

wear the Wyoming tie here for a day while I talk about that great basketball team from the University of Wyoming.

Last Saturday's game marked the 184th time over 88 years that these two teams have met when CSU went head to head with the University of Wyoming in yet another border war. To my dismay, the Rams were defeated in overtime, 69 to 64. It was a hard-fought victory where both teams played outstanding games. Although CSU outrebounded Wyoming and played a tough defensive game, the Cowboys' offense was the deciding factor.

Wyoming should be commended for having a great season this year, with a record of 18 and 6. Coach Larry Shyatt should also be recognized for bringing this team to the best season they have had in 11 years. The Cowboys certainly cannot be labeled "slowpokes," considering they have defeated top-ranking teams such as New Mexico and Utah. In fact, the Cowboys are now in third place in the Western Athletic Conference Mountain Division and will be competing for postseason tournament consideration in March. Wyoming will be given serious consideration as a WAC entry for the NCAA Tournament. I commend Wyoming's basketball team, their athletic department, and the University of Wyoming for a job well done.

Although Wyoming won the most recent border war, I would be remiss if I did not congratulate at least the Rams' seniors and wish CSU the best of luck in their remaining games. I look forward to a strong WAC contingent in the NCAA tournament and hope that CSU will be there to represent the Western Athletic Conference as well.

The University of Wyoming basketball team is to be commended for a great win against Colorado State University. I am excited about the competition in the WAC, typified by the longstanding rivalry between the border universities.

Great job, to the University of Wyoming.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I also ask for just a couple of minutes as in morning business.

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

CSU-WYOMING GAME

Mr. ENZI. Mr. President, I would like to take this opportunity to thank my colleague from Colorado for his outstanding sportsmanship and for recognition of this great rivalry between two universities that are part of the Western Athletic Conference, a conference that is coming into its own and being recognized nationally. We are certain that because of rankings of two of the teams, and probably three of the teams, they will be in the NCAA National Tournament. There are a lot of

kids out there who are well deserving of being in that. They are fierce competitors. Of course, this is one of the old rivalries of basketball. They have been isolated by being in the far West for a long time, and, as a result, have enjoyed playing each other because of what is a close proximity out there. Just being an hour's transportation away is quite a feat in the far West.

Both schools have outstanding basketball teams. But I would be remiss if I didn't mention the outstanding schools that these basketball teams represent, particularly a portion of the school at Fort Collins that Senator ALLARD is a graduate of, the veterinarian school, which is world renowned. But both schools have a number of schools that are well recognized throughout the United States and around the world. We hope that kids take a look at both universities when they are interested attending in school.

Again, I thank my colleague for his gracious comments about the University of Wyoming. The kids there appreciate it.

I yield my time.

Mr. CHAFEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CHANGE OF VOTE

Mr. JEFFORDS. Mr. President, on rollcall vote No. 17, I am recorded as voting "yes" when I actually voted "no." I ask unanimous consent that the record of my vote be changed to "no." This will in no way change the final outcome of the vote.

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

(The foregoing tally has been changed to reflect the above order.)

Mr. JEFFORDS. Mr. President, I make a point of order a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

THE OCEAN SHIPPING REFORM ACT

Mr. LOTT. Mr. President, I rise today to report on the status of the Ocean Shipping Reform bill, S. 414. This bill is one of two very important bills in the Senate which are badly needed to reform America's maritime industry. The other such bill would implement the OECD Shipbuilding Agreement.

A few months ago, I reported that the Ocean Shipping Act was D.I.W.—"dead in the water". Down on my native Gulf Coast, that usually means the engines are broken. "D.I.W." doesn't mean you're sinking—it just means you've got some work to do. It means that everyone's got to roll up their sleeves, get down in the engine space, pitch in and get the problem fixed.

And, I'm glad to say, that's just what the maritime industry has done. Rolled up their sleeves and fixed the engine of the Ocean Shipping Reform bill.

I am pleased to report that staff members of the shippers, port authorities, ocean carriers, and labor unions—all rolled up their sleeves and have fixed this legislation.

It was very important to get everyone working together on this bill. The maritime industry is very large and very complex. Given the many interests involved, it is not surprising it has required slow, steady, and difficult work to get this bill ship-shape and steaming along.

But that work has been done—and I want to congratulate those who have done the heavy repair work. We are now prepared to move quickly to pass this legislation.

Mr. BREAU. Mr. President, I too am pleased to report on the successful efforts to prepare S. 414 for Senate passage. I would concur with the Majority Leader that the OECD Shipbuilding Agreement bill is badly needed and I believe it is long overdue. I am hopeful that the progress made on S. 414 would provide momentum to pass the OECD Shipbuilding Trade Agreement implementing legislation.

At the end of the last session, we prepared a draft Senate floor manager's amendment to this bill and circulated it within the industry and to members of the Senate. That draft manager's amendment was helpful in moving S. 414 along, but it also continued to present some serious problems to various sectors of the maritime community.

Accordingly, over the past several months, representatives of those affected maritime sectors have worked to find an acceptable solution and to resolve their differences. With the Commerce Committee staff's help and guidance, a package of modifications to that original manager's amendment have been agreed upon.

