner of the Commission's operations, organization, and personnel.

**(c) ASSISTANCE FROM FEDERAL AGENCIES.—**

(1) INFORMATION.—The Commission may request from the head of any Federal agency or instrumentality such information as the Commission may require for the purpose of this title. Each agency or instrumentality shall, to the extent permitted by law and subject to the exceptions set forth in section 552 of title 5, United States Code (commonly referred to as the "Freedom of Information Act"), furnish such information to the Commission, upon request made by the Chairperson of the Commission.

(2) FACILITIES AND SERVICES, PERSONNEL DETAIL AUTHORIZED.—Upon request of the Chairperson of the Commission, the head of any Federal agency or instrumentality shall, to the extent possible and subject to the discretion of such head—

(A) make any of the facilities and services of such agency or instrumentality available to the Commission; and

(B) detail any of the personnel of such agency or instrumentality to the Commission, on a nonreimbursable basis, to assist the Commission in carrying out the Commission's duties under this title.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

(e) CONTRACTING.—The Commission, to such extent and in such amounts as are provided in appropriation Acts, may enter into contracts with State agencies, private firms, institutions, and individuals for the purpose of conducting research or surveys necessary to enable the Commission to discharge the Commission's duties under this title.

(f) STAFF.—Subject to such rules and regulations as may be adopted by the Commission, and to such extent and in such amounts as are provided in appropriation Acts, the Chairperson of the Commission shall have the power to appoint, terminate, and fix the compensation (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service,

and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, or of any other provision, or of any other provision of law, relating to the number, classification, and General Schedule rates) of an Executive Director, and of such additional staff as the Chairperson deems advisable to assist the Commission, at rates not to exceed a rate equal to the maximum rate for level IV of the Executive Schedule under section 5332 of such title.

#### SEC. 06. EXPENSES OF COMMISSION.

There are authorized to be appropriated to pay any expenses of the Commission such sums as may be necessary not to exceed \$1,000,000. Any sums appropriated for such purposes are authorized to remain available until expended, or until 1 year after the termination of the Commission pursuant to section 07, whichever occurs first.

#### SEC. 07. TERMINATION OF COMMISSION.

The Commission shall cease to exist on the date that is 60 days after the date on which the Commission is required to submit its final report in accordance with section 04(c).

#### DURBIN (AND OTHERS) AMENDMENT NO. 1085

Mr. DURBIN (for himself, Mr. LEVIN, Mrs. MURRAY, Mr. JOHNSON, and Mr. BREAUX) proposed an amendment to the bill, S. 1061, *supra*; as follows:

On page 49, after line 26, add the following:

SEC. . (a) STUDY.—Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the General Accounting Office, shall conduct a comprehensive study concerning efforts to improve organ and tissue procurement at hospitals. Under such study, the Secretary shall survey at least 5 percent of the hospitals who have entered into agreements with an organ procurement organization required under the Public Health Service Act and the hospitals' designated organ procurement organizations to examine—

(1) the differences in protocols for the identification of potential organ and tissue donors;

(2) whether each hospital, and the designated organ procurement organization of the hospital, have a system in place for such identification of donors; and

(3) protocols for outreach to the relatives of potential organ or tissue donors.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report concerning the study conducted under subsection (a), that shall include recommendations on hospital best practices—

(1) that result in the most efficient and comprehensive identification of organ and tissue donors; and

(2) for communicating with the relatives of potential organ and tissue donors.

#### LEVIN (AND OTHERS) AMENDMENT NO. 1086

Mr. DURBIN (for Mr. LEVIN, for himself, Mr. THURMOND, Mr. DURBIN, and Mr. INOUE) proposed an amendment to the bill, S. 1061, *supra*; as follows:

At the appropriate place, insert the following:

SEC. . (a) FINDINGS.—Congress finds that—

(1) over 53,000 Americans are currently awaiting organ transplants;

(2) in 1996, 3,916 people on the transplant waiting list died because no organs became available for such people;

(3) the number of organ donors has grown slowly over the past several years, even though there is significant unrealized donor potential;

(4) a Gallup survey indicated that 85 percent of the American public supports organ donation, and 69 percent describe themselves as likely to donate their organs upon death;

(5) most potential donors are cared for in hospitals with greater than 350 beds, trauma services, and medical school affiliations;

