

are not contributing to illegal immigration.

In order to participate in the new pilot program, a country must have a low visa refusal rate at our consulates abroad. Under the normal Visa Waiver Program, qualifying countries must have a refusal rate of less than 2 percent over the past 2 years. The Abraham-Kennedy pilot program would set the requirement at 3 percent for countries to enter the program on a pilot basis. In recent times, Portugal's refusal rate has been below the 3-percent threshold, so unless Portugal's refusal rate rises, I would look forward at long last to welcoming Portugal into this program.

Mr. President, the Visa Waiver Program works, and I urge Congress to extend it. I commend Senator ABRAHAM for offering this timely legislation, and I am proud to be a sponsor.

Mr. MURKOWSKI. Mr. President, I rise today to support Senator ABRAHAM and Senator KENNEDY's efforts to amend and reauthorize the Visa Waiver Pilot Program [VWPP]. The Visa Waiver Pilot Program has been highly successful program, freeing up embassy staff, promoting tourism and trade, and fostering closer ties between our country and her allies. Chairman ABRAHAM has made a number of important changes to the VWPP which I believe will make this program even more successful. The changes include tightening controls so that there will not be abuse of the program, and adjusting the admission criteria to include deserving countries.

As many of my colleagues know, I have been a strong advocate of including South Korea in the Visa Waiver Pilot Program. I believe no other country, not currently included in the pilot program, represents as close an ally as South Korea. As our fifth largest export market, home to 37,000 of our troops, and with an economy larger than all but 5 of the current visa waiver countries, this democratic country deserves the right to participate in this program. With a 1996 unemployment rate of 2 percent, lower than all but one of the VWPP countries, the burgeoning middle class in South Korea should be able to travel to the United States without the cumbersome restraints associated with citizens traveling from high-risk countries.

The Abraham legislation is a positive step, but it is unclear if South Korea will be eligible for the VWPP in the short term because of the bill's continued reliance on refusal rates as the defining criteria for admission. However, under this legislation Korea stands a much better chance of becoming eligible than under current law. For this reason and the fact that Senator ABRAHAM and Senator KENNEDY have strengthened the safeguards in the VWPP, I am supporting this legislation.

This bill expands along the concept of promoting tourism and trade and fostering closer ties between our coun-

try and our allies by increasing the refusal rates needed to become eligible for inclusion into the Visa Waiver Pilot Program. The bill also addresses many of the concerns raised by the Immigration and Naturalization Service and the Justice Department by including additional safeguards to ensure that the program is not abused and becomes a vehicle for illegal immigration.

For instance, in order for a visa waiver country to be redesignated as a visa waiver country, under this legislation the Attorney General must make precise estimates, based upon data collected from an automated entry-exit control system, of the overstay rates of each country. If the Attorney General cannot make an estimate for a country, that country will lose its privilege to travel to the United States visa free.

In the past, Congress could not adequately monitor the effectiveness of the Visa Waiver Pilot Program. With the requirements for overstay rates, Congress will have analytical evidence that countries are not abusing this privilege and that the Visa Waiver Pilot Program works. Coupled with the additional safeguards, including the requirement for machine readable and highly fraud resistant passports for countries entering the program, the entry-exit control system, already being implemented by INS, will ensure that the VWPP continues to be successful.

I would like to see further changes. For example, changing the reliance on arbitrary refusal rates decided in many cases by overworked staff in our embassies and consulate offices abroad. Examples where embassy staff have mistakingly denied visas, abound. They include:

President Kim Young Sam's sister rejected the first time she applied for a tourist visa.

The daughter of the chairman of the multibillion-dollar company, Hyundai, was rejected for a student visa based on insufficient financial resources.

The son of the president of IBM Korea was rejected because the consular office did not believe the son would be a good student. He had already been accepted in the school in the United States.

For South Korea, where our United States Embassy processes more non-immigrant visa applications than any other country in the world, the use of the refusal rate automatically puts South Korea at a disadvantage. This needs to be corrected. Perhaps with the establishment of a working entry-exit control system required in this bill, the overstay rate coupled with other objective criteria can be used to determine eligibility.

