Mr. THURMOND, Mr. FORD, Ms. MOSELEY-BRAUN, Mr. ABRAHAM, Ms. LANDRIEU, Mr. INOUYE, Mr. SARBANES, Mr. DODD, and Mr. MCCAIN):

S. J. Res. 45. A joint resolution designating March 1, 1999 as ''United States Navy Asiatic Fleet Memorial Day'', and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. HUTCHISON:

S. Res. 215. A resolution directing the Secretary of the Senate to request the House of Representatives to return the official papers on S. 414, and make a technical correction in the Act as passed by the Senate; considered and agreed to.

By Mr. DODD (for himself, Mr. KENNEDY, Mr. MOYNIHAN, Mr. DASCHLE, Mr. LEAHY, Mr. LAUTENBERG, Mr. KERRY, Mr. MACK, Mr. D'AMATO, Mr. REED, Mr. KERREY, and Mr. WELLSTONE):

S. Con. Res. 90. A concurrent resolution to acknowledge the Historic Northern Ireland Peace Agreement; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COCHRAN:

S. 1971. A bill to amend the American Folklife Preservation Act to permanently authorize the American Folklife Center of the Library of Congress; to the Committee on Rules and Administration.

THE AMERICAN FOLKLIFE CENTER CREATION ACT OF 1998

Mr. COCHRAN. Mr. President, a little more than 20 years ago, Congress enacted legislation which created the American Folklife Center at the Library of Congress. The legislation enjoyed broad bipartisan and bicameral support. The legislation I am introducing today will provide permanent authorization for the Center so that the Center may continue its work to preserve and share the collections of traditions which exemplify the diverse heritage of millions of ordinary Americans.

The collections of the American Folklife Center contain rich and varied materials from my state of Mississippi and every state in the Nation. These materials document the diversity of the folk traditions of the many people who make up our nation. The Folklife Center serves as a national repository of traditional culture and is used by scholars from around the world as well as schoolchildren, teachers, and genealogists.

The Congress has charged the American Folklife Center to preserve and present American Folklife for future generations. Providing the Center with permanent authorization will give the Center the security it needs to carry on its good work, continue its educational services, and strengthen its world-class collections. Permanent authorization will also allow the Center to engage the public's support of its collections through long-range planning and fundraising.

American folklife is the traditional expressive culture shared within the many familial, ethnic, occupational, religious, and regional groups in the United States. It is the very basis of family and community life. I hope we can permanently authorize the Folklife Center so that these wonderful collections will be available to future generations.

By Mr. COCHRAN:

S. 1972. A bill to reform the laws relating to Postal Service Finances, and for other purposes; to the Committee on Governmental Affairs.

THE POSTAL FINANCING REFORM ACT OF 1998

Mr. COCHRAN. Mr. President, today I am re-introducing a bill that I originally introduced last fall—the Postal Financing Reform Act of 1998. This bill is designed to do three things: allow the Postal Service to deposit funds in private sector institutions, invest in open markets—with Treasury approval of investment choices, and allow the Postal Service to borrow from private credit markets.

For almost two decades now, the Postal Service has been self-supporting. With a yearly budget near $60 billion, and just $100 million appropriated to provide free mailing for the blind, free overseas voting, and reduced postage rates for certain nonprofit mailers, continuing U.S. Treasury control over Postal Service banking, investing, and borrowing is no longer necessary or justified. Nonetheless, when I first introduced the Postal Financing Reform Act last fall, specific concerns were raised by some in the postal community, and I agreed to make changes that were suggested. The Postal Financing Reform Act of 1998 incorporates these changes. Specifically, the revised 1998 Act reverts back to existing law bill language that would have potentially allowed the Postal Service to invest in its private sector competitors, and to benefit from an increased borrowing ceiling at the U.S. Treasury.

Current law prevents the Postal Service from obtaining the most favorable combination of prices and services and results in added operating costs. Under this new approach, the Treasury Department would retain much of its current oversight, but it would no longer be the sole provider of certain financial services to the Postal Service.

The Postal Financing Reform Act of 1998 proposes four significant changes to current law. First, section two of the bill amends Title 39 of the U.S. Code to authorize the Postal Service to deposit its revenues in the Postal Service Fund within the U.S. Treasury or any Federal Reserve banks or depositories for public funds. The requirement to obtain the Secretary of the Treasury's approval before any funds be deposited elsewhere would be eliminated, just as this approval is no longer necessary for other quasi-public agencies like the Tennessee Valley Authority (TVA).

Section three continues the provision of existing law which requires that the Secretary of the Treasury approve any investments the Postal Service may make in non-Government securities. At the same time, it would permit the Postal Service to invest in U.S. Government obligations on its own accord, without unnecessary constraints, thus enabling the Postal Service to take advantage of favorable conditions in the Government securities market.

