

States Senate, or (6) for the payment of Senate Recording and Photographic Services.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 1997, through February 28, 1998, and March 1, 1998, through February 28, 1999, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

#### SENATE RESOLUTION 47—RELATIVE TO ACCURATE GUIDELINES FOR BREAST CANCER SCREENING

Ms. SNOWE (for herself, Ms. MIKULSKI, Mrs. HUTCHISON, Mrs. FEINSTEIN, Mrs. BOXER, Mrs. MURRAY, Ms. MOSELEY-BRAUN, Ms. LANDRIEU, Ms. COLLINS, Mr. LEVIN, Mr. AKAKA, Mr. BRYAN, Mr. CLELAND, Mr. TORRICELLI, Mr. HOLLINGS, Mr. FORD, Mr. BINGAMAN, Mr. BREAU, Mr. KERREY, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. WELLSTONE, Mr. GRAHAM, Mr. DODD, Mr. KERRY, Mr. KENNEDY, Mr. GLENN, Mr. LIEBERMAN, Mr. SARBANES, Mr. LAUTENBERG, Mr. WYDEN, Mr. BAUCUS, Mr. MOYNIHAN, Mr. BIDEN, Mr. DORGAN, Mr. DURBIN, Mr. CONRAD, Mr. BUMPERS, Mr. LEAHY, Mr. FAIRCLOTH, Mr. ROBB, Mr. SPECTER, Mr. D'AMATO, Mr. ABRAHAM, Mr. GRASSLEY, Mr. COATS, Mr. COVERDELL, Mr. KEMPTHORNE, Mr. WARNER, Mr. MURKOWSKI, Mr. THOMAS, and Mr. BOND) submitted the following resolution; which was considered and agreed to:

##### S. RES. 47

Whereas the National Cancer Institute is the lead Federal agency for research on the causes, prevention, diagnosis, and treatment of cancer;

Whereas health professionals and consumers throughout the United States regard the guidelines of the National Cancer Institute as reliable scientific and medical advice;

Whereas it has been proven that intervention through routine screening for breast cancer through mammography can save the lives of women at a time when medical science is unable to prevent this disease;

Whereas the National Cancer Institute issued a guideline in 1989 recommending that women in their forties seek mammograms, but rescinded this guideline in 1993;

Whereas in 1993, it was difficult to have the same degree of scientific confidence about the benefit of mammography for women between the ages of 40 and 49 as existed for women between the ages of 50 and 69 due to inherent limitations in the studies that were conducted as of that date;

Whereas at that time, the American Cancer Society and 21 other national medical organizations and health and consumer groups were at variance with the decision of the National Cancer Institute to rescind the guidelines of the Institute for mammography for women between the ages of 40 and 49;

Whereas the statement of scientific fact on breast cancer screening issued by the National Cancer Institute on December 3, 1993, caused widespread confusion and concern among women and physicians, eroded confidence in mammography, and reinforced barriers and negative attitudes that keep women of all ages from being screened;

Whereas in 1995, investigators found a 24 percent lower death rate among women who received mammograms in their forties when the world's population-based trials were combined;

Whereas in 1996, Swedish researchers in 2 studies found a 44 and 36 percent lower death rate among women who received mammograms in their forties;

Whereas a number of studies have shown that breast tumors in women under the age of 50 may grow far more rapidly than in older women, suggesting, that annual mammograms are of value to women in this age group;

Whereas on January 23, 1997, a panel convened by the National Institutes of Health reviewed these and other compelling studies but decided not to recommend that the National Cancer Institute reissue its earlier guidelines;

Whereas the Director of the National Cancer Institute and other major national organizations, including the American Cancer Society, expressed surprise and disappointment with this decision;

Whereas the majority (approximately 80 percent) of women who are diagnosed with breast cancer have no identifiable risk for this disease;

Whereas breast cancer is the single leading cause of death for women in their forties and fifties, and a leading cause of death for women between the ages of 30 and 60; and

Whereas more women will be diagnosed with breast cancer this year in their forties (over 33,000 women) than in their fifties: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) adequately designed and conducted studies are needed to further determine the benefits of screening women between the ages of 40 and 49 through mammography and other emerging technologies; and

(2)(A) the Senate strongly urges the Advisory Panel for the National Cancer Institute to consider reissuing the guideline rescinded in 1993 for mammography for women between the ages of 40 and 49 when it convenes in February; or

(B) until there is more definitive data, direct the public to consider guidelines issued by other organizations.

#### SENATE RESOLUTION 48—RELATIVE TO THE DIRECTOR OF THE OFFICE OF SENATE FAIR EMPLOYMENT PRACTICES

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

##### S. RES. 48

*Resolved*,

#### SECTION 1. TEMPORARY AND INTERMITTENT SERVICE.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term "Director" means the Director of the Office of Senate Fair Employment Practices.