(6) a recent Harvard study showed that hospitals frequently fail to offer donation services to the families of medically eligible potential organ donors;

(7) staff and administration in large hospitals often are not aware of the current level of donor potential in their institution or the current level of donation effectiveness of the institution;

(8) under titles XVIII and XIX of the Social Security Act (42 U.S.C. 1395 et seq; 1396 et seq.), hospitals that participate in the medicare or medicaid program are required to have in place policies to offer eligible families the option of organ and tissue donation; and

(9) many hospitals have not yet incorporated systematic protocols for offering donation to eligible families in a skilled and sensitive way.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that hospitals that have organ or tissue donor potential take prompt steps to ensure that a skilled and sensitive request for organ or tissue donation is provided to eligible families by—

(1) working with the designated organ procurement organization or other suitable agency to assess donor potential and performance in their institutions;

(2) establishing protocols for organ donation that incorporate best-demonstrated practices;

(3) providing education to hospital staff to ensure adequate skills related to organ and tissue donation;

(4) establishing teams of skilled hospital staff to respond to potential organ donor situations, ensure optimal communication with the patient's surviving family, and achieve smooth coordination of activities with the designated organ procurement organization; and

(5) monitoring organ donation effectiveness through quality assurance mechanisms.

#### ADDITIONAL STATEMENTS

#### TRIBUTE TO COMDR. SEAN FOGARTY

• Mr. KEMPTHORNE. Mr. President, I rise today to recognize and say farewell to an outstanding naval officer, Comdr. Sean Fogarty, who has served with distinction for the past 24 years in naval service. It is a privilege for me to recognize his many outstanding achievements and to commend him for the superb service he has provided this legislative body, the Navy, and our great Nation.

A native of Idaho Falls, ID, and a 1977 graduate of the U.S. Naval Academy, Commander Fogarty comes from a patriotic family who has contributed immeasurably to our Nation's defense. His father was a career submariner and also a U.S. Naval Academy graduate.

Commander Fogarty's service at sea includes a division officer tour aboard U.S.S. *Harold E. Holt* FF-1074, depart-

ment head tours as Operations Officer aboard U.S.S. *John Young* DD-973 and U.S.S. *Callaghan* DD-994, and an executive officer tour aboard U.S.S. *Downes* FF-070.

Commander Fogarty's duties ashore included scheduler for the commander in chief, U.S. Pacific Fleet, exercises and plans officer for the commander, U.S. Sixth Fleet, and the Office of Legislative Affairs.

As Assistant Director of the Navy's Senate Liaison Office for the last 5 years, Commander Fogarty has provided timely support and accurate information on Navy plans and programs. Working closely with the U.S. Senate, he has helped maintain the best trained, best equipped, and best prepared Navy in the world. His consummate leadership, integrity, and tireless energy serve as an example for us all.

Mr. President, Sean Fogarty, his wife, Anita, and daughters, Larissa, Colleen, and Megan have made many sacrifices during his 24-year naval career. They have made significant contributions to the outstanding naval forces upon which our country relies so heavily. During his illustrious career, Commander Fogarty has been the recipient of many awards and commendations including the Legion of Merit. He is a great credit to both the Navy and the country he so proudly serves. As he now retires from the naval service, I call upon my colleagues from both sides of the aisle to wish him fair winds and following seas.●

#### CHARLES A. HORSKY

• Mr. MOYNIHAN. Mr. President, Mr. Charles Horsky, former adviser to Presidents Kennedy and Johnson on the District of Columbia, passed away during the August recess. I rise today to pay honor to this man who devoted himself to improving our Nation's Capital.

Charlie Horsky was the "Mayor of Washington." And yet, he looked forward to giving that up and getting home rule for the city of Washington. He accomplished a great deal toward that end. Mr. Horsky was instrumental in redeveloping Pennsylvania Avenue, in promoting the construction of a metropolitan subway system, and he played a crucial role in establishing the initial home rule for the citizens of Washington.

Further, he led the establishment of the National Building Museum, the John F. Kennedy Center of the Performing Arts, the University of the District of Columbia, and urged the preservation of Union Station.

I first arrived in Washington over three decades ago. Since those initial days, I was most fortunate to have known and worked with Charlie Horsky. He was as fine a gentleman as we have seen in our Capital, and his tireless efforts are reflected in so many rejuvenated aspects of the city around us. When thinking of this great man we do well to recall the epitaph of Sir