I would like to commend Senator ABRAHAM and Senator KENNEDY for taking such an active role regarding Korea and the Visa Waiver Pilot Program. The Subcommittee on Immigration on the Judiciary Committee has worked closely with my staff to try to accommodate my concerns. I look for-

ward to working closely with both Senators in the future regarding this issue.

ADDITIONAL COSPONSORS

S. 61

At the request of Mr. LOTT, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 61, a bill to amend title 46, United States Code, to extend eligibility for veterans' burial benefits, funeral benefits, and related benefits for veterans of certain service in the United States merchant marine during World War II.

S. 219

At the request of Mr. LUGAR, his name was added as a cosponsor of S. 219, a bill to amend the Trade Act of 1974 to establish procedures for identifying countries that deny market access for value-added agricultural products of the United States.

S. 606

At the request of Mr. HUTCHINSON, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 606, a bill to prohibit discrimination in contracting on federally funded projects on the basis of certain labor policies of potential contractors.

S. 648

At the request of Mr. GORTON, the name of the Senator from Oregon [Mr. SMITH] was added as a cosponsor of S. 648, a bill to establish legal standards and procedures for product liability litigation, and for other purposes.

S. 723

At the request of Mr. LAUTENBERG, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 723, a bill to increase the safety of the American people by preventing dangerous military firearms in the control of foreign governments from being imported into the United States, and for other purposes.

S. 781

At the request of Mr. HATCH, the name of the Senator from Georgia [Mr. COVERDELL] was added as a cosponsor of S. 781, a bill to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment.

S. 927

At the request of Ms. SNOWE, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 927, a bill to reauthorize the Sea Grant Program.

S. 1066

At the request of Mr. WELLSTONE, the names of the Senator from Illinois [Ms. MOSELEY-BRAUN], and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of S. 1066, a bill to amend the Internal Revenue Code of 1986 to allow the alcohol fuels credit to be allocated to patrons of a cooperative in certain cases.

SENATE JOINT RESOLUTION 6

At the request of Mr. KYL, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor

of Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

SENATE CONCURRENT RESOLUTION 7

At the request of Mr. SARBANES, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of Senate Concurrent Resolution 7, a concurrent resolution expressing the sense of Congress that Federal retirement cost-of-living adjustments should not be delayed.

SENATE CONCURRENT RESOLUTION 30

At the request of Mr. HELMS, the name of the Senator from Pennsylvania [Mr. SANTORUM] was added as a cosponsor 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.

SENATE CONCURRENT RESOLUTION 38

At the request of Mr. ROTH, the name of the Senator from Michigan [Mr. ABRAHAM] was added as a cosponsor of Senate Concurrent Resolution 38, a concurrent resolution to state the sense of the Congress regarding the obligations of the People's Republic of China under the Joint Declaration and the Basic Law to ensure that Hong Kong remains autonomous, the human rights of the people of Hong Kong remain protected, and the government of the Hong Kong SAR is elected democratically.

SENATE RESOLUTION 119

At the request of Mr. FEINGOLD, the names of the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Vermont [Mr. LEAHY] were added as cosponsors of Senate Resolution 119, a resolution to express the sense of the Senate that the Secretary of Agriculture should establish a temporary emergency minimum milk price that is equitable to all producers nationwide and that provides price relief to economically distressed milk producers.

SENATE RESOLUTION 122—DECLARING SEPTEMBER 26, 1997 AS AUSTRIAN-AMERICAN DAY

Mr. ENZI submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 122

Whereas 1997 marks the 50th anniversary of General George C. Marshall's plan for assisting the free countries of Europe in their post-World War II rebuilding process;

Whereas on September 26, 1945, upon the insistence of the United States, a conference was held in Vienna by the Allies and the 9 Austrian Federal State Governors, that laid the foundation for the first post-war Austrian government recognized by the United States and the other Allied Forces;

Whereas this treaty saved Austria from being divided into an East and West, as in Germany;

Whereas Austrians are thankful for the generosity demonstrated by the citizens and

the Government of the United States after World War II;

Whereas Austrian-Americans have made important contributions to the American way of life as well as in industry, education, culture, and the arts and sciences; and

Whereas Austrian born Americans, or Americans of Austrian descent, have brought prestige and recognition to the United States as Nobel laureates in medicine, economics, and the sciences: Now, therefore, be it

Resolved, That the Senate—

(1) declares September 26, 1997, as "Austrian-American Day"; and

(2) authorizes and requests the President to commend this observance to the citizens of the United States in honor of this momentous occasion.

