

We will miss seeing and hearing him as the MC, but he will always be Mr. Oktoberfest in my book.●

TRIBUTE TO JOSEPH R. HAROLD

● Mr. KERRY. Mr. President, I rise today to pay tribute to a special individual, one whom the people of Massachusetts are proud to call one of our own.

On Sunday, September 27th, 1998, elected officials, friends, family and the communities of Quincy and Dorchester will join to recognize the contributions of Mr. Joseph Harold by celebrating the designation of the Joseph R. Harold, Sr. MBTA Old Colony Rail Bridge. This important structure will bridge these two communities in much the same way Joseph Harold did in his life.

Service to community and nation can define one's life, and such is the case with Mr. Harold. After graduating from Boston English High School, he served in the U.S. Infantry under General George Patton. His service with that historic leader earned him a Bronze Star for bravery in an assault on the Siegfried Line, a Battlefield Commission to Second Lieutenant, and three Battle Stars.

His commitment to those that served in the military would remain throughout his life, demonstrated by his 43 year service as the State Adjutant for the Disabled American Veterans. For those decades, Mr. Harold was a principled advocate for any man or woman who had served, logging thousands of hours on behalf of countless individuals. The depth of his conviction will allow his impact on national veterans issues to reach far into the future.

Mr. Harold's death in 1994 was an unfortunate loss for the state of Massachusetts, but his career of advocacy and compassion serves as an inspiration to all citizens. This is demonstrated by the fund established in his honor at the Quincy Historical Society in June of 1997. This fund will collect, preserve and display military items of historical significance for the city, and that is a fitting tribute to a man who did so much for the communities he loved.

I am proud to join with his sons, former State Senator Paul Harold and William Harold, his seven grandchildren, and the communities of Dorchester and Quincy in honoring Joseph Harold.●

TRIBUTE TO SUMMIT DESIGN AND MANUFACTURING

● Mr. BURNS. Mr. President, I rise today to pay tribute to one of Montana's newest and brightest stars. Summit Design and Manufacturing, a Montana-based company located in Helena, Montana, recently took a giant leap on the stepping stones of success.

It is both an honor and a great pleasure to announce that Summit Design and Manufacturing was recently

awarded the "Outstanding Team Player Award" by Lockheed Martin for work they have performed on the F-22 fighter aircraft. This award is given to only 5 Lockheed Martin suppliers selected from a pool of around 4,500 suppliers program wide. Even more impressive is that Summit's selection is the first time this type of supplier has received such an award.

Since their start-up in June 1997, Summit has grown from four employees to 15 and now boasts deliveries for the F-22 program at approximately \$2 million in sales for the past 12 months. In less than a year, this company has become one of Montana's technological advantages over the rest of the nation.

Besides performing design and manufacturing work on the F-22 in Montana, other involvement with Lockheed Martin has included producing parts and tools for the X-33 Spacecraft, Joint Strike Fighter and the C-130J aircraft programs.

I often say that folks in Montana are very special people and I commend Tom Hottman and Summit Design and Manufacturing for their perseverance and commitment in today's small business society.●

MINIMUM WAGE

● Mr. ABRAHAM. Mr. President, I rise today to clarify my position on the minimum wage vote that took place last week. In 1996, I voted to increase the minimum wage by a total of 90 cents. I did this with the understanding that the minimum wage has not been increased since 1989. As many are aware, the last increment of the 1996 increase went into effect on September 1, 1997. Senator KENNEDY is now proposing to increase the minimum wage by another dollar one year after the last increase took effect. Mr. President, I believe this is simply too soon because the current U.S. economic situation is unstable. Given the wild fluctuations in financial markets, continued economic stagnation in Asia, and job losses in our manufacturing sector, imposing additional costs on the private sector—particularly the small business sector—is very risky at this time.

