

home state of Montana, Colonel Roberts will be honored at the University of Montana during an 80th anniversary ceremony for the Reserve Officer Training Corps (ROTC).

Colonel Roberts received many honors during his career. These awards include the Bronze Star, the Distinguished Flying Cross, two Air Medals and Commendation Awards from both the Army and the Air Force. In the 1960's, Colonel Roberts, who was assigned to the Strategic Air Command, briefed our Nation's leaders about the threats to our country and potential targets for the United States during the cold war.

Sam Roberts was a great leader of those under his command. His motto: "Don't ask any of your men to do anything that you wouldn't do yourself or that you wouldn't show them how to do yourself," is a cornerstone that we should look for in the future leaders of our military.

I salute Colonel Sam Roberts, and his lovely wife, Kathleen, for the sacrifices they made during Sam's career and thank them for a job well done. I consider it an honor and privilege to call Sam and Kathleen Roberts my friends.●

#### STATEMENT ON THE DEATH OF GENE AUTRY

● Mrs. BOXER. Mr. President, I was saddened to learn of the death of Gene Autry, a longtime Californian, earlier this afternoon. Mr. Autry will always be remembered as a singer and performer of enormous talent and appeal. First making his way onto the radio airwaves in 1928 as a singer, his career quickly broadened to include acting. He appeared in such films as "Tumbling Tumbleweeds" in 1935 and television series as "The Gene Autry Show" between 1951-1954. Perhaps his most famous song, "Rudolph the Red Nosed Reindeer" will forever remind us of his zest for life and gentle charm each holiday season.

Mr. Autry succeeded in everything he undertook—radio, television, records, songwriting, movies, real estate, and business. In 1961, he bought the expansion Los Angeles Angels, renamed in 1965 as the California Angels. He maintained ownership of the team until the Walt Disney Company took operating control in 1966.

Over the course of his life, Mr. Autry collected Western memorabilia and art. In 1988, using much of his own funding, he opened the Gene Autry Western Heritage Museum in Los Angeles' Griffith Park. I cherish every opportunity I have to visit the Heritage Museum and view treasures from the Old West.

My most sincere condolences go out to Mrs. Autry and his entire family. Gene Autry will be missed by all, especially Californians who benefited tremendously from his works. I know that right now, the Singing Cowboy is "Back in the Saddle Again," smiling down on us.●

#### HONORING CHALMERS WYLIE

● Mr. DEWINE. Mr. President, I rise today to pay tribute to the memory of former Representative Chalmers Wylie, who passed away on August 14, 1998, at the age of 77.

Chalmers Wylie was elected to the House of Representatives in 1966, and went on to serve thirteen distinguished terms. His career included service as Ranking Member of the House Banking, Finance, and Urban Affairs Committee.

Mr. Wylie dedicated his life to public service—and especially to the service of the people of Ohio's 15th district. While serving in the Army during World War II, he received the Purple Heart for wounds sustained while aiding fallen soldiers in Germany. In addition, he was awarded the Silver and Bronze Star, the Presidential Unit Citation with two oak-leaf clusters, the French Croix de Guerre and the Belgian Fourragere.

Undoubtedly, Mr. Wylie's war-time service provided him with a special understanding of the needs of veterans. This experience was particularly apparent in the House Veterans' Committee, where he fought for veterans and was instrumental in improving veteran access to medical care in Columbus, Ohio through the establishment of the Veterans' Affairs Outpatient Clinic.

Along with my distinguished colleague Senator GLENN, I am introducing legislation today to name the Department of Veterans' Affairs Outpatient Clinic, located at 543 Taylor Avenue in Columbus, Ohio, the "Chalmers P. Wylie Veterans Outpatient Clinic." This is a companion bill to H.R. 4602, which was introduced by our distinguished House colleague Deborah Pryce, with the support of the entire Ohio delegation. I hope that my colleagues in the Senate will support the swift passage of this fitting tribute to our friend Chalmers Wylie, for his years of dedication to veterans, to Ohio, and to America.●

#### LET'S ENCOURAGE BROWNFIELDS DEVELOPMENT AND GET THE LITTLE GUY OUT OF SUPER- FUND LITIGATION AT CO-DIS- POSAL SITES

● Mr. LAUTENBERG. Mr. President, yesterday the Conferees on VA-HUD Appropriations decided to amend our nation's Superfund law.

