

the recommendations of the General Accounting Office on improving the administration of the Packers and Stockyards Act, 1921 by the Department of Agriculture.

S. 3106

At the request of Mr. JEFFORDS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3106, a bill to amend title XVIII of the Social Security Act to clarify the definition of homebound under the medicare home health benefit.

S. 3116

At the request of Mr. BREAUX, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 3116, a bill to amend the Harmonized Tariff Schedule of the United States to prevent circumvention of the sugar tariff-rate quotas.

S. 3127

At the request of Mr. SANTORUM, the names of the Senator from Missouri (Mr. BOND) and the Senator from Michigan (Mr. ABRAHAM) were added as cosponsors of S. 3127, a bill to protect infants who are born alive.

S. 3137

At the request of Mr. MOYNIHAN, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 3137, a bill to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

S. 3147

At the request of Mr. ROBB, the names of the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. 3147, a bill to authorize the establishment, on land of the Department of the Interior in the District of Columbia or its environs, of a memorial and gardens in honor and commemoration of Frederick Douglass.

S. 3152

At the request of Mr. ROTH, the names of the Senator from Minnesota (Mr. GRAMS) and the Senator from Kansas (Mr. BROWBACK) were added as cosponsors of S. 3152, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for distressed areas, and for other purposes.

S. 3173

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 3173, a bill to improve the implementation of the environmental streamlining provisions of the Transportation Equity Act for the 21st Century.

S. RES. 364

At the request of Mr. HATCH, the names of the Senator from Missouri (Mr. ASHCROFT), the Senator from Colorado (Mr. CAMPBELL), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Virginia (Mr. ROBB) were added as cosponsors of S. Res. 364, a resolution commending Sydney, New South Wales, Australia for its successful conduct of the 2000 Summer Olym-

pic Games and congratulating the United States Olympic Team for its outstanding accomplishments at those Olympic Games.

SENATE CONCURRENT RESOLUTION 145—EXPRESSING THE SENSE OF CONGRESS ON THE PROPRIETY AND NEED FOR EXPEDITIOUS CONSTRUCTION OF THE NATIONAL WORLD WAR II MEMORIAL AT THE RAINBOW POOL ON THE NATIONAL MALL IN THE NATION'S CAPITAL

Mr. WARNER (for himself, Mr. INOUE, Mr. THURMOND, and Mr. STEVENS) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 145

Whereas World War II is the defining event of the twentieth century for the United States and its wartime allies;

Whereas in World War II, more than 16,000,000 American men and women served in uniform in the Armed Forces, more than 400,000 of them gave their lives, and more than 670,000 of them were wounded;

Whereas many millions more on the home front in the United States organized and sacrificed to give unwavering support to those in uniform;

Whereas fewer than 6,000,000 World War II veterans are surviving at the end of the twentieth century, and the Nation mourns the passing of more than 1,200 veterans each day;

Whereas Congress, in Public Law 103-422 (108 Stat. 4356) enacted in 1994, approved the location of a memorial to this epic era in an area of the National Mall that includes the Rainbow Pool;

Whereas since 1995, the National World War II Memorial site and design have been the subject of 19 public hearings that have resulted in an endorsement from the State Historic Preservation Officer of the District of Columbia, three endorsements from the District of Columbia Historic Preservation Review Board, the endorsement of many Members of Congress, and, most significantly, four approvals from the Commission of Fine Arts and four approvals from the National Capital Planning Commission (including the approvals of those Commissions for the final architectural design);

Whereas on Veterans Day 1995, the President dedicated the approved site at the Rainbow Pool on the National Mall as the site for the National World War II Memorial; and

Whereas fundraising for the National World War II Memorial has been enormously successful, garnering enthusiastic support from half a million individual Americans, hundreds of corporations and foundations, dozens of civic, fraternal, and professional organizations, state legislatures, students in 1,100 schools, and more than 450 veterans groups representing 11,000,000 veterans: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) it is appropriate for the United States to memorialize in the Nation's Capital the triumph of democracy over tyranny in World War II, the most important event of the twentieth century;

(2) the will of the American people to memorialize that triumph and all who labored to achieve it, and the decisions made on that memorialization by the appointed bodies charged by law with protecting the public's

interests in the design, location, and construction of memorials on the National Mall in the Nation's Capital, should be fulfilled by the construction of the National World War II Memorial, as designed, at the approved and dedicated Rainbow Pool site on the National Mall; and

(3) it is imperative that expeditious action be taken to commence and complete the construction of the National World War II Memorial so that the completed memorial will be dedicated while Americans of the World War II generation are alive to receive the national tribute embodied in that memorial, which they earned with their sacrifice and achievement during the largest and most devastating war the world has known.

