

(B) NONFINANCIAL ASSISTANCE.—Other forms of assistance that are not financial.

(C) ADMINISTRATION OF PROGRAM.—In the administration of the DELTA program under this section, the Administrator shall—

(1) process applications for DELTA program loan guarantees;

(2) guarantee repayment of the resulting loans in accordance with this section; and

(3) take such other actions as are necessary to administer the program.

(D) SELECTION AND ELIGIBILITY REQUIREMENTS FOR DELTA LOAN GUARANTEES.—

(1) IN GENERAL.—The selection criteria and eligibility requirements set forth in this subsection shall be applied in the selection of small business concerns to receive loan guarantees under the DELTA program.

(2) SELECTION CRITERIA.—The criteria used for the selection of a small business concern to receive a loan guarantee under this section are as follows:

(A) The selection criteria established under the memorandum of understanding referred to in subsection (a)(3).

(B) The extent to which the loans to be guaranteed would support the retention of defense workers whose employment would otherwise be permanently or temporarily terminated as a result of reductions in expenditures by the United States for defense, the termination or cancellation of a defense contract, the failure to proceed with an approved major weapon system, the merger or consolidation of the operations of a defense contractor, or the closure or realignment of a military installation.

(C) The extent to which the loans to be guaranteed would stimulate job creation and new economic activities in communities most adversely affected by reductions in expenditures by the United States for defense, the termination or cancellation of a defense contract, the failure to proceed with an approved major weapon system, the merger or consolidation of the operations of a defense contractor, or the closure or realignment of a military installation.

(D) The extent to which the loans to be guaranteed would be used to acquire (or permit the use of other funds to acquire) capital equipment to modernize or expand the facilities of the borrower to enable the borrower to remain in the national technology and industrial base available to the Department of Defense.

(3) ELIGIBILITY REQUIREMENTS.—To be eligible for a loan guarantee under the DELTA program, a borrower must demonstrate to the satisfaction of the Administrator that, during any 1 of the 5 preceding operating years of the borrower, not less than 25 percent of the value of the borrower's sales were derived from—

(A) contracts with the Department of Defense or the defense-related activities of the Department of Energy; or

(B) subcontracts in support of defense-related prime contracts.

(E) MAXIMUM AMOUNT OF LOAN PRINCIPAL.—The maximum amount of loan principal for which the Administrator may provide a guarantee under this section during a fiscal year may not exceed \$1,250,000.

(F) LOAN GUARANTY RATE.—The maximum allowable guarantee percentage for loans guaranteed under this section may not exceed 80 percent.

(G) FUNDING.—

(1) IN GENERAL.—The funds that have been made available for loan guarantees under the DELTA program and have been transferred from the Department of Defense to the Small Business Administration before the date of the enactment of this Act shall be used for carrying out the DELTA program under this section.

(2) CONTINUED AVAILABILITY OF EXISTING FUNDS.—The funds made available under the second proviso under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE" in Public Law 103-335 (108 Stat. 2613) shall be available until expended—

(A) to cover the costs (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees issued under this section; and

(B) to cover the reasonable costs of the administration of the loan guarantees.

#### SESSIONS (AND OTHERS) AMENDMENT NO. 1125

Mr. SESSIONS (for himself, Mr. CRAIG, and Mr. FAIRCLOTH) proposed an amendment to amendment No. 1078 proposed by Mr. DURBIN to the bill, S. 1061, *supra*; as follows:

At the end of the amendment, add the following:

SEC. . (a) GENERAL LIMITATION.—Notwithstanding any other provision of law, if any attorneys' fees are paid (on behalf of attorneys for the plaintiffs) in connection with an action maintained by a State against one or more tobacco companies to recover tobacco-related Medicaid expenditures or for other causes of action involved in the settlement agreement, such fees shall—

(1) not be paid at a rate that exceeds \$250 per hour; and

(2) be limited to a total of \$5,000,000.

(b) FEE ARRANGEMENTS.—Subsection (a) shall apply to attorneys' fees provided for or in connection with an action of the type described in such subsection under any—

(1) court order;

(2) settlement agreement;

(3) contingency fee arrangement;

(4) arbitration procedure;

(5) alternative dispute resolution procedure (including mediation); or

(6) other arrangement providing for the payment of attorneys' fees.

(c) EXPENSES.—The limitation described in subsection (a) shall not apply to any amounts provided for the attorneys' reasonable and customary expenses.

(d) REQUIREMENTS.—No award of attorneys' fees shall be made under any national tobacco settlement until the attorneys involved have—

(1) provided to the Governor of the appropriate State, a detailed time accounting with respect to the work performed in relation to any legal action which is the subject of the settlement or with regard to the settlement itself; and

(2) made public disclosure of the time accounting under paragraph (1) and any fee agreements entered into, or fee arrangements made, with respect to any legal action that is the subject of the settlement.

