

H.R. 4579. An act to provide tax relief for individuals, families, and farming and other small business, to provide tax incentives for education, to extend certain expiring provisions, to amend the Social Security Act to establish the Protect Social Security Account into which the Secretary of the Treasury shall deposit budget surpluses until a reform measure is enacted to ensure the long-term solvency of the OASDI trust funds, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-7227. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Table of Allotments, FM Broadcast Stations (Big Pine Key, Clewiston, Ft. Myers Villas, Indiantown, Jupiter, Key Colony Beach, Naples and Tice, Florida)" (Docket 94-155) received on September 25, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7228. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of two rules regarding multifamily housing assistance (RIN2502-AH09) and loan guarantees for Indian housing (RIN2577-AB78) received on September 25, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-7229. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation C, Home Mortgage Disclosure" (Docket R-0999) received on September 25, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-7230. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "Feasibility and Environmental Benefits Associated With Requiring Oil Spill Response Equipment on Tank Vessels"; to the Committee on Environment and Public Works.

EC-7231. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Carfentrazonethiol; Pesticide Tolerance" (FRL6032-1) received on September 28, 1998; to the Committee on Environment and Public Works.

EC-7232. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants: Establishment of a Nonessential Experimental Population of Black-Footed Ferrets in Northwest Colorado and Northeastern Utah" (RIN1018-AD99) received on September 25, 1998; to the Committee on Environment and Public Works.

EC-7233. A communication from the Acting Assistant Secretary for Import Administration, Department of Commerce and the Director of the Office of Insular Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Limit on Duty-Free Insular Watches in Calendar Year 1999" (RIN0625-AA53) received on September 22, 1998; to the Committee on Finance.

EC-7234. A communication from the Senior Attorney and Federal Register Certifying Of-

ficer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Management of Federal Agency Disbursements" (RIN1510-AA56) received on September 25, 1998; to the Committee on Finance.

EC-7235. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Internal Revenue Service Announces New Procedures For Handling Matters In Bankruptcy" (Announcement 98-89) received on September 28, 1998; to the Committee on Finance.

EC-7236. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Low Income Housing Credit" (Rev. Rul. 98-45) received on September 28, 1998; to the Committee on Finance.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-547. A resolution adopted by the Board of Chosen Freeholders, Ocean County, New Jersey relative to Veterans Administration funding; to the Committee on the Budget.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 4342. A bill to make miscellaneous and technical changes to various trade laws, and for other purposes (Rept. No. 105-356).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. LOTT (for himself, Mr. KERREY, Mr. MCCAIN, Mr. LIEBERMAN, Mr. HELMS, Mr. SHELBY, Mr. BROWNBACK, and Mr. KYL):

S. 2525. A bill to establish a program to support a transition to democracy in Iraq; to the Committee on Foreign Relations.

By Mr. HOLLINGS:

S. 2526. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel LITTLE TOOT; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG (for himself, Mr. DODD, Mr. BUMPERS, and Ms. MOSELEY-BRAUN):

S. 2527. A bill to better regulate the transfer of firearms at gun shows; to the Committee on the Judiciary.

By Mr. MCCONNELL:

S. 2528. A bill to direct the Commissioner of Social Security to establish a demonstration project to conduct outreach efforts to increase awareness of the availability of medicare costsharing assistance to eligible low-income medicare beneficiaries; to the Committee on Finance.

By Mr. DASCHLE (for himself and Mr. KENNEDY):

S. 2529. A bill entitled the Patients Bill of Rights Act of 1998; read the first time.

By Mr. SPECTER:

S. 2530. A bill to designate certain lands in the Valley Forge National Historical Park as the Valley Forge National Cemetery, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOND (for himself, Mr. ASHCROFT, Mr. DOMENICI, and Mr. SHELBY):

S. 2531. A bill to designate a portion of Interstate Route 70 in Missouri as "Mark McGwire Interstate Route 70"; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mr. HOLLINGS, Mr. MOYNIHAN, Mr. SANTORUM, Mr. FORD, Mr. D'AMATO, Mr. HATCH, Ms. MIKULSKI, Mr. BENNETT, Mr. SESSIONS, Mr. HUTCHINSON, Mr. BYRD, Mr. SARBANES, Mr. ROCKEFELLER, Mr. COATS, and Mr. LEVIN):

S. Con. Res. 121. A concurrent resolution expressing the sense of Congress that the President should take all necessary measures to respond to the increase in steel imports resulting from the financial crises in Asia, the independent states of the former Soviet Union, Russia, and other areas of the world, and for other purposes; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LOTT (for himself, Mr. KERREY, Mr. MCCAIN, Mr. LIEBERMAN, Mr. HELMS, Mr. SHELBY, Mr. BROWNBACK, and Mr. KYL):

S. 2525. A bill to establish a program to support a transition to democracy in Iraq; to the Committee on Foreign Relations.