Mr. ENZI. Mr. President, I rise to join my friend, the Honorable Senator from Indiana, RICHARD LUGAR, in the submission of a resolution declaring September 26, 1997, Austrian-American Day. We are also joined by many distinguished colleagues from both sides of the aisle in support of this measure to commemorate and celebrate the strong ties that bind the Government of Austria and the United States and our people. This resolution has deep meaning to me because of my Austrian roots and heritage.

The year 1997 has special significance in the history of Austrian-American relations for it marks the 50th anniversary of what became known as the Marshall plan. It was 1947 when Gen. George C. Marshall outlined his vision of a program to rebuild war-torn Europe through a policy of reconciliation and compassion. The Marshall plan that was eventually implemented by the United States is remembered fondly by the free nations of Europe for its monumental and generous aid that gave the people of these nations hope after the most costly war in the history of the world—hope for freedom and lasting peace. Without the incredible vision of General Marshall the democracies of Europe might have floundered in their rebuilding efforts, creating an avenue for the expansion of communism in the midst of the cold war. Marshall's foresight and the willingness of the people and the Government of the United States to assist all of free Europe, especially Austria, resulted in the growth of stable governments in these countries.

Austrians have not forgotten the efforts of the United States to maintain the unity of their country after World War II. The United States was instrumental in calling for a conference to be held in Vienna to debate the future of Austria. On September 26, 1945, this conference was convened between the Allies and the representatives of the nine Austrian Federal States, during which a treaty was signed that rescued Austria from a fate similar to that of the Soviet-occupied European countries and a divided Germany.

The resolution I propose today, commemorates the sacrifices Americans made for Austria after World War II, as well as contributions that Austrian immigrants and Americans and Austrian

decent have made to the American way of life in industry, education, government, culture, and the arts. Austrian-Americans that have earned the Nobel Prize include Victor Franz Hess in physics, Karl Landsteiner in medicine, and Friedrich von Hayek in economics. Austria has produced the likes of United States Supreme Court Justices Felix Frankfurter and Earl Warren; the originator of the Pulitzer Prize, Joseph Pulitzer; John David Hertz, the founder of today's Hertz-Rent-A-Car and the well-known Yellow Cab system; Estee Lauder, maker of leading cosmetics; and Raoul Fleischman, cofounder of the New Yorker magazine and member of the Fleischman yeast family.

Through the years, Americans have also enjoyed the work of those Americans of Austrian descent or origin, such as Fred Astaire, Billy Wilder, and of course "The Terminator," Arnold Schwarzenegger. This is but a small sample of the names to be found on a list of famous Austrian-Americans who have made heartfelt contributions to the legacy of the America they love.

Austria and the United States have shared these common ideals and interests, not just in the past 50 years, but for nearly two centuries. It is for these reasons that I feel it is altogether appropriate that we recognize not only the proud people of Austria, but the warm and cordial relations that exist between our two countries at this historic time that holds such deep meaning for both our nations.

AMENDMENTS SUBMITTED

THE FOOD AND DRUG ADMINISTRATION MODERNIZATION AND ACCOUNTABILITY ACT OF 1997
PRESCRIPTION DRUG USERS FEE
REAUTHORIZATION ACT OF 1997HARKIN (AND OTHERS)
AMENDMENT NO. 1137

(Ordered to lie on the table.)

Mr. HARKIN (for himself, Mr. HATCH, Mr. DASCHLE, and Ms. MIKULSKI) submitted an amendment intended to be proposed by them to the bill (S. 830) to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes; as follows:

At the appropriate place, insert the following new section:

SEC. ____ . ESTABLISHMENT OF NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE.

(a) IN GENERAL.—Title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended—

(1) by striking section 404E; and

(2) in part E, by amending subpart 4 to read as follows:

“Subpart 4—National Center for Complementary and Alternative Medicine
“SEC. 485C. PURPOSE OF CENTER.

“(a) IN GENERAL.—The general purposes of the National Center for Complementary and