At present, Superfund contains a limit on the liability of sureties who issue performance bonds to Superfund cleanup contractors. I was the author of that provision, which I introduced in 1990 as a free-standing Superfund bill (S. 3187). My bill was broadly supported by labor, environmentalists, and the American Insurance Association.

But, Mr. President, at the time the surety liability legislation was passed, certain Senators who doubted the limitation was necessary to increase the availability, and hence, competitive-

ness, of surety bonds, added a sunset provision.

During the VA-HUD Conference yesterday, the Conferees agreed to eliminate that sunset provision. The deletion has had broad-based, bipartisan support, and has appeared in each comprehensive Superfund reform bill introduced in this Congress.

I supported that amendment, Mr. President, but I want to underscore my distress at the manner in which the Conferees adopted the amendment.

Several months ago, I asked Senator CHAFEE to include two Superfund amendments on the agenda for an Environment and Public Works Committee business meeting before the end of the year—one pertaining to brownfields and the other to municipal solid waste ("MSW"). Senator CHAFEE rejected this request, based on his opposition to "piecemeal" Superfund reform, that is, anything less than a comprehensive overhaul of the entire Superfund statute—something that has eluded this body now for three consecutive Congresses, or six years.

I was therefore astonished that the surety amendment made its way into yesterday's VA-HUD Conference Report. I was especially surprised that Senator CHAFEE, as Chair of the authorizing Committee, signed off on this piece of Superfund reform on an appropriations bill, despite his repeated opposition to "piecemeal" reform, and the fact that this provision had not passed the House or the Senate as a stand-alone bill, and was not in either the House or the Senate VA-HUD bills.

Some argued that the surety amendment was merely technical in nature—that it simply perpetuated the opportunity for sureties to enjoy limited liability under Superfund.

Using that criterion, a brownfields liability exemption would also constitute nothing more than a technical fix—it would clarify that Congress did not intend Superfund liability to deter persons from purchasing and cleaning up brownfields properties. Nor would an MSW amendment—which would confirm that Congress did not intend persons who disposed of only household waste to be liable for cleanup of toxic waste.

The surety amendment has also been touted as non-controversial—having consistently enjoyed broad-based bipartisan support.

Mr. President, as I have stated on many occasions, and my esteemed colleagues must agree, brownfields and MSW liability exemptions can boast the same historic consensus. They have appeared in each of the comprehensive Superfund reform bills introduced by Republicans or Democrats since the 103rd Congress. And they have gained the support of all stakeholders, the Administration, and the national environmental community.

The brownfields and MSW fixes are minor, but they are crucial for successful brownfields development, or to relieve those subjected to unfair and unintended litigation. And they offer significant economic and environmental benefits. The nation's Mayors estimate they lose between \$200 and \$500 million a year in tax revenues from these properties sitting idle, and that returning these sites to productive use could create some 236,000 new jobs.

I am therefore honestly trying to understand what, if any, objective criteria exist for determining which small Superfund fixes will be made in this session.

When I consider yesterday's surety amendment, along with Senator LOTT's recycling proposal (S. 2180), I can find nothing that distinguishes sureties or recyclers from brownfields or MSW. There is virtually nothing that makes the surety's or recycler's needs more urgent than those of our cities in need of brownfields revitalization, and their taxpayers and residents, who want cleanup and redevelopment; or those of the homeowners and small businesses mired in litigation at landfill sites. And it certainly cannot be argued that brownfields or MSW have enjoyed any less broad-based support than have fixes for recyclers or sureties.

As a Senator from a state with literally thousands of brownfields sites, as well as altogether too many instances of homeowners and small businesses dragged into Superfund litigation by their corporate peers (and not by EPA), it is my responsibility to lobby for those communities and individuals who don't have lobbyists representing them here in the Congress. We, as their elected representatives, are their lobbyists. We are their voice. There is no reason in the world why this Senate, and this Congress, should not move forward to make the minor, non-controversial, and eminently sensible changes to Superfund law that impede brownfields development and rob small businesses of their hard earned profits.

Now, Mr. President, some of my colleagues have claimed that passage of brownfields or MSW amendments are anathema to comprehensive Superfund reform. Or some of my colleagues have argued that precisely because the brownfields and MSW amendments are so popular, and enjoy such broad ranging support, and provide such significant benefits to the nation, that they should be held hostage to comprehensive Superfund reform—that we should see if they will succeed in driving parties back to the table to negotiate comprehensive Superfund reform for the fourth consecutive Congress.