SENATE CONCURRENT RESOLUTION 146—A CONCURRENT RESOLUTION CONDEMNING THE ASSASSINATION OF FATHER JOHN KAISER AND OTHERS IN KENYA, AND CALLING FOR A THOROUGH INVESTIGATION TO BE CONDUCTED IN THOSE CASES, A REPORT ON THE PROGRESS MADE IN SUCH AN INVESTIGATION TO BE SUBMITTED TO CONGRESS BY DECEMBER 15, 2000, AND A FINAL REPORT ON SUCH AN INVESTIGATION TO BE MADE PUBLIC, AND FOR OTHER PURPOSES

Mr. WELLSTONE (for himself and Mr. GRAMS) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 146

Whereas Father John Kaiser, a Catholic of the Order of the Mill Hill Missionaries and a native of Minnesota, who for 36 years served as a missionary in the Kisii and Ngong Dioceses in the Republic of Kenya and advocated the rights of all Kenyans, was shot dead on Wednesday, August 23, 2000;

Whereas Father Kaiser was a frequently outspoken advocate on issues of human rights and against the injustice of government corruption in Kenya;

Whereas fellow priests report that Father Kaiser spoke to them of his fear for his life on the night before his assassination;

Whereas the murders of Father Stallone, Father Graife, and Father Luigi Andeni, all of Marsabit Diocese in Kenya, the circumstances of the murder of Brother Larry Timors of Nakaru Diocese in Kenya, the murder of Father Martin Boyle of Eldoret Diocese, and the murders of other local human rights advocates in Kenya have not yet been fully explained, nor have the perpetrators of these murders been brought to justice;

Whereas the report of a Kenyan governmental commission, known as the Akiwumi Commission, on the government's investigation into tribal violence between 1992 and 1997 in Kenya's Great Rift Valley has not yet been released in spite of several requests by numerous church leaders and human rights organizations to have the Commission's findings released to the public;

Whereas, after Father Kaiser's assassination, documents were found on his body that he had intended to present to the Akiwumi Commission;

Whereas the nongovernmental Kenyan Human Rights Commission has expressed fear that the progress achieved in Kenya during the last few years in the struggle for democracy, the rule of law, respect for human rights, and meeting the basic needs of all

Kenya is jeopardized by the current Kenyan government; and

Whereas the 1999 Country Report on Human Rights released by the Bureau of Democracy, Human Rights, and Labor of the Department of State reports that the Kenyan Government's "overall human rights record was generally poor, and serious problems remained in many areas; while there were some signs of improvement in a few areas, the situation worsened in others.": Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) condemns the violent deaths of Father John Kaiser and others who have worked to promote human rights and justice in the Republic of Kenya and expresses its outrage at those deaths;

(2) calls for a thorough investigation of those deaths that includes other persons in addition to the Kenyan authorities;

(3) calls on the Secretary of State, acting through the Assistant Secretary of State for Democracy, Human Rights, and Labor, to prepare and submit to Congress, by December 15, 2000, a report on the progress made on investigating these killings, including, particularly, a discussion of the actions taken by the Kenyan government to conduct an investigation as described in paragraph (2);

(4) calls on the President to support investigation of these killings through all diplomatic means; and

(5) calls for the final report of such an investigation to be made public.

Mr. WELLSTONE. Mr. President, colleagues, I rise to today to offer a resolution calling for thorough investigation into the murder of Father John Kaiser, a Catholic missionary from Minnesota who was brutally murdered in Kenya last month, and requiring the State Department to report to Congress on the progress of the investigation by December 15th, and to make public the final findings of the investigation.

For those of you who know little of Father John Kaiser, let me just say this: Father Kaiser was an amazing man. One of those rare individuals who found his calling early in life, he remained dedicated to that calling throughout his life. A catholic of the Order of the Mill Hill Missionaries, Father Kaiser served as a missionary in Kenya for 36 years. Born in Minnesota in 1932 to a German father and Irish mother, from 1954–1957, prior to being ordained, he had served his own country in the U.S. Army training paratroopers in the 82nd Airborne.