(e) PROVISION OF FUNDS FOR CHILDREN'S HEALTH RESEARCH.—Any amounts provided for attorneys' fees in excess of the limitation applicable under this section shall be paid into the Treasury for use by the National Institutes of Health for research relating to children's health.

(f) EFFECTIVE DATE.—The limitation on the payment of attorneys' fees contained in this section shall become effective on the date of enactment of any Act providing for a national tobacco settlement.

#### NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the infor-

mation of the Senate and the public that a hearing has been scheduled before the full Committee on Energy and Natural Resources to consider the nominations of Ernest J. Moniz to be Under Secretary, Department of Energy; Michael Telson to be chief financial officer, Department of Energy; Mary Anne Sullivan to be general counsel, Department of Energy; Dan Reicher to be Assistant Secretary for Energy, Efficiency, and Renewable Energy, Department of Energy; Robert Gee to be Assistant Secretary for Policy and International Affairs, Department of Energy; and John Angell to be Assistant Secretary for Congressional and Intergovernmental Affairs, Department of Energy.

The hearing will take place Thursday, September 18, 1997 at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

For further information, please call Camille Flint at (202) 224-5070.

COMMITTEE ON AGRICULTURE, NUTRITION, AND  
FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will hold a full committee hearing on Tuesday, October 7, 1997 at 9 a.m. in SR-328A. The purpose of this hearing is to examine food safety issues and recent food safety legislation proposed by the U.S. Department of Agriculture.

#### AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, September 9, 1997, at 10 a.m. in open session, to consider the nomination of Gen. Henry H. Shelton, USA, to be Chairman of the Joint Chiefs of Staff.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. BROWNBACK. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee Special Investigation to meet on Tuesday, September 9, at 10 a.m., for a hearing on campaign financing issues.

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

#### ADDITIONAL STATEMENTS

##### ISLAMIC AND ARAB BUSINESS INVESTMENT CONFERENCE

• Mr. ABRAHAM. Mr. President, I rise today to express my sincere best wishes to those individuals who are participating in the Islamic & Arab Business Investment Conference in Detroit, MI. The objective of this Conference is to bring Islamic and Arab leaders together to focus upon business investment opportunities in North

America and around the world. This event which begins on September 12, 1997, is worthy of recognition.

Mr. President, I commend each person who will participate in this important conference, which in effect advances and demonstrates the continuing positive contributions of Muslim and Arab Americans. Through lectures, round table discussions, and exchange of ideas, I am confident that this conference will continue to build upon the relationships which exist between the United States and the Muslim and Arab communities.

Many in the Islamic and Arab communities have given generously of their time and energy in preparation for this conference. They are to be commended for their efforts and I am pleased to recognize this event in the U.S. Senate.●

#### TRIBUTE TO FLORIDA A&M UNIVERSITY: "COLLEGE OF THE YEAR"

● Mr. GRAHAM. Mr. President, as we send our children and grandchildren back to school to begin another academic year, we as a nation focus on the vital role of education.

Florida is proud of its role in developing and nurturing colleges and universities of excellence that have educated generations of America's leaders. One of those institutions, Florida A&M University, has been cited as "College of the Year" by the editors of *Time* magazine and *The Princeton Review*.

The editors cited the school's outstanding enrollment of National Achievement Scholars, its position as the only historically African-American college to offer four Ph.D programs, and dramatic enrollment growth.

This well-deserved national recognition is a tribute to the students, alumni, and staff of Florida A&M University. It also reflects the outstanding leadership of President Frederick Humphries, who has led the institution with vision and dedication since 1985.

When classes began this academic year, enrollment exceeded 10,000 students, up from 3,200 in the mid-eighties. Florida A&M University enrolled its largest freshman class ever this fall.

Further, the number of bachelors' degrees awarded since 1991 has more than tripled, from 463 in 1991 to 1,524 last year, surpassing Howard University as America's leading granter of undergraduate degrees to African-American college graduates.

During this decade, Florida A&M University, along with Harvard, has been a leader in attracting National Achievement Scholars. Florida A&M University led the Nation in 1992 and 1995; Harvard in 1993 and 1994.

While all this was occurring—enrollment growth, more degrees awarded and more scholars enrolled—overall admission standards increased. In the past 10 years, Scholastic Aptitude Test scores of Florida A&M University-

bound students rose more than 200 points.

Mr. President, I have been honored to visit Florida A&M University on many occasions. I have experienced the special spirit on campus, in the classrooms, and among the greater Florida A&M University family of alumni, faculty, administrators, and students.