(2) HEARING OFFICER.—The term "hearing officer" means a hearing officer appointed in accordance with section 307(b) of the Government Employee Rights Act of 1991 (2 U.S.C. 1207(b)) (as in effect on January 22, 1995).

(3) OFFICE.—The term "Office" means the Office of Senate Fair Employment Practices.

(b) DIRECTOR.—

(1) SERVICE.—The acting Director may continue to serve as the Director only on a temporary and intermittent basis, in accordance with a contract entered into with the President pro tempore of the Senate, on the recommendation of the Majority Leader and the Minority Leader of the Senate.

(2) CONTRACT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), subsection (b) of section 303 of the Government Employee Rights Act

of 1991 (2 U.S.C. 1203) (as in effect on January 22, 1995) shall not apply to the service of the Director.

(B) EXCEPTION.—The contract shall include provisions concerning such service that are consistent with the last sentence of subsection (b)(1) of such section 303 of the Government Employee Rights Act of 1991.

(c) HEARING OFFICERS.—The President pro tempore of the Senate may extend pursuant to an agreement between the President pro tempore and a hearing officer, a contract that was entered into by the Director and the hearing officer prior to the date of adoption of this resolution. The President pro tempore shall extend any such contract on behalf of the Office in the same manner and under the same conditions as a standing committee of the Senate may procure services on behalf of the committee under section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)). The Director shall have no authority under subsection (c) of such section 303 of the Government Employee Rights Act of 1991.

(d) EXPENSES OF THE OFFICE.—

(1) APPROVAL.—The Office shall have no authority to approve a voucher under subsection (d) of such section 303 of the Government Employee Rights Act of 1991, except for the compensation of a hearing officer. The Office shall also obtain the approval of the Committee on Rules and Administration of the Senate for voucher for the compensation of the hearing officer. The Officer shall obtain the approval of the President pro tempore of the Senate and the Committee for any voucher required under such subsection for the compensation of the Director or for reimbursement of expenses for a private document carrier. The Director shall retain authority to make payments described in paragraphs (2) through (5) of the third sentence of such subsection.

(2) LIMITATIONS.—Payments described in paragraph (1) shall be made from amounts made available under subsection (e). The Office shall use the amounts to carry out the responsibilities of the Office in accordance with section 506 of the Congressional Accountability Act of 1995 (2 U.S.C. 1435).

(e) FUNDING.—The Secretary of the Senate may make available amounts, not to exceed a total of \$5,000, from the resolution and reorganization reserve of the miscellaneous items appropriations account, within the contingent fund of the Senate, for use by the Office through September 30, 1997.

(f) EFFECTIVE DATE.—This resolution takes effect on January 31, 1997.

(g) TERMINATION.—This authority under this resolution terminates at the end of September 30, 1997.

#### SENATE RESOLUTION 49—EXPRESSING THE CONDOLENCES OF THE SENATE

Mrs. HUTCHISON (for herself and Mr. GRAMM) submitted the following resolution; which was considered and agreed to:

##### S. RES. 49

Whereas the Senate has learned with profound sorrow and deep regret of the passing of our colleague, the Honorable Frank Tejeda;

Whereas Representative Tejeda has spent 4 years in the House of Representatives;

Whereas Representative Tejeda served his country honorably in the United States Marine Corps from 1963 to 1967; and

Whereas Representative Tejeda was awarded the Purple Heart, the Silver Star, the Commandant's Trophy, the Marine Corps Association Award, and the colonel Phil Yeckel

Award for "the best combined record in leadership, academics, and physical fitness": Now, therefore, be it

*Resolved, That—*

(1) when the Senate adjourns today, it adjourn as a further mark of admiration and respect to the memory of our departed friend and colleague, who left his mark on Texas and our Nation; and

(2) the Senate extends to his family our thoughts and prayers during this difficult time.

SEC. 2. The Secretary of the Senate shall communicate this resolution to the House of Representatives, and shall transmit an enrolled copy to the family of Representative Frank Tejeda.

Mrs. HUTCHISON. Mr. President, I have a resolution that I am submitting on behalf of myself and Senator GRAMM. I have sent it to the desk and I ask that it be held and that it be cleared by the close of business today.

Mr. President, the resolution is commending and is in honor of a fallen comrade. He was a Member of the House, a member of the Texas delegation, FRANK TEJEDA.

FRANK TEJEDA was a hero, a patriot. He served his country in every possible way. FRANK TEJEDA dropped out of high school at the age of 17 to join the Marine Corps. He liked to tell the story that he thought he would have a couple of months to sit around and dream about being in the Marine Corps. And they said to this young 17-year-old, "We would love to have you. Here are your tickets to California, you leave this afternoon." So he was off on his life adventure in the Marine Corps.