The diverse segments of the industry—U.S. ocean carriers, foreign ocean carriers, shippers, labor, and the ports—are now in agreement on how to reform and reduce government's role in international ocean transportation. More importantly, all these industry sectors have agreed on meaningful deregulation of the ocean shipping industry to allow greater choice, flexibility, and competition in this transportation mode.

Let me say that again. Mr. President, all these industry sectors are now in agreement. Although it is a delicate balance, it is still an agreement.

This agreement will lead to greater efficiency in providing ocean transportation services to U.S. importers and exporters, and will benefit American consumers. U.S. importers and exporters will now, under the reforms of S. 414, be able to enter into more comprehensive and productive contractual relationships with ocean carriers. At the same time, S. 414 provides important protections for ports and labor which will safeguard their interests in a more deregulated environment.

Mrs. HUTCHISON. Mr. President, I'd like to join my colleagues in commending the industry representatives for their efforts in crafting the modifications which have allowed them to join together in support of ocean shipping reform. The scope of industry support is impressive and includes U.S. and foreign flag carriers, the National Industrial Transportation League, the American Association of Port Authorities, and organized labor.

I would like to detail some of the modifications to the manager's amendment of S. 414. I believe these modifications show how much thought and work have gone into this agreement. Those modifications being made to the manager's amendment of S. 414 are as follows:

1. Amend section 8(c) of the 1984 Act to provide that all service contracts are treated in a uniform manner. Individual ocean carrier and agreement service contracts would be filed confidentially with the FMC, and an abbreviated set of essential terms would be made publicly available. A similar uniform method of contract regulation was unanimously adopted by the Senate Committee on Commerce, Science, and Transportation for S. 414 and was included in the bill as reported. This addresses the core concern and goal of shippers and various carriers who want to be able to enter into contracts with confidential rates and service terms. At the same time, it allows for some transparency, thereby addressing the concerns of ports, labor and some small shippers and carrier interests.

2. Revise section 8(c) of the 1984 Act to provide for a mechanism for labor organizations to obtain information on the movement of cargo in the dock or port area that would otherwise not be disclosed as a result of these amended service contract publication requirements. This will help these organizations to continue to enforce their collective bargaining agreements with ocean carriers.

3. Continue the existing requirement that NVOCCs offer their services to shippers pursuant to tariffs, instead of service contracts. NVOCCs, as shippers, are free to pursue the purchase of ocean carrier service through the amended service contract process.

4. Amend section 10(c)(4) of the 1984 Act to permit ocean carriers to jointly negotiate U.S. inland transportation rates and services with truck, rail or air carriers when such negotiations are subject to pro-competitive restrictions,

such as the antitrust laws. Today, ocean carriers cooperate with respect to the utilization of space on vessels. Enabling them to cooperate in connection with rail service, for example, will allow for greater efficiencies. Such cooperation could improve movement of containers in and out of the port area.

5. Revise section 13(f) of the 1984 Act to make clear that, while a common carrier may be penalized for charging shippers less than its tariff or service contract rates, a carrier should not be able to collect from the shipper the difference between the tariff or contract rate and the rate actually charged and agreed upon in writing. The collection of these so-called "undercharges" was a major problem for shippers when the trucking industry was deregulated. We want to avoid any recurrence of that problem in connection with ocean shipping reform.

Finally, we will clarify that members of an agreement will not be penalized under the revised 1984 Act because a member divulges confidential service contract information. The offending member will be liable for breach of contract damages, but the government should have no role in policing the confidential agreements of carriers and shippers. While no revision to S. 414 is needed to accomplish this objective, an appropriate statement of clarification will be made by the managers of the bill.

Mr. President, again let me express my appreciation to all those who have worked on and support these modifications and the passage of meaningful ocean shipping reform. I and my colleagues, as well as the maritime industry, look forward to enacting this bill this year.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:40 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1544. An act to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, and relitigation of, precedents established in the Federal judicial circuits.

H.R. 2181. An act to ensure the safety of witnesses and to promote notification of the

interstate relocation of witnesses by States and localities engaging in that relocation, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 1544. An act to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, and relitigation of, precedents established in the Federal judicial circuits; to the Committee on the Judiciary.

H.R. 2181. An act to ensure the safety of witnesses and to promote notification of the interstate relocation of witnesses by States and localities engaging in that relocation, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

The following enrolled bills, previously signed by the Speaker of the House, were signed on February 25, 1998, by the President pro tempore (Mr. THURMOND):

S. 916. An act to designate the United States Post Office building located at 750 Highway 28 East in Taylorsville, Mississippi, as the "Blaine H. Eaton Post Office Building."

S. 985. An act to designate the post office located at 194 Ward Street in Paterson, New Jersey, as the "Larry Doby Post Office."

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on February 26, 1998 he had presented to the President of the United States, the following enrolled bills:

S. 916. An act to designate the United States Post Office building located at 750 Highway 28 East in Taylorsville, Mississippi, as the "Blaine H. Eaton Post Office Building."

S. 985. An act to designate the post office located at 194 Ward Street in Paterson, New Jersey, as the "Larry Doby Post Office."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

H.R. 1534. A bill to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when government action is sufficiently final to ripen certain Federal claims arising under the Constitution.

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. Res. 181. A resolution expressing the sense of the Senate that on March 2nd, every child in America should be in the company of someone who will read to him or her.