Our State and Nation are better because of Florida A&M University and its commitment to educational excellence. Congratulations, Rattlers.

Mr. President, I ask that an editorial published in the *Tallahassee Democrat* newspaper on August 26, 1997, be printed in the RECORD.

The editorial follows:

#### WHY FAMU'S TOP ACHIEVEMENTS RATE NATIONAL PRESS

Vestiges of a past when men and women were judged by the color of their skin are still with us. And one of those monuments of intolerance ranks as one of Tallahassee's brighter stars, Florida A&M University.

In an age where segregation is illegal, the natural question is, Why have two universities: one white, one black?

But the reason for FAMU's existence is as strong today as it was when black people were driven from pillar to post and denied higher education. *Time* Magazine and the *Princeton Review* lauded FAMU as the premier producer of black graduates and for its work in establishing doctorate programs.

#### HE RECRUITED STUDENTS, LINED UP JOBS

Consider what wonders FAMU has performed with students in need of opportunity. Since 1991, the school tripled the size of its graduating classes. President Frederick Humphries' peripatetic efforts landed those graduates hundreds of jobs with major corporations, thus pumping into our mainstream new generations of black achievers able to earn their own way.

His development of new doctoral programs opened new avenues of academic success, and his linkages with the federal government brought dollars and prestige to FAMU and to Tallahassee.

We're still moving toward that day when we'll all be judged by the content of our character, not solely by the color of our skin. But until we get there, institutions such as FAMU are an integral and necessary part of the journey.

In an age of voluntary segregation—when the rich and well-to-do take their tax dollars, culture and opportunities beyond the pale of our cities—hundreds of thousands of blacks and poor whites are left to founder in the race for jobs and college placement.

For those students, the nurturing influence of institutions such as FAMU cannot be denied.●

#### TRIBUTE TO HONOR PETER WOLF TOTH

● Mr. SMITH of New Hampshire. Mr. President, I rise today to honor Peter Wolf Toth who has completed a project to present each State with a handmade wooden totem pole that incorporates local and historical figures from all across the Nation. I commend his outstanding gift to our Nation.

Peter came to the United States through extraordinary circumstances. He escaped with his mother from the Soviet takeover in Russian-occupied Hungary. Traveling through Budapest,

Yugoslavia, and Austria, Peter eventually settled in Akron, OH. His interests led him to educate himself in American history, specifically with a focus on native American lore, tribal cultures, and contributions to our lifestyle today.

Peter recently completed a project where he carved out enormous totem poles by hand and presented one to each of the fifty States to show his gratitude to our country.

His totem pole to New Hampshire was presented in 1984 and it stands in Opechee Park in Laconia, NH. The dedication ceremony that September drew a crowd of over 3,000 people.

Peter's immigration into this country, as well as his hard work, should stand as an example for all Americans. It is no doubt that he is worthy of great recognition and praise for his devotion to the United States.

Mr. President, I want to pay great homage to Peter Wolf Toth for his outstanding commitment to the United States. We are indebted to his amazing gifts and talents that he chose to share with all of us.●

#### TRIBUTE TO JUDGE ALAN GOLD

● Mr. GRAHAM. Mr. President, I am honored to welcome Judge Alan Gold to the Federal bench in the Southern District of Florida. For more than 25 years, Alan Gold has served the State of Florida with honor and distinction. I have no doubt that his outstanding service will continue in his new assignment. On September 15, Judge Gold will be sworn in, along with Mr. Donald Middlebrooks, in ceremonies in Miami, FL.

Much of my confidence in Judge Alan Gold comes from his lifelong commitment to the people of our State. He began his career more than 25 years ago, when he represented Dade County in both State and Federal courts.

In 1975, Alan Gold moved into private practice, where he developed wide recognition and respect as a leader in land use and environmental law.

In 1984, when I was Governor, I appointed Judge Gold to Florida's Land Management Study Committee, a vital post given our State's long period of rapid population growth. In addition, Judge Gold served Florida for 6 years as general counsel to the Florida High Speed Rail Transportation Commission, an entity created by the State legislature in 1984 to develop a high-speed rail transportation and magnetic levitation demonstration project.

Mr. President, in addition to his substantial professional experience, Judge Gold will bring respected academic credentials to the Federal bench. In 1989, nearly 25 years after completing a masters in law at the University of Miami School of Law, Judge Gold was invited to join his alma mater's faculty as an adjunct professor. It was a wise invitation to an outstanding role model for future generations of legal professionals.

As a result of his distinguished efforts in the public interest and in private practice, Alan Gold was appointed