IRAQ LIBERATION ACT OF 1998

Mr. LOTT. Mr. President, I am introducing legislation allowing the President to provide direct and overt military assistance to the Iraqi opposition. This is a bipartisan initiative. I am joined by Senator KERREY of Nebraska, Senator MCCAIN of Arizona, Senator LIEBERMAN of Connecticut, Senator HELMS of North Carolina, Senator SHELBY of Alabama, Senator BROWNBACK of Kansas, and Senator KYL of Arizona.

Today is the 55th day without weapons inspections in Iraq. For months, I have urged the Administration to fundamentally change its policy on Iraq. Monitoring the concealment of weapons of mass destruction is not enough. Our goal should be to remove the regime of Saddam Hussein from power.

We should have no illusions. This will not be easy and it will not happen quickly. But it can happen. The U.S. has worked with Iraqi opponents of Saddam Hussein in the past. We can and should do so in the future.

I have been working with a bipartisan group of Senators throughout much of the year to support a change

in U.S. policy toward Iraq. In State Department Authorization Conference Report, \$38 million is authorized for political and humanitarian support for the Iraqi opposition.

In P.L. 105-174, Congress appropriated \$5 million to support the political opposition and \$5 million to establish Radio Free Iraq.

In the Senate passed version of the Fiscal Year 1999 Foreign Operations Appropriations Act, there is an additional \$10 million for political support to the Iraq opposition.

These steps have been important. But they are not enough. It is time to move beyond political support to direct military assistance. It is time to openly state our policy goal is the removal of Saddam Hussein's regime from power.

As long as Saddam Hussein remains in power, Iraq will pose a threat to stability in the Persian Gulf. As long as he remains in power, Iraq will pursue weapons of mass destruction programs. His record speaks for itself.

The answer is not just "containment" or a US-led invasion. There are Iraqis willing to fight and die for the freedom of their country. There are significant portions of Iraq today which are not under the control of Saddam Hussein.

Our goal should be to support Iraqi freedom fighters and expand the area under their control.

I have discussed this approach with senior Administration officials. I have consulted with distinguished outside experts. I have raised this approach with heads of states and government officials from the region. I believe this approach can work.

S. 2525, the Iraq Liberation Act of 1998, has four major components. First, it calls for a policy to seek the removal of the Saddam Hussein regime.

Second, it authorizes the President to provide \$2 million for broadcasting and \$97 million in military aid to Iraqi opposition forces. The President is given the discretion to designate the recipients of this assistance. The military aid authority is similar to that used to support anti-narcotics operations in South America and to train and equip the Bosnian army.

Third, it renews Congressional calls for an international tribunal to try Saddam Hussein and other Iraqi officials for war crimes. This will be a crucial step in delegitimizing his reign of terror.

Finally, the bill looks toward post-Saddam Iraq and calls for a comprehensive response to the challenges of rebuilding the country devastated by decades of Saddam Hussein's rule.

Similar legislation has already been introduced in the House. We will make every effort to work with the Administration to see if we can enact this legislation before we leave.

We need bipartisanship now more than ever in foreign policy. This is a bipartisan approach to U.S. policy toward Iraq. We are interested in looking to the future. We are interested in pro-

tecting American interests and ensuring that Saddam Hussein can never again threaten his neighbors with military force or weapons of mass destruction.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2525

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Iraq Liberation Act of 1998".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) On September 22, 1980, Iraq invaded Iran, starting an eight year war in which Iraq employed chemical weapons against Iranian troops and ballistic missiles against Iranian cities.

(2) In February 1988, Iraq forcibly relocated Kurdish civilians from their home villages in the Anfal campaign, killing an estimated 50,000 to 180,000 Kurds.

(3) On March 16, 1988, Iraq used chemical weapons against Iraqi Kurdish civilian opponents in the town of Halabja, killing an estimated 5,000 Kurds and causing numerous birth defects that affect the town today.

(4) On August 2, 1990, Iraq invaded and began a seven month occupation of Kuwait, killing and committing numerous abuses against Kuwaiti civilians, and setting Kuwait's oil wells ablaze upon retreat.

(5) Hostilities in Operation Desert Storm ended on February 28, 1991, and Iraq subsequently accepted the ceasefire conditions specified in United Nations Security Council Resolution 687 (April 3, 1991) requiring Iraq, among other things, to disclose fully and permit the dismantlement of its weapons of mass destruction programs and submit to long-term monitoring and verification of such dismantlement.

(6) In April 1993, Iraq orchestrated a failed plot to assassinate former President George Bush during his April 14-16, 1993, visit to Kuwait.

(7) In October 1994, Iraq moved 80,000 troops to areas near the border with Kuwait, posing an imminent threat of a renewed invasion of or attack against Kuwait.

(8) On August 31, 1996, Iraq suppressed many of its opponents by helping one Kurdish faction capture Irbil, the seat of the Kurdish regional government.

(9) Since March 1996, Iraq has systematically sought to deny weapons inspectors from the United Nations Special Commission on Iraq (UNSCOM) access to key facilities and documents, has on several occasions endangered the safe operation of UNSCOM helicopters transporting UNSCOM personnel in Iraq, and has persisted in a pattern of deception and concealment regarding the history of its weapons of mass destruction programs.

(10) On August 5, 1998, Iraq ceased all cooperation with UNSCOM, and subsequently threatened to end long-term monitoring activities by the International Atomic Energy Agency and UNSCOM.