Those who knew Father Kaiser recall him as humble and soft-spoken with totally selfless zeal for the service of others. In Kenya Father Kaiser was an outspoken advocate on the issue of human rights and injustice, and advocated those rights on behalf of all Kenyans. In March of this year Father Kaiser was awarded the "Award for Distinguished Service in the Support of Human Rights" by the Law Society of Kenya. This is the highest award given by the Law Society and it is usually awarded to three people annually—this year Father Kaiser was the sole recipient. I have a copy of the speech given by the Law Society in honor of Father Kaiser and I will ask that this speech be inserted in the RECORD. I'd also like

to note that earlier this week in St. Paul, Minnesota Father Kaiser was posthumously awarded the twin cities International Citizen Award.

Father Kaiser spoke frequently against the injustice of government corruption in Kenya and some believe this is what led to his death. In 1992 Father Kaiser was confronted for his political activism against corruption. At an inquiry into why tribal clashes killed hundred in the run-up to Kenya's first multiparty election in 1992, Kaiser had testified that two Cabinet ministers had encouraged the strife in a ploy to drive those in opposition off their land. After accusing high-level government officials of stealing land from the poor, he was arrested last year and threatened with deportation. His most recent confrontation with a powerful Kenyan involved Minister of State Julius Sunkuli, considered by many to be the current Kenya President's personal preference as a successor. Working with the Kenya chapter of the International Federation of Women Lawyers, Father Kaiser had been helping a female parishioner who claimed that Mr. Sunkuli raped her three years ago when she was 14 and fathered her child. Father Kaiser was killed one week before the court case was due to begin. A few days later, the young women dropped the charge.

Father Kaiser's death is a manifestation of the corruption and injustice rampant in Kenya today. In its annual survey issued two weeks ago, the Transparency International watchdog organization named Kenya the ninth-most corrupt country in the world, on par with Russia. In Kenya, church leaders bemoan the fact that they are told to stay out of politics. They argue that what the government calls politics—promoting human rights, social and economic justice—is part and parcel of their mission. Mr. President, colleagues, I believe the position of the leadership in Kenya is not unusual; religious persecution is up around the world because religious mandates such as promoting human rights, social and economic justice, are inherently political. We must speak up about this case not only to find the truth about Father Kaiser's death and to bring some relief to his family, but also to let Kenya and the world know that the United States does not condone Kenya's behavior.

An investigation is underway for the killer of Father Kaiser. The Kenyan Attorney General requested the help of the FBI in the investigation and today three FBI agents are in Kenya. The U.S. Ambassador has also met with the Kenyan Foreign Minister and the Kenyan Attorney General. This is a good start. I am hopeful that the State Department will continue to keep a close eye on this case. We must express our outrage at the violent death of Father John Kaiser, as well as the brutal murder of other activists fighting against injustice in Kenya. And we must demand a thorough investigation into their deaths. Prominent human rights

groups and organizations like Transparency International, report that in Kenya corruption reaches to the highest level of government. It is for that reason that any investigation must include persons other than the Kenyan authorities and its final report must be made public. That is what I call for in the Resolution I am offering today with my colleague from Minnesota. I urge you to join us in your support, not only for the family of Father Kaiser and the others who lost their lives fighting injustice in Kenya but for the countless victims who have given their lives fighting injustice worldwide.

Mr. President, I ask unanimous consent that the Law Society speech honoring Father Kaiser be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LAW SOCIETY OF KENYA—STATEMENT IN SUPPORT OF THE AWARD FOR DISTINGUISHED SERVICE IN THE PROMOTION OF HUMAN RIGHTS TO FATHER JOHN ANTHONY KAISER FOR THE YEAR 2000, MARCH 11, 2000

This year's Law Society of Kenya Awards ceremony is a rare departure from its young tradition in that we have only one recipient. But that man is rare, indeed, one of a kind. His name is Father John Anthony Kaiser. And it is a name we have all heard.

In conferring upon him the Society's award for Distinguished Service in the Promotion of human rights for the year 2000, we of the Society consider ourselves specially honored to have known and dealt with this man of God who, like the Biblical Elijah, is a voice of stern rebuke to all those that trouble the people and think it a little matter to deny sovereign citizens their God-given right to live, move and have. To them, he is a poisonous troublemaker, an unwelcome meddler and a pain in the flesh. But to us and to all those that love life and liberty, he is a stalwart defender of the defenseless and a man eminently deserving of honor.