FRANK TEJEDA went to Vietnam. He was a hero in Vietnam. FRANK TEJEDA won not only the Purple Heart but the Silver Star for his heroic performance in going onto a battlefield that was riddled with bullets flying all around him to save a comrade.

He was always there when his country called. After he came back, the high school dropout went to college and graduated. He graduated not only from St. Mary's University, but also went to law school at the University of California at Berkeley and received his law degree. Then, he got graduate degrees from both Harvard and Yale. He served in the Texas Senate—I knew him there—and then he came to Congress, and we were able to serve together here.

FRANK was, in every sense, the truest Texan. I was privileged to be at his funeral yesterday in south San Antonio, at St. Leo's Catholic Church. You could see the essence of what FRANK was. You could see it in the people that he had gone to church with all his life. You could see it in the people who eulogized him, that had grown up with him, and who now are also leading citizens of San Antonio. You could see it in the people who were holding signs along the road between the church and Fort Sam Houston, where he was to be buried with full military honors.

No one will be able to fill the shoes of a great Texan like FRANK TEJEDA. He will have a successor. We will have someone that will represent San Anto-

nio and Texas in the U.S. Congress. But you don't fill the shoes of a person who never forgot from where he came, who was always there for the people that he grew up with and that he represented in the U.S. Congress, to make sure that they were part of the great American dream.

He was there for our military, he was there for our veterans. I remember when I was working to make sure that the veterans' pay came when Government was shut down. FRANK TEJEDA was right there trying to help me make sure that that happened. When the people at Kelly Air Force Base learned that their base was going to be shut down, with privatization as an option that was given by BRAC, FRANK TEJEDA and I rolled up our sleeves to go to work for privatization, because we wanted the good people at Kelly Air Force Base to be able to keep those jobs, and because we knew it was in the best interest of our country that they keep those jobs because they are the trained work force.

I think the most important thing I could say about anyone with whom I served in Congress is, if we are in a fight, he was someone I would want in the trenches with me.

That describes FRANK TEJEDA. He proved himself on the real battlefield in Vietnam. He proved that he was someone you would want in the trenches with you when you are fighting for your life, for your country, and he proved it in so many ways in his service in the U.S. Congress.

I will miss FRANK TEJEDA as a friend. America will miss him as a patriot and a hero. I would like for this resolution to be passed today when we close the Senate, and I would like to close the Senate in honor of former Congressman FRANK TEJEDA, who was buried yesterday at Fort Sam Houston with full military honors.

#### NOTICES OF HEARINGS

##### COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a hearing entitled "The President's Fiscal Year 1998 Budget Request for the United States Small Business Administration." The hearing will be held on Wednesday, February 12, 1997, beginning at 9:30 a.m., in room 428A of the Russell Senate Office Building.

For further information, please contact Louis Taylor at 224-5175.

##### COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a hearing entitled "Nomination of Aida Alvarez to be Administrator of the United States Small Business Administration." The hearing will be held on Thursday, February 13, 1997, beginning at 9:30 a.m., in room 428A of the Russell Senate Office Building.

For further information, please contact Louis Taylor at 224-5175.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Ms. SNOWE. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, February 4, 1997, at 10 a.m. in open session, to receive testimony concerning the Army sexual harassment incidents at Aberdeen Proving Ground and sexual harassment policies within the Department of Defense.

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

##### COMMITTEE ON FINANCE

Ms. SNOWE. Mr. President, I ask unanimous consent that the full Committee on Finance be permitted to meet to conduct a hearing on Tuesday, February 4, 1997, beginning at 10 a.m. in room 215-Dirksen.

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

##### COMMITTEE ON LABOR AND HUMAN RESOURCES

Ms. SNOWE. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for an Employment and Training Subcommittee hearing on Fair Labor Standards Act reform, during the session of the Senate on Tuesday, February 4, 1997, at 9:30 a.m.

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

##### COMMITTEE ON RULES AND ADMINISTRATION

Ms. SNOWE. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate to receive testimony from committee chairmen and ranking members on their committee funding resolutions for 1997 and 1998 on Tuesday, February 4, Wednesday, February 5, and Thursday, February 6, all at 9:30 a.m.

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

#### ADDITIONAL STATEMENTS

##### COSPONSORSHIP OF THE SAFE AND AFFORDABLE SCHOOLS ACT

• Mr. ABRAHAM. Mr. President, I rise today to cosponsor Senate bill S. 1, the Safe and Affordable Schools Act. I do so because I am convinced that we owe our children the opportunity to learn in a safe environment and that our children should not find the door to higher education closed to them by high costs. This legislation will help children from low income families escape unsafe schools and at the same time help parents and their children better afford higher education.

We have a crisis in our schools, Mr. President. According to one recent study, 2,000 acts of violence are committed every hour in our classrooms. The study also found that high percentages of students have changed their daily routine because of personal safety concerns, and that most students say they could obtain marijuana