(11) On August 14, 1998, President Clinton signed Public Law 105-235, which declared that "the Government of Iraq is in material and unacceptable breach of its international obligations" and urged the President "to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations."

SEC. 3. POLICY OF THE UNITED STATES.

It should be the policy of the United States to seek to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime.

SEC. 4. ASSISTANCE TO SUPPORT A TRANSITION TO DEMOCRACY IN IRAQ.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—The President may provide to the Iraqi democratic opposition organizations designated in accordance with section 5 the following assistance:

(1) BROADCASTING.—(A) Grant assistance to such organizations for radio and television broadcasting by such organizations to Iraq.

(B) There is authorized to be appropriated to the United States Information Agency \$2,000,000 for fiscal year 1999 to carry out this paragraph.

(2) MILITARY ASSISTANCE.—(A) The President is authorized to direct the drawdown of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training for such organizations.

(B) The aggregate value (as defined in section 644(m) of the Foreign Assistance Act of 1961) of assistance provided under this paragraph may not exceed \$97,000,000.

(b) HUMANITARIAN ASSISTANCE.—The Congress urges the President to use existing authorities under the Foreign Assistance Act of 1961 to provide humanitarian assistance to individuals living in areas of Iraq controlled by organizations designated in accordance with section 5, with emphasis on addressing the needs of individuals who have fled to such areas from areas under the control of the Saddam Hussein regime.

(c) RESTRICTION ON ASSISTANCE.—No assistance under this section shall be provided to any group within an organization designated in accordance with section 5 which group is, at the time the assistance is to be provided, engaged in military cooperation with the Saddam Hussein regime.

(d) NOTIFICATION REQUIREMENT.—The President shall notify the congressional committees specified in section 634A of the Foreign Assistance Act of 1961 at least 15 days in advance of each obligation of assistance under this section in accordance with the procedures applicable to reprogramming notifications under such section 634A.

(e) REIMBURSEMENT RELATING TO MILITARY ASSISTANCE.—

(1) IN GENERAL.—Defense articles, defense services, and military education and training provided under subsection (a)(2) shall be made available without reimbursement to the Department of Defense except to the extent that funds are appropriated pursuant to paragraph (2).

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President for each of the fiscal years 1998 and 1999 such sums as may be necessary to reimburse the applicable appropriation, fund, or account for the value (as defined in section 644(m) of the Foreign Assistance Act if 1961) of defense articles, defense services, or military education and training provided under subsection (a)(2).

(f) AVAILABILITY OF FUNDS.—(1) Amounts authorized to be appropriated under this section are authorized to remain available until expended.

(2) Amounts authorized to be appropriated under this section are in addition to amounts otherwise available for the purposes described in this section.

SEC. 5. DESIGNATION OF IRAQI DEMOCRATIC OPPOSITION ORGANIZATION.

(a) INITIAL DESIGNATION.—Not later than 90 days after the date of enactment of this Act, the President shall designate one or more

Iraqi democratic opposition organizations that satisfy the criteria set forth in subsection (c) as eligible to receive assistance under section 4.

(b) DESIGNATION OF ADDITIONAL GROUPS.—At any time subsequent to the initial designation pursuant to subsection (a), the President may designate one or more additional Iraqi democratic opposition organizations that satisfy the criteria set forth in subsection (c) as eligible to receive assistance under section 4.

(c) CRITERIA FOR DESIGNATION.—In designating an organization pursuant to this section, the President shall consider only organizations that—

(1) include a broad spectrum of Iraqi individuals and groups opposed to the Saddam Hussein regime; and

(2) are committed to democratic values, to respect for human rights, to peaceful relations with Iraq's neighbors, to maintaining Iraq's territorial integrity, and to fostering cooperation among democratic opponents of the Saddam Hussein regime.

(d) NOTIFICATION REQUIREMENT.—At least 15 days in advance of designating an Iraqi democratic opposition organization pursuant to this section, the President shall notify the congressional committees specified in section 634A of the Foreign Assistance Act of 1961 of his proposed designation in accordance with the procedures applicable to reprogramming notifications under such section 634A.

SEC. 6. WAR CRIMES TRIBUNAL FOR IRAQ.

Consistent with section 301 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102-138), House Concurrent Resolution 137, 105th Congress (approved by the House of Representatives on November 13, 1997), and Senate Concurrent Resolution 78, 105th Congress (approved by the Senate on March 13, 1998), the Congress urges the President to call upon the United Nations to establish an international criminal tribunal for the purpose of indicting, prosecuting, and imprisoning Saddam Hussein and other Iraqi officials who are responsible for crimes against humanity, genocide, and other criminal violations of international law.

SEC. 7. ASSISTANCE FOR IRAQ UPON REPLACEMENT OF SADDAM HUSSEIN REGIME.

It is the sense of Congress that, once Saddam Hussein is removed from power in Iraq, the United States should support Iraq's transition to democracy by providing immediate and substantial humanitarian assistance to the Iraqi people, by providing democracy transition assistance to Iraqi parties and movements with democratic goals, and by convening Iraq's foreign creditors to develop a multilateral response to Iraq's foreign debt incurred by Saddam Hussein's regime.

