

we ask of all Americans. It is a matter of fairness and shared sacrifice. At a time when the national debate is focused on getting control of the budget, now and in the future, we cannot afford to provide inappropriate corporate subsidies which undermine our efforts and which distort the free market. Perhaps most importantly, enactment of this legislation will demonstrate that Congress and the executive branch are serious about addressing and correcting a system which the American public as a whole sees as benefiting the few with access and influence, rather than serving the general public good.●

CONGRATULATIONS AND GOOD WISHES TO MARK SMITH

● Mr. BAUCUS. Mr. President, I rise to recognize and offer my deep gratitude to legislative director, Mark Smith, who tomorrow, after 14 years of public service, will leave our office to pursue a career in the private sector.

I first became acquainted with Mark in 1983, when he joined my office as a legislative correspondent. He worked on my second campaign for the Senate as a driver and advance worker. After attending law school, he returned to my staff as a natural resources expert, and finally became legislative director in 1993. Very rarely in my life have I met someone who so embodies the qualities of integrity, hard work, perseverance, and loyalty.

Mark's family comes from Thompson Falls in the northwest section of Montana. That part of our State is known around the world for its spectacular forests and mountains. And it is known throughout Montana for the respect its people hold for the land; for their strong ties of family and friendship; and for their old-fashioned values and work ethic.

All these have put their stamp on Mark, and Mark brings them to work every day.

He is an expert on the environment and natural resources. On these issues, Mark has always been able to find the elusive but essential balance. He has helped preserve Montana's most beautiful natural riches, while at the same time promoting and protecting the natural resource jobs that sustain so many Montana families. The preservation of Pompey's Pillar, the beauty of the Fort Peck Reservoir, and the prosperity of many Montana businesses are due in large part to Mark's appreciation of our great outdoors.

He has a respect for public service and reverence for the law that come right from the heart. Of Mark's many accomplishments here, perhaps the one that has made me proudest comes from this unique quality. That is the confirmation of two Montanans, Sid Thomas and Ron Molloy, as Federal judges. Mark helped me create a selection process that brought two of the most qualified individuals in America to the Federal bench. And that will benefit every Montanan for many years to come.

He has a rock solid work ethic and a deep respect for working men and women. Mark himself comes in to the job early and stays late. And when the Senate goes out on recess, Mark travels throughout Montana listening and learning from millworkers, farmers, small business owners, and people in every walk of life. And that has helped me more than I can say.

And finally, but perhaps most important of all, Mark is one of the most honest, loyal, and dedicated people I have ever met.

Now Mark is moving on. Everyone in our office will miss a valuable co-worker, a respected adviser, and a good friend. But I and all the rest of us are very proud to have worked with Mark, and we wish him the best in the years to come.●

TRIBUTE TO THE TOWN OF BERLIN, NH, AS IT CELEBRATES ITS CENTENNIAL ANNIVERSARY

● Mr. SMITH. Mr. President, I rise today to pay tribute to the people of Berlin, NH, on their city's 100th anniversary. The residents of this north country community will begin celebrating this historic occasion February 2 and continue celebrating with a number of festivities including a parade, fireworks show, and music presentation.

The tract of New Hampshire's wilderness now known as Berlin allowed the first settlers striving for independence to come across the mountains to start a new community in the isolated but spectacularly beautiful, rugged land. At that time, the area was called the Plantation of Maynesborough after a renowned English gentleman to whom it was granted by the Crown in 1771. Though this area was severe in the winter, no one had to go hungry because the woods were full of deer and partridge, and the brooks and river teemed with trout. The seemingly endless stands of timber-pine, spruce, fir, and much more scenic beauty stretched across the land.

I travel to Berlin often. It is the gateway to northern New Hampshire. I am always heartened by the sense of community spirit and the dedication to excellence in the people of this industrial town. I have worked with the members of the city government, and many residents, on issues ranging from environmental protection to job security at the plants to economic development for local business. I know the people of Berlin to possess the Yankee independence exhibited by the first settler, William Sessions. That drive, fellowship, and community spirit still holds true in the Berlin of today.

The village was incorporated on February 2, 1897, by Governor Ramsdell, under the name of Berlin. Over the next 20 years, settlers continued farming, running sawmills, and raising homes and families. By 1920, Berlin became a busy industrial center and the capital of the papermaking world with

the formation of the Brown family's Berlin Mills Co. It is an industry still prevalent today.

Thomas Green opened Berlin's first retail market for business in 1835. By 1890, Berlin developed a downtown of wood framed stores, churches, and other public buildings that lined the unpaved streets and wooden boardwalks. After the turn of the century, several hotels, theaters, and even a large opera house could be found in the center of Berlin's flourishing economy. On July 24, 1902, a street railway began operating between Berlin and Gorham, and in 1920, the railway transported over 1.6 million passengers.