Section four removes the control of the Secretary of the Treasury over the Postal Service's financial borrowing decisions. The Postal Service would still be required to consult with the Secretary regarding the terms and conditions of the sale of any obligations issued by the Postal Service under section 2006(a) of Title 39, and the Secretary would still exercise a power of approval over the timing of a sale of obligations.

Finally, section five of the bill removes the ability of the Postal Service to require the Secretary of the Treasury to purchase Postal Service obligations. It merely permits the Secretary of the Treasury to buy Postal Service obligations upon the Postal Service's request.

I have heard from many sources that reforms in the Postal Service should be made. Though I have decided to refrain from undertaking comprehensive reform, I have selected instead a simple, straightforward correction of an out of date practice that would reduce costs and help hold down future rate increases, without increasing risk to the taxpayers.

Those who believe the Postal Service should operate as efficiently as possible, thus reducing fees charged to consumers, should support this bill. So, too, should those who profess to see the Postal Service treated more like a business.

I think it is time to act on this issue. I invite Senators to consider this proposal for reform and support this effort to ensure a more efficient and financially sound U.S. Postal Service.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

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

SECTION-BY-SECTION ANALYSIS—POSTAL FINANCING REFORM ACT OF 1998

SECTION 1. SHORT TITLE

The short title of this Act is the Postal Financing Reform Act of 1998.

SECTION 2. END OF TREASURY CONTROL OF POSTAL SERVICE BANKING

This provision would amend 39 U.S.C. 2003(d) by enabling the Postal Service to have sole discretion to deposit its revenues in the Postal Service Fund within the U.S. Treasury or any Federal Reserve banks or depositories for public funds. This amendment enables the Postal Service to deposit its funds as it deems appropriate, and take advantage of banking and other modern financial services in the open market that are unavailable from the Treasury Department.

SECTION 3. POSTAL SERVICE INVESTMENTS

This amendment to 39 U.S.C. 2003(c) ensures continued oversight of any non-Government investments made by the Postal Service. It continues the provision of existing law which requires that the Secretary of the Treasury approve any investments the Postal Service may make in non-Government securities. At the same time, it would permit the Postal Service to invest in U.S. Government obligations on its own accord, without unnecessary constraints, thus enabling the Postal Service to take advantage of favorable conditions in the Government securities market.

SECTION 4. ELIMINATION OF TREASURY PREEMPTION OF BORROWING BY THE POSTAL SERVICE

This amendment to 39 U.S.C. 2006(a) removes the control of the Secretary of the Treasury over the Postal Service's financial borrowing decisions. The Postal Service, however, must consult with the Secretary of the Treasury for a reasonable period of time, as determined by the Postal Service, regarding the terms and conditions of the sale of any obligations issued by the Postal Service under section 2006(a). The specification of a ''reasonable'' time, rather than a specific number of days, is intended to ensure that the consultation process is concluded in a commercially reasonable time, and does not unduly restrict the borrowing flexibility of the Postal Service. The Secretary will exercise a power of approval over the timing (but not the other terms) of a sale of obligations. At the end of the consultation period, the Postal Service may proceed to issue obligations to a party other than the Secretary, and the Secretary cannot block such action, regardless of whether the Secretary has approved such third-party sale. This provision should allow the Postal Service to minimize interest expense by obtaining the most cost efficient service available.

SECTION 5. ELIMINATION OF POSTAL SERVICE ''PUT'' ON TREASURY

Section 2006(b) of Title 39 allows the Postal Service to *require* the Secretary of the Treasury to purchase obligations of the Postal Service up to a limit of $2 billion. The amendment removes the ability of the Postal Service to *require* the Secretary of the Treasury to purchase Postal Service obligations. It merely permits the Secretary of the Treasury to buy Postal Service obligations upon the Postal Service's request. Removing this ''put'' on the Treasury will be consistent with the purpose of directing the Postal Service borrowing to the private sector where it will be able to take advantage of a broader market, albeit with the requisite constraints.

Since the decision to buy is at the discretion of the Secretary of the Treasury, there is no longer a need to place a dollar limit on the amount of Postal Service obligations that the Treasury can purchase. The total limit on Postal Service debt in Section 2005 should apply.

SECTION 6. EFFECTIVE DATE

This Act will become effective 90 days after enactment.

By Mr. BUMPERS (for himself, Mr. CHAFEE, Mr. HOLLINGS, Mrs. BOXER, Mr. TORRICELLI, and Mr. WELLSTONE):

S. 1973. A bill to amend section 2511 of title 18, United States Code, to revise the consent exception to the prohibition on the interception of oral, wire, or electronic communications; to the Committee on the Judiciary.