Mr. KERREY. Mr. President, I rise to comment on the situation in Iraq and to urge my colleagues to support the legislation introduced by the Majority Leader today.

I spoke on Iraq on this floor last November and again in February, but Saddam Hussein is still in power, still threatening his neighbors and oppressing his people, so I must turn again to this topic. In fact, I will keep turning to it, joining my colleagues from both sides of the aisle, trying to change U.S. policy toward Iraq, because I cannot abide the idea of Saddam Hussein as the dictator of Iraq and I will never accept the status quo in Iraq. One of three things will happen, Mr. President: Saddam Hussein will lose his job, I will lose my job, or I will keep talk-

ing about him on this floor. 1998 has unfortunately brought us a new and less advantageous situation in our relationship with Iraq. First of all, other threats have pushed Iraq into the background.

Asia's recession and the collapse of the Russian ruble have sent shock waves through all the emerging markets. Economic instability is usually the harbinger of political instability, which in turn threatens the peace between nations and the ability of weakened nations to maintain their own security. The Indian-Pakistani nuclear confrontation and the unravelling of Russia's military are two highly significant examples of this trend. Russia's crisis is particularly important because our security and that of our allies depends on Russia keeping its nuclear weapons and fissile materials out of the hands of the rogue states and terrorist groups which would deliver them to us, either by ballistic missile or by the rented or stolen truck favored by terrorists.

Terrorism may or may not actually be on the rise, but terrorists have recently shown the intention and ability to attack American targets overseas. As we confront organizations like that of Osama bin Ladin, we come face to face with people who will go to great efforts to kill Americans, and we react strongly. In the aftermath of events like the bombing of Khobar Towers or the two embassies in Africa, we naturally move terrorism to the forefront of our threat concerns. As peace is gradually made in the world's most intractable ethnic and religious conflicts, terrorism ought to decline, but our rationality can not penetrate terrorist motivation.

In addition, there is proliferation. Rogue missiles and their deadly cargoes are rapidly developing, and spreading: the North Korean launch follows launches by Pakistan and Iran and tests of nuclear weapons in both India and Pakistan. The trend in the proliferation of weapons of mass destruction is running against us as an increasing number of countries come to view these missiles as a low-cost way of placing the U.S. and our allies at risk without expending the resources to confront us militarily across the board. In a way, Iraq during the Gulf War was the precursor of this kind of thinking: they entered the war with a big army and air force, but in the end the only thing that made them a serious and deadly opponent was their arsenal of SCUD missiles. SCUDs and the like may be 1950's technology, but armed with biological, chemical, or nuclear warheads, these missiles are equalizers in 1998.

And so, in this time of uncertainty and change, we rank the threats to our national life and to our individual lives and livelihoods, and we tend to forget Iraq. It is an old threat, after all, and we have lived with it for all this decade. In addition, Iraq seems held in check by its neighbors and by eco-

nomics sanctions. Yet although the Iraqi threat may appear to be dormant, in fact the risk we and our allies run from the continuation of Saddam Hussein in power is in fact greater than it has been for years.

We know, most recently and unambiguously from the former U.N. weapons inspector Scott Ritter, that Iraq's program to develop weapons of mass destruction continues. We know that more than fifty days have elapsed since the last UNSCOM weapons inspection. Almost two months of immunity have been granted to a regime which used chemical weapons on its own people, which seeks biological weapons, and which had an active and advanced nuclear weapons program. Further, Iraqi regime rhetoric, stated most recently by Tariq Aziz at the U.N. General Assembly meeting this week, notifies us that Iraq will no longer accept UNSCOM monitoring, at least not in an effective form. So Iraq's neighbors, and we, can expect to be threatened by Iraqi weapons of mass destruction of ever-growing lethality in coming years, with no collective international action to halt it.

Saddam Hussein pays for his weapons programs by smuggling oil, at which he is getting more proficient, and by diverting resources which should be going to the Iraqi people. His military may be less capable than before the Gulf War, but his troops could still overwhelm the remaining areas of Iraqi Kurdistan outside his control. They could move north at any time or attack pockets of resistance in the southern marsh areas.

It is strongly in America's interest that Iraq's neighbors and our allies in the region live in peace and security. That interest alone more than justifies a policy to change the Iraqi government. But there is an additional reason which ought to have particular resonance in the United States. Mr. President, I refer to the need to free the Iraqi people from one of the most oppressive dictatorships on earth.

We Americans, who have striven for more than two centuries to govern ourselves, should particularly feel the cruel anomaly which is the Iraqi government. In an age in which democracy is in the ascendant, in which democracy is universally recognized as a government's seal of legitimacy, the continued existence of a Stalinist regime like the one in Baghdad should inspire us to action. Saddam Hussein rules by raw fear. In terms of absolutism, personality cult, and terror applied at every level of society, only North Korea rivals Iraq today. The existence of such a government is a daily affront to every freedom-loving person, to everyone who is revolted by the degradation of our fellow human beings. I refuse to accept it, and I want the United States to refuse to accept it. As I have said on this floor before, when Saddam's prisons and secret police records and burial grounds are opened, when the Iraqis can at last tell their

horrifying story to the international court which will try Saddam for his many crimes against his own people, we Americans will be proud we took this stand.