In his life Father Kaiser has lived for and upheld two ideals namely the universality of human rights and the principle that Kenya citizenship appeals and protects all Kenyan in every part of the Republic of Kenya. In upholding these noble truths in the 1990s in Kenya Father Kaiser repeatedly found himself in trouble. Not that Father Kaiser is a man who goes out of his way to court trouble. To the contrary, he is a retiring, humble and soft-spoken "Mzee." He is a simple man without pretensions. Seeing him on a normal day one could easily dismiss him for just another tired old man. Though a tall one.

Those who know him will say he has a totally selfless zeal for the service of others. But they will also tell you that he is a man of singular candour. He is honest and forthright in speech almost to a fault. He would speak that uncomfortable truth with a startling naivete that at once sets you thinking and charms you to a new respect for the man.

Born in Minnesota, United States of America in 1932 to a German father and Irish mother, the future Father Kaiser attended a one-roomed school for eight years before he went to a Benedictine secondary school.

After a two-year stint at a junior college where he studied Greek and Latin, he joined the U.S. Army for some three years. His true calling was elsewhere and he quit to join the St. Louis College where he studied theology and philosophy. This was to be followed by some four years across the Atlantic, studying to become a priest at St. Joseph's Mill

Hill College. Father Kaiser was in 1964 posted to Kenya and specifically to the Kisii Catholic Diocese to which he dedicated 30 years of exemplary and emulable service mostly in the humble hills and valleys of Gusiland, away from any sort of public limelight. Everywhere he went he exhibited the best missionary spirit of uplifting enlightening and supporting the poor. A strong man physically, he worked with joyful energy setting up churches wherever he went sometimes single-handedly. So thoroughly did he immerse himself in the daily living of the locals that he speaks Ekegussi with a fluency that would put most native speakers of the language to shame. He became in a real sense a much loved if not revered 'Omogaka' to the Abagusii among whom he lived and served.

Come 1993, Father Kaiser was sent to the Ngong Catholic Diocese his first appointment being to the fateful Maela Refugee Camp for the internally victims of the infamous Tribal Clashes. It was while at Maela that he witnessed at even closer hand some of the most dastardly and heinous acts of man's inhumanity to man. Freeborn Kenyans who had been violently and murderously driven out of homes they had lived in all their lives were reduced to the most abject and dehumanizing poverty. He saw disease, despair, hunger and the elements ravish men and women; the young and the aged alike whose only crime was the biological and historical accident of having been born into the 'wrong' tribes. Father Kaiser busied himself in trying to alleviate in what small ways he could the anguish of those unfortunate.

It was while *in situ* at Maela, and while lawfully engaged in Christian service quite in consonance with the oft repeated credo of being mindful of the welfare of fellow Kenyans that the fell foul of the ubiquitous and often tyrannical Provincial Administration.

The existence of the Maela Refugee Camp had become an acute embarrassment to the government which was not so keen on having the shocking truth of ethnic cleansing exposed to the watching world. The camp was an eyesore abominable and damning to the Government. Some evil genius in the administration hatched the plan to erase evidence of the very existence of the Camp. Thus, on the 27th of December 1994, those hapless Kenyans, once betrayed, raped, and dispossessed, were betrayed a second time. They were descended upon in a whirlwind government operation that broke up the camp and bundled its inhabitants into trucks that would dump them in stadiums, abandoned playing fields and roadsides in the Central Province. The same bright mind in government had now invented a new term with which these unfortunate victims were baptized: Land Speculators.

The Naivasha District Officer who spearheaded the Maela mop-up was livid that among those at the camp and who witnessed the wanton dehumanization of the refugees was Father Kaiser. For merely being there and not approving of what the officers of government were doing, Father Kaiser was violently assaulted by those agents of our government, handcuffed, as a common criminal would be removed from the scene. He was held under house arrest with armed men in guard. State-sponsored terrorism is no respecter of persons even when they are harmless parish priests. Shortly after Maela, Father Kaiser was posted to Lologorian Parish in Trans Mara District. And trouble followed him there. It is an abiding if tragic fact of this country's sociopolitical landscape that no place is safe or tranquil for any honest man of pure convictions. Wherever such people are, the tyrants, sycophants, rapist and

land grabbers that dot Kenya's public life will feel uneasy and attempt to make life unbearable for them.