I also have concerns about the effect that increasing the minimum wage has on low-skilled workers. Studies that examine the effect of the 1996 wage increase only heighten my concern. For instance, a recent review of data from the Bureau of Labor Statistics concludes that the October 1, 1996, 50-cent minimum wage hike led to 128,000 lost jobs among teen workers and up to 380,000 lost jobs overall. According to a study done by the Employment Policies Institute, the employment rate of teenagers declined by 0.14 percent after the increase. The decline in employment for black teenage males was even worse—1.0 percent.

Minimum wage jobs provide workers with valuable on-the-job training. A full 60 percent of today's workforce cites a minimum wage job as their first

work experience. As we begin to move people from welfare to work, it will become increasingly important that they have positions available to them to gain this experience. Mr. President, I do not believe that this is the time to put the availability of low-skilled jobs at risk.

Finally, Mr. President, this amendment was offered to the Consumer Bankruptcy Reform Act. I believe this legislation contained important reforms that needed to be passed this year. The Consumer Bankruptcy Reform Act of 1998 received bipartisan support and passed out of the Judiciary Committee by a 16-2 vote. I was concerned that adding this amendment would stop the underlying bill from passing this Congress.

For all of the above mentioned reason, I chose to vote to table the minimum wage increase amendment at this time.●

RECOGNIZING CINDY GEORGER

● Mr. CRAIG. Mr. President, I rise to speak about an outstanding individual from the State of Idaho who is deserving of not only our praise, but our wholehearted respect. In the turmoil of daily life, it is easy to get so caught up in our own affairs that we forget those less fortunate around us. Cindy Georger is not one of those people. She has unselfishly dedicated her time and energy to one of the most important battles raging in our nation today—the fight against illiteracy. Although this struggle continues even during our high-tech entry into the 21st Century, small battles are being won every day by people like Cindy.

Mrs. Georger, a Boise resident, has volunteered at "Learning Lab, Inc." since 1994. This is a non-profit organization providing literacy programs in three sectors: Adult Basic Skills, English as a Second Language, and Family Literacy. She has assisted with children ages 3 to 5 who have at least one functionally illiterate parent.

In volunteering with these children, Mrs. Georger is serving two equally important purposes. She is both tutoring children—undoubtedly one of the noblest of causes—and inspiring the parents of those children. By helping the parents, she is not only promoting literacy, but also family values, by encouraging them to take the time to sit down and read with their children. What a gift to give to a child—what a gift to give to a family.

In a nation facing an unparalleled struggle to maintain family values, and plagued with reports of the American family as increasingly apathetic, it is easy to get disheartened, but through people like Cindy Georger it is possible to look to the future with hope—hope for a time when people care about others, when family returns to the top of everyone's agenda, and when every American knows how to read.

I would like to thank Cindy Georger for her time, dedication, and efforts to

promote and teach literacy. Her services, and the services of volunteers like Cindy throughout Idaho and the nation, are the instruments through which the battle of illiteracy can and will be won.●

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. ROBERTS. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Calendar Nos. 726, 728, 730, 731, 732, 788, 789, 790, 796, and No. 853. I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements relating to the nominations appear at this point in the RECORD, and the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Steven Robert Mann, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Turkmenistan.

Elizabeth Davenport McKune, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Qatar.

Melissa Foelsch Wells, of Connecticut, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Estonia.

Richard E. Hecklinger, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Thailand.

Theodore H. Kattouf, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Arab Emirates.

THE JUDICIARY

Carl J. Barbier, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Gerald Bruce Lee, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Patricia A. Seitz, of Florida, to be United States District Judge for the Southern District of Florida.

William B. Traxler, Jr., of South Carolina, to be United States Circuit Judge for the Fourth Circuit.

FEDERAL EMERGENCY MANAGEMENT AGENCY

Robert M. Walker, of Tennessee, to be Deputy Director of the Federal Emergency Management Agency.