Mr. President, over the past year we have made some progress toward a policy of replacing the Iraqi regime. The Foreign Operations Appropriations Bill passed by this body included funding for assistance to Iraqi opposition movements and for broadcasting to Iraq. The Administration has proposed a program to assist the Iraqi opposition abroad, to link the different groups together and get them organized. I support all these efforts, but they don't go far enough. The legislation before us takes the additional steps which indicate full commitment to helping the Iraqi people get rid of Saddam and his regime: the legislation states the commitment, and it enables the Administration to supply military assistance to the Iraqi opposition.

Mr. President, should this legislation come into effect, we and the Administration should be prepared for the possibility that the Iraqi opposition may use the military equipment they receive, together with their own resources, to liberate some portion of Iraq. As I have said before that will be the time for the United States to recognize the opposition as Iraq's government and lift economic sanctions on the liberated part of the country.

At this time in history, when some in the world seem ready to set aside their moral scruples and interact with Saddam, when the UNSCOM inspection system is at grave risk, when Saddam may attempt to break free of the sanctions which have restrained him since the Gulf War, it is urgent for the United States to clearly state its implacable opposition to Saddam and his regime. This legislation is the way to do that, and to simultaneously help Iraqis make their revolution. Besides strengthening the Iraqi opposition, this legislation tells Iraqis to keep up hope. It enables the Administration to tell Iraqis we know how bad Saddam is, we have the facts on him, and we will not rest until we see him in court. Iraqis will also learn that we understand the need to deal with the burden of debt Saddam has incurred, and we will work with Iraq's international creditors to find a solution for a post-Saddam Iraq. Iraqis will learn of our commitment to provide humanitarian assistance and democracy transition assistance to a post-Saddam Iraq. They will learn that an Iraq committed to democracy will be a welcome member in the family of nations. As they learn what we have done and what we are prepared to do, the Iraqi people will be our allies in an enterprise which will make them free, and America and its allies more secure.

By Mr. HOLLINGS:

S. 2526. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in

the coastwise trade for the vessel *Little Toot*; to the Committee on Commerce, Science, and Transportation.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL "LITTLE TOOT"

• Mr. HOLLINGS. Mr. President, I am introducing a bill today to direct that the vessel *Little Toot*, Official Number 938858, be accorded coastwise trading privileges and be issued a certificate of documentation under section 12103 of title 46, U.S. Code.

The *Little Toot* was constructed in Panama City, Florida in 1988. It is a tender vessel, which can be used also as a small tugboat, and was constructed by Marine Fabricators for Structures, Inc. It is 25.2 feet long, 12.2 feet wide, 4.1 feet deep, and self-propelled.

The vessel was purchased by Marinex Construction Company, Inc. of Johns Island, South Carolina, which purchased it in 1997 for intended use as a working tugboat in the harbor of Charleston, SC. The vessel has never been registered with the Coast Guard and has been sold a number of times. U.S. documentation laws require documentary proof of continuous U.S. ownership. The current owner has not been able to locate all the necessary documentation to prove continuous U.S. ownership, and therefore I am introducing legislation to waive the requirements of the coastwise trade law.

The owner of the *Little Toot* is seeking a waiver of the existing law because he wishes to use the vessel as a tugboat. His desired intentions for the vessel's use will not adversely affect the coastwise trade in U.S. waters. If he is granted this waiver, it is his intention to comply fully with U.S. documentation and safety requirements. The purpose of the legislation I am introducing is to allow the *Little Toot* to engage in the coastwise trade and the fisheries of the United States.●

By Mr. LAUTENBERG (for himself, Mr. DODD, Mr. BUMPERS, and Ms. MOSELEY-BRAUN):

S. 2527. A bill to better regulate the transfer of firearms at gun shows; to the Committee on the Judiciary.

THE GUN SHOW SUNSHINE ACT OF 1998

• Mr. LAUTENBERG. Mr. President, today on behalf of myself and Senators BUMPERS, DODD, and MOSELEY-BRAUN, I introduce the Gun Show Sunshine Act of 1998. This bill addresses the serious problem of gun shows where criminals can buy and sell dangerous weapons without any record of the sale, and without any background checks.

Let me outline the scope of the problem.

Since the Brady Act went into effect in 1994, more than 242,000 handgun purchases have been denied to convicted felons, fugitives, drug addicts and other dangerous persons. The Domestic Violence Gun Ban in the Brady Act, which I sponsored, went into effect in 1996 and has prevented more than 6,800 firearms sales to people convicted of abusing a spouse or child.

However, because of a loophole in our laws, those same people merely need to

drive to a gun show and they can buy as many weapons as they want. Just walk in with cash and walk out with a weapon—no waiting, no background check, and no record of the transaction.

Simply put, gun shows are firearm flea markets for felons.