True to his prophetic calling as a voice for the voiceless and defender of the defenseless among his flock, Father Kaiser found himself on a collision course with those who had oppressed, displaced, dispossessed and marginalized whole clans of the Maasai in an orgy of systematic and avaricious land-grabbing. His consistent and conscientious stance against this and other evils and ills in Trans Mara was fast gaining a formidable horde of enemies at all levels of the power structure. No less than a powerful cabinet minister saw the hand of good Father Kaiser in allegations of rape or defilement leveled by young girls against the said minister. There is of course no question that it is in the nature of Father Kaiser to insist and demand that any man, no matter his rank, who proves to be a pestilential monster against nubile girls must face justice. It is a very Christian demand.

Father Kaiser's gift and burden has been his unshakable commitment to truth and justice. It is therefore not surprising that when the Commission appointed to investigate the causes of the ethnic cleansing under the Chairmanship of Court of Appeal Judge Akiwuni got down to business, he appeared to testify as to what he saw, experienced and heard.

In his painfully forthright way, the priest told the Commission the horrible things he had witnessed. He recounted tales heart-rendering in their pain and outrageous that they should be true. Unquestionably, he was a witness of truth. His testimony was one of a man with a deep and abiding need to see the demons of our national shame exorcised, the ghosts of our innocent dead compatriots finally laid to rest and the tears of their beloved wiped dry at last.

Inevitably, he categorically and bluntly told the Commission that on the basis of the facts in his possession, responsibility for the horror that was the clashes lay at the highest echelons of state. Mincing no words, he fingered the very heart of State power as the first culprit in this crime against Kenya holding the Government and its trusted lieutenants responsible. Father Kaiser mentioned dates, names, places and times.

It is a monumental irony that detailed and useful as Father Kaiser's testimony was, the Commission thought it violated some in-house rules against mentioning the Head of State and promptly expunged the same from its record.

Whether offensive to the rules of the Commission or not, and shorn of all the trappings, technicalities and complexities of procedure, Father Kaiser's experiences and observations in his own words are admissible in the Tribunal of Truth and that of public opinion and, we trust, will some day find judicial admission when those who threatened to dismember Kenya are finally brought to book. His courage, boldness and candor in saying it as it really is cannot have been in vain.

It is in the foregoing context that we view the attempt by the Kenya government to deport our hero in late 1999. A day after his testimony at the Commission, the agents of terror that he had named and shamed made a public threat that Father Kaiser would be deported from Kenya. Could what followed be related to these threats? Still smarting from the priest's insistent voice of conscience, someone suddenly remembered that this cleric who may pass for an Omppusii, a Maasai, a Kalenjin or a Kikuyu and who had lived in Kenya for as long as we have been a republic, was not a Kenyan and, by reason of his inadvertent failure to renew his work permit was deserving of immediate deporta-

tion. Evidently our laws on citizenship are in urgent need of revision. For, if Father Kaiser does not qualify for citizenship, who does?

The move by the Government was amateurish, its sinister and vindictive motivation too transparent to miss. There was an immediate chorus of condemnation of the government's persecution of the priest from many quarters including Catholic Bishops, the Kenya Human Rights Commission and the American Embassy. We are happy to recall the Law Society of Kenya added its voice in demanding that his permit be renewed. We are happier to note with a certain satisfaction that, left with no choice, Government relented and, as you can see, Father Kaiser is still here with us.

The life and times of Father John Anthony Kaiser stand out as a study in courage, determination and sacrifice on behalf of the weak, oppressed and downtrodden. He has had the loftiness of ideals to speak out against social ills and defend the native rights and dignity of mankind in the face of callus and blood-chilling abuse. He has paid the price of his convictions in being beaten, arrested, insulted and hounded but has remained true to his conscience. He has stood up to tyrants big and petty and won many battles for which the humble men and women of Kenya for whom he has striven are the happier. And in all this he has retained his cool and has urged victims of violence not to retaliate in kind. Indeed, he is on record as still loving and still praying for his persecutors.

He does not consider himself a civil rights worker. He would not call himself a human rights activist let alone its champion. He would not admit to all his achievements, which have emboldened and inspired many to love truth, cherish liberty and fight for human rights. Father Kaiser says he is just a simple parish priest. We agree. And we honor him.