Many of the buildings that graced the streets of Berlin in the early 1900's still exist today and exemplify some of Berlin's extraordinary architecture. Several of the events planned for Berlin's centennial celebration will take place in these historic areas of the city. Sunday evening's formal ceremonies will be held in Berlin's city hall, completed in 1914 by A.N. and J.B. Gilbert. The city hall illustrates Gerogian revival architecture.

I regret I cannot attend the joyous festivities today, but I warmly congratulate the residents of Berlin on 100 years of history. I wish to extend my very best wishes for a festive week of activities and continued prosperity. Happy birthday Berlin.●

RULES OF THE COMMITTEE ON SMALL BUSINESS

● Mr. BOND. Mr. President, pursuant to the Standing Rule 26, I submit the rules for the Committee on Small Business to be printed in the CONGRESSIONAL RECORD that was adopted by the committee during its business meeting on January 29, 1997.

The rules follow:

RULES OF THE COMMITTEE ON SMALL BUSINESS

1. GENERAL

All applicable provisions of the Standing Rules of the Senate and of the Legislative Reorganization Act of 1946, as amended, shall govern the Committee.

2. MEETING AND QUORUMS

(a) The regular meeting day of the Committee shall be the first Wednesday of each month unless otherwise directed by the Chairman. All other meetings may be called by the Chairman as he deems necessary, on 3 days notice where practicable. If at least three Members of the Committee desire the Chairman to call a special meeting, they may file in the office of the Committee a written request therefor, addressed to the Chairman. Immediately thereafter, the Clerk of the Committee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the Office of the Committee their written notice that a special Committee meeting will be held, specifying the date, hour and place thereof, and the Committee shall meet at that time and place. Immediately upon the filing of such notice, the Clerk of the Committee shall notify all Committee Members that such special meeting will be held

and inform them of its date, hour and place. If the Chairman is not present at any regular, additional or special meeting, the Ranking Majority member present shall preside.

(b)(1) A majority of the Members of the Committee shall constitute a quorum for reporting any legislative measure or nomination.

(2) One-third of the Members of the Committee shall constitute a quorum for the transaction of routine business, provided that one Minority Member is present. The term "routine business" includes, but is not limited to, the consideration of legislation pending before the Committee and any amendments thereto, and voting on such amendments. 132 Congressional Record §3231 (daily edition March 21, 1986)

(3) In hearings, whether in public or closed session a quorum for the asking of testimony, including sworn testimony, shall consist of one Member of the Committee.

(c) Proxies will be permitted in voting upon the business of the Committee by Members who are unable to be present. To be valid, proxies must be signed and assign the right to vote to one of the Members who will be present. Proxies shall in no case be counted for establishing a quorum.

(d) It shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless thirty written copies of such amendment have been delivered to the office of the Committee at least 24 hours prior to the meeting. This subsection may be waived by the Chairman or by a majority vote of the members of the Committee.

3. HEARINGS

(a)(1) The Chairman of the Committee may initiate a hearing of the Committee on his authority or upon his approval of a request by any Member of the Committee. Written notice of all hearings shall be given, as far in advance as practicable, to Members of the Committee.

(2) Hearings of the Committee shall not be scheduled outside the District of Columbia unless specifically authorized by the Chairman and the Ranking Minority Member or by consent of a majority of the Committee. Such consent may be given informally, without a meeting.

(b)(1) Any Member of the Committee shall be empowered to administer the oath to any witness testifying as to fact if a quorum be present as specified in Rule 2(b).

(2) Interrogation of witnesses at hearings shall be conducted on behalf of the Committee by Members of the Committee or such Committee staff as is authorized by the Chairman or Ranking Minority Member.

(3) Witnesses appearing before the Committee shall file with the Clerk of the Committee a written statement of the prepared testimony at least 48 hours in advance of the hearing at which the witness is to appear unless this requirement is waived by the Chairman and the Ranking Minority Member.

(c) Witnesses may be subpoenaed by the Chairman with the agreement of the Ranking Minority Member or by consent of a majority of the Members of the Committee. Such consent may be given informally, without a meeting. Subpoenas shall be issued by the Chairman or by the Member of the Committee designated by him. A subpoena for the attendance of a witness shall state briefly the purpose of the hearing and the matter or matters to which the witness is expected to testify. A subpoena for the production of memoranda, documents and records shall identify the papers required to be produced with as much particularity as is practicable.

(d) Any witness summoned to a public or closed hearing may be accompanied by coun-

sel of his own choosing, who shall be permitted while the witness is testifying to advise him of his legal rights.

(e) No confidential testimony taken, or confidential material presented to the Committee, or any report of the proceedings of a closed hearing, or confidential testimony or material submitted voluntarily or pursuant to a subpoena, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the Members of the Committee.