Because gun shows are largely unregulated, no one knows for sure how many gun shows are held each year, or how many guns are sold at them. Estimates range from 2,000 to 5,200 shows a year. These shows generate billions of dollars in gun sales and put thousands of guns into the hands of people who would be stopped from buying a gun if a background check were done.

The system is perfectly geared to the anonymity criminals crave. Tommy Dillon, a serial killer in Ohio, used gun shows to both buy and sell his murder weapons without a trace—even though police suspected he was the killer. Dillon was so sure he found a perfect system that he taunted police with an anonymous letter promising he would never be caught. He was caught after killing five people, but only because of a freak coincidence. After Dillon was picked up on an unrelated weapons charge, someone he had sold one of his murder weapons to recognized Dillon from a newspaper photo, and called the police when he realized he had one of the murder weapons police sought.

One California gun dealer used the unregulated flea-market atmosphere of gun shows to sell 1,700 guns in a four-year period. Some of these guns made their way to gang members and juveniles. Of the guns that could be traced, at least 30 were used in crimes, including three murders and a shoot out with police.

The Bureau of Justice Statistics estimates that 341,000 guns a year were stolen from private citizens between 1987 and 1992. Because there is no requirement to keep records, gun shows provide a safe haven to dispose of these weapons.

How did it come to be like this?

Back in 1986, under intense pressure from the gun lobby, Congress passed and President Reagan signed into law the Firearm Owners' Protection Act. The law substantially weakened the Gun Control Act of 1968, which was passed after the assassinations of Sen. Robert F. Kennedy and the Rev. Dr. Martin Luther King.

Among the changes was a loosening of the law regarding who needs a license to sell firearms and what records must be kept. Under the new law, anyone selling from their "private collection" or who is engaged in "occasional sales" was made exempt from federal record-keeping.

But the law does not define "occasional sales" or precisely what constitutes a "personal collection." And, to make matters worse, the law prohibits agents of the Bureau of Alcohol, Tobacco and Firearms from even entering a gun show unless they are there on a specific case.

This has to stop. This bill would bring these weapons sales into the light and strip criminals of their government-granted anonymity. Under this bill, gun show operators would be required to obtain a license from the Bureau of Alcohol, Tobacco and Firearms and meet the same standards as federally licensed gun dealers—they must be more than 21 years of age and have no convictions for gun-law violations.

Any person selling a firearm at a gun show would be required to notify the gun-show operator. The gun-show operator would then conduct a background check of the purchaser using the Instant Check system, just as a licensed gun dealer is required to do. The gun-show operator would also be required to keep the same records as a licensed gun dealer, including the name and address of the purchaser, the type of gun and its serial number. The operator would also be required to submit to the ATF a list of the serial numbers of all guns sold at the show so that if these guns are later recovered at a crime scene, the ATF will be able to trace the gun.

This bill simply takes the laws that already apply to licensed gun dealers, and applies them to the thousands of transactions conducted by unlicensed sellers at gun shows.

Mr. President, we must do more to stop the gun violence on our streets. Firearms are involved in 35,000 deaths a year. That's more American killed than in the entire Korean War.

I urge my colleagues to help cut this weapons supply line that fuels an arms race on our streets. Let's work together to pass the Gun Show Sunshine Act and keep guns out of the hands of criminals.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REGULATION OF GUN SHOWS.

(a) IN GENERAL.—Section 923 of title 18, United States Code, is amended by adding at the end the following:

“(m)(1) No person shall hold a gun show, unless—

“(A) the person is licensed to hold a gun show under this subsection; and

“(B) not less than 30 days have elapsed since the person, using a form which shall be prescribed by the Secretary, has notified the Secretary and the chief law enforcement officer of the appropriate jurisdiction of the postal address and the dates and times at which the gun show is to be held.

“(2) In order to be licensed to hold a gun show under this subsection, a person shall submit to the Secretary an application that—

“(A) contains a certification by the applicant that—

“(i) the applicant meets the requirements of subparagraphs (A) through (D) of subsection (d)(1); and

“(ii) any gun show to be conducted under the license is not prohibited under State or local law, and will be conducted in accordance with all applicable State and local laws;

“(B) contains a photograph and fingerprints of the applicant; and

“(C) is in such form as the Secretary shall prescribe by regulation.

“(3)(A) Not later than 60 days after the date on which the Secretary receives an application under paragraph (2), the Secretary shall approve or deny the application. The Secretary shall approve an application submitted pursuant to paragraph (2) if the application meets the requirements of that paragraph.

“(B) If the Secretary fails to approve or deny an application submitted under paragraph (2) before the expiration of the 60-day period described in subparagraph (A), the applicant may bring an action under section 1361 of title 28 to compel the Secretary to either approve or deny the application in accordance with this subsection.

“(C) Upon approval of an application submitted under paragraph (2) by the Secretary and payment by the applicant of such fee as the Secretary shall establish to ensure that the fees collected under this subsection are sufficient to cover the costs of issuing licenses under this subsection, the Secretary shall issue to the applicant a license that, subject to this chapter and other applicable provisions of law, entitles the licensee to hold gun shows in interstate or foreign commerce during the 3-year period beginning on the date on which the license is issued.