Mr. GRAMS. Mr. President, I rise today to introduce a resolution along with Senator WELLSTONE which addresses a very tragic event in Kenya involving a native son of Minnesota, Father John Kaiser.

Sixty-seven years ago, Father Kaiser was born in Perham, Minnesota and grew up in Maine Township near Fergus Falls. He attended St. John's Prep in Collegeville, along with former Senator Dave Durenberger, and St. John's University. He was ordained a Catholic priest in 1964 after attending St. Joseph's Seminary in England.

His thirty-six years in the East African country of Kenya was spent building schools and helping the people. He was a strong supporter of human rights and justice for the poor and oppressed. He was their spokesman and a highly visible reminder to the Kenyan government of the injustices he sought to remedy. His courage in the face of death emboldened and strengthened the resolve of others in the human rights community to stand for principle—for law and order, decency and respect.

The cattle herders and farmers in the Great Rift Valley, the helpless young girls who may have suffered abuse at the hands of government officials and the dedicated members of Father Kaiser's Mill Hill Mission have lost a champion—but not the principles on which he stood—justice and equity and human rights for all.

I have addressed this issue at the highest level with Secretary of State Madeleine Albright during a recent Foreign Affairs Committee meeting. The resolution of this United States citizen's death is important to Kenya's credibility in the world community. We intend to see his assassins quickly brought to trial, and our Resolution reflects the desire of Congress to step-up the investigation into his death. I join Bishop John Njue, Chairman of the Kenyan Catholic Episcopal Conference in saying "Do not be afraid"—we are with you.

SENATE RESOLUTION 368—RECOGNIZING THE IMPORTANCE OF RELOCATING AND RENOVATING THE HAMILTON GRANGE, NEW YORK

Mr. MOYNIHAN (for himself, Mr. BYRD, and Mr. SCHUMER) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources.

S. RES. 368

Whereas Alexander Hamilton, assisted by James Madison and George Washington, was the principal drafter of the Constitution of the United States;

Whereas Hamilton was General Washington's aide-de-camp during the Revolutionary War, and, given command by Washington of the New York and Connecticut light infantry battalion, led the successful assault on British redoubt number 10 at Yorktown;

Whereas after serving as Secretary of the Treasury, Hamilton founded the Bank of New York and the New York Post;

Whereas the only home Hamilton ever owned, commonly known as "the Grange", is a fine example of Federal period architecture designed by New York architect John McComb, Jr., and was built in upper Manhattan in 1803;

Whereas the New York State Assembly enacted a law in 1908 authorizing New York City to acquire the Grange and move it to nearby St. Nicholas Park, part of the original Hamilton estate, but no action was taken;

Whereas in 1962, the National Park Service took over management of the Grange, by then wedged on Convent Avenue within inches between an apartment house on the north side and a church on the south side;

Whereas the 1962 designation of the Grange as a national memorial was contingent on the acquisition by the National Park Service of a site to which the building could be relocated;

Whereas the New York State legislature enacted a law in 1998 that granted approval for New York City to transfer land in St. Nicholas Park to the National Park Service, causing renovations to the Grange to be postponed; and

Whereas no obelisk, monument, or classical temple along the national mall has been constructed to honor the man who more than any other designed the Government of the United States, Hamilton should at least be remembered by restoring his home in a sylvan setting: Now, therefore, be it

Resolved, That—

(1) the Senate recognizes the immense contribution Alexander Hamilton made to the United States as a principal drafter of the Constitution; and

(2) the National Park Service should expeditiously—

(A) proceed to relocate the Grange to St. Nicholas Park; and

(B) restore the Grange to a state befitting the memory of Alexander Hamilton.

Mr. MOYNIHAN. Mr. President, I rise to introduce a Sense of the Senate Resolution that calls on the National Park Service to relocate the Hamilton Grange, which is the home of Alexander Hamilton. As Washington's aide-de-camp during the Revolution, delegate to the Constitutional Convention, Secretary of the Treasury, and founder of the Bank of New York and the New York Post, Hamilton was instrumental in determining the direction of the nation in its early years. The only home he ever owned is in New York City. It sits on a block in Harlem, bounded on the north by an apartment house and on the south by a church. The apartment house is inches away, the church a few feet.