Mr. President, with all due respect, I think it is wrong to prevent enactment of legislation that enjoys broad support, and would reap acknowledged benefits, as a tactical matter to achieve unrelated goals. This disserves the public and adds to public cynicism. For a variety of reasons, efforts to

radically change Superfund, the nation's toxic waste cleanup program, have failed for six years running. Toward the end of each of the past two Congresses, many Senators, including this Senator, have argued that we should move ahead with achievable reforms that are non-controversial and permit our people, our communities, and our economy to benefit from their enactment. Today, as we head into the final week of this Congress, I make the same plea. Just as holding recyclers or sureties hostage to comprehensive Superfund reform has not gotten us any closer to producing an acceptable product that the President could sign, so holding brownfields development and persons who disposed of household trash hostage to other legislative goals is a failed strategy. It will not mitigate the controversy intrinsic to the broader issues raised by comprehensive legislation. But it will rob communities across the country of the jobs and tax ratables that flow from revitalized brownfields and will impose severe penalties on the individuals and small businesses caught up in a litigation nightmare through no fault of their own.

Mr. President, I call upon my esteemed colleagues to move brownfields and MSW amendments before this Congress ends. I believe otherwise we will all have a hard time explaining, when we return to our home states in October, why sureties and recyclers merited this body's attention, but our communities and our taxpayers and our small businesspeople were somehow less worthy.●

#### ANNIVERSARY OF THE COUNCIL FOR RESPONSIBLE NUTRITION

● Mr. HATCH. Mr. President, I rise to offer my congratulations to the Council for Responsible Nutrition (CRN), which is now celebrating its 25th anniversary.

For over a quarter of a century, the members of CRN have been working to enhance the public's health by promoting wise dietary choices and the appropriate use of nutritional supplements. CRN's work with federal legislators and policy makers has helped to ensure that consumers have access to a variety of quality nutritional products and to accurate information about the health benefits of these products.

Over 100 million Americans are using dietary supplements daily. There is ample—and growing—scientific evidence that dietary supplements can help promote good health. To cite but one example, for many years, we have known that use of folic acid during pregnancy can reduce the risk of birth defects. Now it appears it can help prevent heart disease as well.

One of the most significant achievements of which I have been a part, as a Senator for the last 22 years, has been the passage of the Dietary Supplement Health and Education Act (DSHEA) of 1994. I worked closely with the CRN in

passing this bill, and I am extremely grateful to them for their insights and expertise, which were integral to the success of this endeavor.

I am pleased to have had such a positive relationship with CRN and look forward to working with this fine Association for many years in the future to help Americans live healthier lives. Again, my congratulations to the Council for Responsible Nutrition.●

#### OCEAN SHIPPING REFORM ACT

● Mr. BREAU. Mr. President, last night, after several years of effort, the Senate passed S. 414, the Ocean Shipping Reform Act, and I strongly urge the President to sign this important piece of legislation into law.

The Ocean Shipping Reform Act of 1998 modifies our existing shipping regulatory scheme by bringing it up to date with the industry as it operates today. It provides more flexibility for carriers and shippers to agree on transportation arrangements. It authorizes the privatized publication of rate information. It gives individual carrier conference members more leeway in taking independent actions and in entering service contracts, and thus makes the current system more competitive.

Yet the bill also preserves the basic system and principles of common carriage, and maintains protections for ocean transportation users against unfair or unreasonable actions by transportation providers. Importantly, S. 414 preserves the Federal Maritime Commission as an independent regulatory agency, which is vitally important as that agency enforces this program while it additionally ensures that our trades remain free from restrictive foreign shipping practices that impede our oceanborne foreign commerce.

The reason this bill was so long in coming is that the Senate took great care to make the legislative process an open one. I was critical of shipping legislation passed in the other body three years ago, because it did not reflect the diversity of concerns reflected in the broad spectrum of shipping interests. It was, as I noted at a Commerce Committee hearing, "conceived in darkness." By contrast, the legislation ultimately agreed to by both the House and Senate is truly a compromise, in which all industry interests were heard from and all sectors had input. No one got everything they wanted in this legislation, and no one's interests were completely disregarded. This legislation is a carefully crafted balance of the many interests at stake. When it was necessary, members of all segments sat down and negotiated a compromise. Not everyone is completely pleased with all aspects of the legislation, but it is incumbent upon us to move forward.

I would also like to take this opportunity to thank a number of members of both the House and Senate for their efforts on this bill including; Congressmen SHUSTER, OBERSTAR, GILCHREST