“(4)(A) Before any person who is not licensed under this subsection may transfer any firearm at a gun show—

“(i) the person shall provide to the holder of the gun show written notice of—

“(I) the name, age, and address of the person and of the prospective transferee (or, in the case of a party who is a corporation or other business entity, the identity and principal and local places of business of such party);

“(II) the serial number, make, and model of the firearm; and

“(III) the date and location of the transfer; and

“(ii) the holder of a gun show shall comply with the requirements imposed on licensed dealers by section 922(t) and subsections (g)(1)(A) and (g)(3)(A) of this section with respect to the transfer.

“(B) Not later than 30 days after the end of a gun show for which a license is issued under this subsection, the licensee shall deliver to the Secretary all records or documents collected by the licensee pursuant to subparagraph (A) with respect to that gun show.

“(5) In this subsection, the term ‘gun show’ means an event or function that is—

“(A) sponsored by—

“(i) a national, State, or local organization devoted to the collection, competitive use, or other sporting use of firearms; or

“(ii) an organization or association that sponsors functions devoted to the collection, competitive use, or other sporting use of firearms in the community; and

“(B) held at a location—

“(i) that is not specified in any license issued under subsection (b) or (c);

“(ii) at which a firearm is offered for sale or transfer; and

“(iii) at which not less than 50 firearms are present, not less than 1 of which has been shipped or transported in interstate or foreign commerce.”

(b) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

“(7)(A) Whoever knowingly violates section 923(m)(1) shall be fined under this title, imprisoned not more than 5 years, or both.

“(B) Whoever knowingly violates subparagraph (A)(i) or (B) of section 923(m)(4) shall be fined under this title, imprisoned not more than 1 year, or both.

“(C) Whoever violates section 923(m)(4)(A)(ii) by knowingly failing to comply with a provision of law specified in that section shall be punished as otherwise provided under this section for knowingly violating that provision of law.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any conduct engaged in after the expiration of the 1-year period beginning on the date of enactment of this Act.●

By Mr. MCCONNELL:

S. 2528. A bill to direct the Commissioner of Social Security to establish a demonstration project to conduct outreach efforts to increase awareness of the availability of Medicare cost-sharing assistance to eligible low-income Medicare beneficiaries; to the Committee on Finance.

SOCIAL SECURITY ADMINISTRATION OUTREACH DEMONSTRATION

● Mr. MCCONNELL. Mr. President, since 1988, Congress has established three programs to provide low-income elderly and disabled individuals with Medicare cost-sharing assistance under Medicaid. Despite the availability of these dual-eligible programs, gaps in beneficiary knowledge and deficiencies in program administration by federal and state agencies have created persistent barriers to enrollment by eligible Medicare recipients.

For several years, the U.S. Department of Health and Human Services and the Social Security Administration have sought to educate seniors on the availability of Medicare cost-sharing programs through mass mailings, informational hotlines, and pamphlet distribution. While these initiatives have helped, a study by Families USA found that over three million low-income Medicare beneficiaries are not enrolled in any cost-sharing program. In Kentucky, the study estimates that the lack of information about and participation in Medicare cost-sharing programs cost more than 49,000 low-income Kentuckians about \$25 million a year. In order to overcome these troubling blockades to enrollment, the U.S. Department of Health and Human Services, the Health Care Financing Administration and the Social Security Administration are studying options to more effectively serve our nation's financially vulnerable seniors and disabled.

A key aspect to improving participation in cost-sharing programs is the capacity for federal and state agencies to identify those who experience critical income shifts after their initial enrollment in Medicare and Social Security. One group at particular risk of reduced income in later life is widowed spouses.

For anyone who has lost a loved one, the experience is overwhelming both mentally and emotionally. The loss of a spouse, often after a long, intensive illness, leaves many elderly with the difficult task of restructuring their lives in order to regain personal and financial stability. At this critical time

of change, widowed spouses rely on their revised Social Security benefit as the foundation for their future budget planning. Statistics furnished by the Social Security Administration show that 40 percent of nonmarried women, a category which includes widows, rely on Social Security for 90 percent of their income in comparison to only 18 percent of married couples. In addition, nearly one-fourth of nonmarried women rely on Social Security as their sole source of income.

In an effort to focus federal and state agencies on the health and welfare needs of low-income, widowed spouses, I am introducing legislation for a research demonstration to identify potential dual eligibles during the recalculation of Social Security benefits for widowed spouses. The Social Security Administration would refer this information to the state administrators of Medicare cost-sharing programs for their followup.

Mr. President, I want to take this opportunity to thank Senator ARLEN SPECTER for including my request to fund this research effort by the Social Security Administration in the committee report to FY 1999 Labor, Health and Human Services, and Education Appropriations bill approved by the Senate Appropriations Committee in September. As the House and Senate work to complete the omnibus appropriations bill for FY 1999, I strongly urge my colleagues to include this research endeavor in the final measure as part of our commitment to improving the responsiveness of federal and state agencies to the health and welfare needs of our nation's at-risk seniors.●

By Mr. SPECTER:

S. 2530. A bill to designate certain lands in the Valley Forge National Historical Park as the Valley Forge National Cemetery, and for other purposes; to the Committee on Energy and Natural Resources.