MONTREAL PROTOCOL NO. 4— TREATY DOCUMENT NO. 95-2(B)

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Senate

proceed to consider the following treaty on today's Executive Calendar, No. 22. I further ask unanimous consent that the treaty be considered as having passed through its various parliamentary stages up to and including the presentation of the resolution of ratification; all committee provisos, reservations, understandings, declarations, be considered agreed to; that any statements be inserted in the CONGRESSIONAL RECORD as if read; and I further ask consent that when the resolution of ratification is voted upon, the motion to reconsider be laid upon the table, the President be notified of the Senate's action, and, following the disposition of the treaty, the Senate return to legislative session.

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

Mr. ROBERTS. I ask for a division vote on the resolution of the ratification.

The PRESIDING OFFICER. A division is requested. Senators in favor of the ratification will rise and stand until counted.

All those opposed to ratification, please rise and stand until counted.

On a divisions, two-thirds of the Senators present and having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification is as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Montreal Protocol No. 4 to Amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air, signed at Warsaw on October 12, 1929, as amended by the Protocol done at The Hague on September 8, 1955 (hereinafter Montreal Protocol No. 4) (Executive B, 95th Congress, 1st Session), subject to the declaration of subsection (a), and the provisos of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration:

(1) TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties of the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following provisos:

(1) SUPREMACY OF THE CONSTITUTION.—Nothing in the Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

(2) RETURN OF PROTOCOL NO. 3 TO THE PRESIDENT.—Upon submission of this resolution of ratification to the President of the United States, the Secretary of the Senate is directed to return to the President of the United States the Additional Protocol No. 3 to Amend the Convention for the Unification of Certain Rules relating to International Carriage by Air, signed at Warsaw on October 12, 1929, as amended by the Protocols done at The Hague, on September 28, 1955, and at Guatemala City, March 8, 1971 (Executive B, 95th Congress).

Mr. BIDEN. Mr. President, I am pleased to support Montreal Protocol No. 4, which will simplify the rules for cargo and baggage liability in international air traffic. It is important for the Senate to act now, because Protocol No. 4 has already entered into force. Consequently, U.S. carriers and cargo companies are unable to take advantage of these simplified rules, at a significant economic cost. U.S. industry estimates that Protocol No. 4 will save them \$1 billion annually.

The treaty has been pending in the Senate for over 20 years. It failed to gain support not because it is controversial, but because it has been the victim of misfortune—having been paired, in its submission to the Senate, with Montreal Protocol No. 3, a treaty placing unreasonably low limits on personal liability in international air traffic. I oppose Protocol No. 3, because I believe strongly that limits on personal liability contained in the treaty are an anachronism. Such limits may have been warranted when the underlying Warsaw Convention was drafted in 1929, a time when the airline industry was in its infancy. Now, however, when international air carriers are large corporations with significant financial resources—and thus fully capable of purchasing adequate insurance—there is no justification for such limits.

For the past two decades, the aviation industry and the Executive Branch unsuccessfully sought ratification of Protocol No. 3 and No. 4. Only once did the Protocols reach the full Senate floor. In 1983, the Senate voted 50-42 to approve them, far short of the two-thirds necessary for advice and consent to ratification.

Recognizing that Protocol No. 3 cannot be approved by the Senate, the industry and the Executive have effectively abandoned the effort, and have requested the Senate to proceed with consideration of Protocol No. 4. The resolution of ratification of Protocol No. 4 will bring a formal end to the misguided effort to approve No. 3: the resolution directs the Secretary of the Senate to return Protocol No. 3 to the President.

More importantly, the industry, acting through its association, the International Air Transport Association, has taken steps to waive these personal liability limits. Consequently, most of the leading air carriers have agreed in their contracts with passengers to waive all personal liability limits, and agreed to strict liability up to 100,000 Special Drawing Rights, or about \$130,000.

These are positive developments, and I commend the airlines for taking these steps. Although not all carriers have waived the liability limits, all of the major U.S. carriers have, as have many of the leading foreign carriers which fly to the United States. I urge the Department of Transportation to make every effort to ensure that all carriers involved in international air traffic which fly within or to or from