For some forty years the National Park Service has been contemplating the relocation of the Grange to a better site. The plan now is to go around the corner to St. Nicholas Park. The park was part of the original Hamilton estate and would be a far more appropriate location for the house. The necessary civic approvals are nearly set. It will soon be in the hands of the Park Service to get this done. The resolution simply states that the agency should do so expeditiously, and should then proceed with the restoration projects that have been on hold. Alexander Hamilton and those who come to see his home deserve as much. I ask my colleagues for their support.

AMENDMENTS SUBMITTED

COMPREHENSIVE RETIREMENT SECURITY AND PENSION REFORM ACT OF 2000

JEFFORDS (AND KENNEDY) AMENDMENT NO. 4301

(Ordered to lie on the table.)

Mr. JEFFORDS (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by them to the bill (H.R. 1102) to provide for pension reform, and for other purposes; as follows:

At the end of the bill, add the following:

TITLE IX—ERISA PROVISIONS

SEC. 901. MISSING PARTICIPANTS.

(a) IN GENERAL.—Section 4050 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1350) is amended by redesignating subsection (c) as subsection (e) and by inserting after subsection (b) the following new subsection:

“(c) **MULTIEMPLOYER PLANS.**—The corporation shall prescribe rules similar to the rules in subsection (a) for multiemployer plans covered by this title that terminate under section 4041A.

“(d) **PLANS NOT OTHERWISE SUBJECT TO TITLE.**—

“(1) **TRANSFER TO CORPORATION.**—The plan administrator of a plan described in paragraph (4) may elect to transfer a missing participant's benefits to the corporation upon termination of the plan.

“(2) **INFORMATION TO THE CORPORATION.**—To the extent provided in regulations, the plan

administrator of a plan described in paragraph (4) shall, upon termination of the plan, provide the corporation information with respect to benefits of a missing participant if the plan transfers such benefits—

“(A) to the corporation, or

“(B) to an entity other than the corporation or a plan described in paragraph (4)(B)(ii).

“(3) **PAYMENT BY THE CORPORATION.**—If benefits of a missing participant were transferred to the corporation under paragraph (1), the corporation shall, upon location of the participant or beneficiary, pay to the participant or beneficiary the amount transferred (or the appropriate survivor benefit) either—

“(A) in a single sum (plus interest), or

“(B) in such other form as is specified in regulations of the corporation.

“(4) **PLANS DESCRIBED.**—A plan is described in this paragraph if—

“(A) the plan is a pension plan (within the meaning of section 3(2))—

“(i) to which the provisions of this section do not apply (without regard to this subsection), and

“(ii) which is not a plan described in paragraphs (2) through (11) of section 4021(b), and

“(B) at the time the assets are to be distributed upon termination, the plan—

“(i) has missing participants, and

“(ii) has not provided for the transfer of assets to pay the benefits of all missing participants to another pension plan (within the meaning of section 3(2)).

“(5) **CERTAIN PROVISIONS NOT TO APPLY.**—Subsections (a)(1) and (a)(3) shall not apply to a plan described in paragraph (4).”

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to distributions made after final regulations implementing subsections (c) and (d) of section 4050 of the Employee Retirement Income Security Act of 1974 (as added by subsection (a)), respectively, are prescribed.

SEC. 902. REDUCED PBGC PREMIUM FOR NEW PLANS OF SMALL EMPLOYERS.

(a) IN GENERAL.—Subparagraph (A) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)) is amended—

(1) in clause (i), by inserting “other than a new single-employer plan (as defined in subparagraph (F)) maintained by a small employer (as so defined),” after “single-employer plan,”

(2) in clause (iii), by striking the period at the end and inserting “, and”

(3) by adding at the end the following new clause:

“(iv) in the case of a new single-employer plan (as defined in subparagraph (F)) maintained by a small employer (as so defined) for the plan year, \$5 for each individual who is a participant in such plan during the plan year.”

(b) **DEFINITION OF NEW SINGLE-EMPLOYER PLAN.**—Section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended by adding at the end the following new subparagraph:

“(F)(i) For purposes of this paragraph, a single-employer plan maintained by a contributing sponsor shall be treated as a new single-employer plan for each of its first 5 plan years if, during the 36-month period ending on the date of the adoption of such plan, the sponsor or any member of such sponsor's controlled group (or any predecessor of either) did not establish or maintain a plan to which this title applies with respect to which benefits were accrued for substantially the same employees as are in the new single-employer plan.

“(ii)(I) For purposes of this paragraph, the term ‘small employer’ means an employer which on the first day of any plan year has,