VALLEY FORGE NATIONAL CEMETERY.

● Mr. SPECTER. Mr. President, today I introduce legislation creating a Valley Forge National Cemetery and calling on the Secretary of Veterans Affairs to determine the feasibility of a national cemetery in southwestern Pennsylvania.

This legislation specifically authorizes the Department of the Interior to transfer a portion of the Valley Forge National Historic Park to the Department of Veterans Affairs for establishment of a Valley Forge National Cemetery in Southeastern Pennsylvania. This new cemetery will be constructed and operated by the Department of Veterans Affairs' National Cemetery System (NCS). The NCS was established by Congress and approved by President Lincoln in 1862 to provide for the proper burial and registration of graves of Civil War soldiers. The NCS currently operates 115 cemeteries throughout the nation and in Puerto Rico. Since its establishment, the National Cemetery System has been ful-

filling one of our nation's most solemn obligations; it has provided for the proper burial of our nation's veterans. This mission is perhaps more important today than it has been in the entire history of the NCS. The General Accounting Office (GAO) reported in a September 1997 report that the numbers of veteran deaths and interments performed by NCS continue to grow each year and are projected to peak between 2005 and 2010. This expected increase in workload has been reiterated by Mr. Roger Rapp, Acting Director of the National Cemetery System, at an April 29, 1998 hearing before the House Committee on Veterans' Affairs, Subcommittee on Benefits. According to Mr. Rapp, annual veteran deaths are expected to peak in 2008.

With the fifth largest 65 and older veteran population in the country, the Commonwealth of Pennsylvania faces many challenges in fulfilling the nation's solemn obligation to its deceased veterans and their families. Striving to meet these challenges, the NCS operates two Pennsylvania national cemeteries: Indiantown Gap National Cemetery and the Philadelphia National Cemetery. The Indiantown Gap National Cemetery is a 677-acre cemetery, which opened in 1982 and is expected to remain open until 2030 under estimated rates of interment. The Philadelphia National Cemetery opened in 1885 with 13 acres, reached casket capacity in 1962 and is expected to reach cremation capacity in 1999.

A Valley Forge National Cemetery would provide the Philadelphia area with new gravesites and alleviate the need for families to travel over two hours to the Indiantown Gap National Cemetery. I am informed that the land to be transferred to the Department of Veterans Affairs does not contain any historical markers and is a suitable site for such an important facility.

Also, there is no national cemetery in the southern or western parts of Pennsylvania, where the veteran population is heavy. In an effort to address the burial needs of these veterans, I have included a provision in the Senate legislation requiring the Secretary of Veterans Affairs to report to the House and Senate Committees on Veterans' Affairs within 90 days of enactment on the feasibility of establishing and operating a national cemetery in Southwestern Pennsylvania.

The House legislation, H.R. 4365, introduced by my good friend, Congressman JON FOX, is co-sponsored by the entire Pennsylvania delegation. I join my House colleagues in introducing this legislation for consideration in the Senate.●

ADDITIONAL COSPONSORS

S. 183

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 183, a bill to amend the Family and Medical Leave Act of 1993 to apply the act to a greater percentage of the

United States workforce, and for other purposes.

S. 555

At the request of Mr. ALLARD, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 555, a bill to amend the Solid Waste Disposal Act to require that at least 85 percent of funds appropriated to the Environmental Protection Agency from the Leaking Underground Storage Tank Trust Fund be distributed to States to carry out cooperative agreements for undertaking corrective action and for enforcement of subtitle I of that Act.

S. 1045

At the request of Mr. DASCHLE, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1045, a bill to prohibit discrimination in employment on the basis of genetic information, and for other purposes.

S. 1220

At the request of Mr. DODD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1220, a bill to provide a process for declassifying on an expedited basis certain documents relating to human rights abuses in Guatemala and Honduras.

S. 1868

At the request of Mr. NICKLES, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1868, a bill to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted for their faith worldwide; to authorize United States actions in response to religious persecution worldwide; to establish an Ambassador at Large on International Religious Freedom within the Department of State, a Commission on International Religious Persecution, and a Special Adviser on International Religious Freedom within the National Security Council; and for other purposes.

S. 2205

At the request of Mr. DORGAN, the names of the Senator from Arkansas (Mr. BUMBERS), the Senator from North Dakota (Mr. CONRAD), the Senator from Washington (Mrs. MURRAY), the Senator from Washington (Mr. GORTON), the Senator from Nebraska (Mr. KERREY), the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Mr. KERRY), the Senator from Montana (Mr. BAUCUS), the Senator from Idaho (Mr. KEMPTHORNE), the Senator from Mississippi (Mr. COCHRAN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from New York (Mr. D'AMATO), the Senator from Michigan (Mr. ABRAHAM), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Florida (Mr. GRAHAM), the Senator from Oregon (Mr. WYDEN), the Senator from Connecticut (Mr. DODD), the Senator from New Jersey (Mr. TORRICELLI), the Senator from