4. SUBCOMMITTEES

The Committee shall not have standing subcommittees.

5. AMENDMENT OF RULES

The foregoing rules may be added to, modified or amended; provided, however, that not less than a majority of the entire Membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose. •

RULES OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

• Mr. MURKOWSKI. Mr. President, in accordance with rule XXVI, paragraph 2, of the Standing Rules of the Senate, I hereby submit for publication in the CONGRESSIONAL RECORD, the rules of the Committee on Energy and Natural Resources.

The rules follow:

RULES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Rule 1. The Standing Rules of the Senate as supplemented by these rules, are adopted as the rules of the Committee and its Subcommittees.

MEETINGS OF THE COMMITTEE

Rule 2. (a) The Committee shall meet on the third Wednesday of each month while the Congress is in session for the purpose of conducting business, unless, for the convenience of Members, the Chairman shall set some other day for a meeting. Additional meetings may be called by the Chairman as he may deem necessary.

(b) Business meetings of any Subcommittee may be called by the Chairman of such Subcommittee. Provided, That no Subcommittee meeting or hearing other than a field hearing, shall be scheduled or held concurrently with a full Committee meeting or hearing, unless a majority of the Committee concurs in such concurrent meeting or hearing.

OPEN HEARINGS AND MEETINGS

Rule 3. (a) Hearings and business meetings of the Committee or any Subcommittee shall be open to the public except when the Committee or such Subcommittee by majority vote orders a closed hearing or meeting.

(b) A transcript shall be kept of each hearing of the Committee or any Subcommittee.

(c) A transcript shall be kept of each business meeting of the Committee or any Subcommittee unless a majority of the Committee or the Subcommittee involved agrees that some other form of permanent record is preferable.

HEARING PROCEDURE

Rule 4. (a) Public notice shall be given of the date, place, and subject matter of any hearing to be held by the Committee or any Subcommittee at least one week in advance of such hearing unless the Chairman of the full Committee or the Subcommittee involved determines that the hearing is non-controversial or that special circumstances require expedited procedures and a majority

of the Committee or the Subcommittee involved concurs. In no case shall a hearing be conducted with less than twenty-four hours notice.

(b) Each witness who is to appear before the Committee or any Subcommittee shall file with the Committee or Subcommittee, at least 24 hours in advance of the hearing, a written statement of his or her testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

(c) Each member shall be limited to five minutes in the questioning of any witness until such time as all Members who so desire have had an opportunity to question the witness.

(d) The Chairman and the ranking Minority Member or the ranking Majority and Minority Members present at the hearing may each appoint one Committee staff member to question each witness. Such staff member may question the witness only after all Members present have completed their questioning of the witness or at such other time as the Chairman and the ranking Majority and Minority Members present may agree.

BUSINESS MEETING AGENDA

Rule 5. (a) A legislative measure or subject shall be included on the agenda of the next following business meeting of the full Committee or any Subcommittee if a written request for such inclusion has been filed with the Chairman of the Committee or Subcommittee at least one week prior to such meeting. Nothing in this rule shall be construed to limit the authority of the Chairman of the Committee or Subcommittee to include legislative measures or subjects on the Committee or Subcommittee agenda in the absence of such request.

(b) The agenda for any business meeting of the Committee or any Subcommittee shall be provided to each Member and made available to the public at least three days prior to such meeting, and no new items may be added after the agenda is so published except by the approval of a majority of the Members of the Committee or Subcommittee. The Staff Director shall promptly notify absent Members of any action taken by the Committee or any Subcommittee on matters not included on the published agenda.

QUORUMS

Rule 6. (a) Except as provided in subsections (b), (c), and (d), seven Members shall constitute a quorum for the conduct of business of the Committee.

(b) No measure or matter shall be ordered reported from the Committee unless eleven Members of the Committee are actually present at the time such action is taken.

(c) Except as provided in subsection (d), one-third of the Subcommittee Members shall constitute a quorum for the conduct of business of any Subcommittee.

(d) One Member shall constitute a quorum for the purpose of conducting a hearing or taking testimony on any measure or matter before the Committee or any Subcommittee.

VOTING

Rule 7. (a) A rollcall of the Members shall be taken upon the request on any Member. Any Member who does not vote on any rollcall at the time the roll is called, may vote (in person or by proxy) on that rollcall at any later time during the same business meeting.

(b) Proxy voting shall be permitted on all matters, except that proxies may not be counted for the purpose of determining the presence of a quorum. Unless further limited, a proxy shall be exercised only upon the date for which it is given and upon the items published in the agenda for that date.

(c) Each Committee report shall set forth the vote on the motion to report the measure or matter involved. Unless the Committee directs otherwise, the report will not set