THE TELEPHONE PRIVACY ACT OF 1998

Mr. BUMPERS. Mr. President, I rise today, along with Senators CHAFEE, HOLLINGS, BOXER, TORRICELLI, and WELLSTONE, to introduce the Telephone Privacy Act of 1998. The issue of telephone privacy thrusts itself into the news every so often. I have introduced similar legislation twice before, because these concerns have been with us since Alexander Graham Bell installed the first party line.

In the early '80s Charles Wick was the head of USIA. He freely admitted that he had recorded more than eighty conversations with then President Reagan and former President Carter, cabinet members and many others. None of those people knew that Mr. Wick had recorded their conversations. I was absolutely appalled to learn that such conduct is perfectly legal. I have been trying to correct that gap in the law ever since.

Usually, we hear about this issue after some incident where an unsuspecting person has suffered harsh personal consequences after a private conversation has been recorded and disseminated. The Speaker of the House himself was recently recorded by a third party while speaking on a cellular phone. If that call had been made on an ordinary phone, any party to the call could have recorded it without informing the Speaker or anyone else—and it would have been perfectly legal. He could have broadcast it on the evening news and published the transcript in the New York Times. This should be repugnant to almost everyone and yet it is all quite legal. My two previous efforts to make such conduct illegal failed. I believe that in the present environment a majority of our people think it is time to correct this abomination.

Sixteen states have outlawed the taping of phone conversations without the consent of all parties to the call, but the federal law has not caught up with those states. Until a bill like mine becomes law, recording of personal conversations will be legal, so long as one party to the conversation is aware of such recording.

How many Americans are aware that it is legal for the private telephone conversations of any person in this country to be monitored and even recorded without his or her consent? Indeed, how many Senators know?

Americans cherish their privacy as nothing else. One of the reasons the President's popularity is so high is people believe his privacy and the First Lady's privacy has been unfairly invaded.

How many times have we heard a recording on television or read a transcript in the newspaper where one of the parties makes some embarrassing revelation, confident that the conversation is ''private,'' never suspecting that he or she was being recorded?

I am not talking about authorized law enforcement surveillance. I'm not talking about calls to 911. I'm not talking about employers who must monitor calls made by employees in the course of their duties and my bill makes no change in the law regarding Caller ID technologies. My bill would also allow victims of phone threats to record threatening calls. This bill retains all of the existing exceptions to the law that allow our law enforcement agencies and intelligence gathering agencies to carry out their important duties unimpeded.

I want to emphasize that the only change this bill is intended to make to the status quo is this: subject to existing exceptions, under my bill, the interception of wire and electronic communications will be permitted only where all parties have consented, rather than allowing only one party to make that determination. Existing penalties for violations of the law will remain unchanged.

The current law leaves a huge hole in the rights of telephone users. We have tolerated that gap for many years, but those have been years in which communications technology has exploded. In 1998, the technology to intercept and record telephone calls and other wire communications is available to almost everyone—you can do it with an ordinary answering machine. Much of our lives is now conducted over the telephone. Too much of our privacy is at risk. Too much mischief can be made to allow this flaw in our right to privacy any longer.

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. 1973

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 ''Telephone Privacy Act of 1998''.

SEC. 2. REVISION OF CONSENT EXCEPTION TO PROHIBITION ON INTERCEPTION OF ORAL, WIRE, OR ELECTRONIC COMMUNICATIONS.

Section 2511(2)(d) of title 18, United States Code, shall be revised to read as follows:

''(d)(i) It shall not be unlawful under this chapter for a person not acting under color of law to intercept a wire, oral, or electronic communication where all parties to the communication have given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

''(ii) Notwithstanding subparagraph (i), a person may intercept a wire, oral, or electronic communication where such person is party to the communication and the communication conveys threats of physical harm, harassment or intimidation.''

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1974. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any Alaska Permanent Fund dividend received by a child under age 14; to the Committee on Finance.

TAX LEGISLATION

Mr. MURKOWSKI. Mr. President, I rise to introduce legislation that would

alleviate an IRS paperwork hassle that confronts every citizen of Alaska who has a child. I am pleased to be joined by the distinguished senior Senator from Alaska, Senator STEVENS, in introducing this legislation.

Mr. President, when this nation was facing the oil crisis of the 1970s, Alaskan oil from Prudhoe Bay was in large part responsible for allowing our nation to bridge the oil crisis and overcome the blackmail the world faced from the OPEC cartel. The state of Alaska made a foresighted decision at that time that it would take a portion of the oil royalty money and place it into a trust fund for the benefit of the citizens of our State.

This trust fund has grown significantly in the past two decades and has allowed the state to issue dividends to every citizen of the state each year. Mothers, fathers and children are all entitled to an equal share of the dividend. Yet when it comes time to file tax returns, every family with a child in Alaska is forced to file a separate tax return for the child based on the fact that the child's only income is the permanent fund dividend.

Children under 14 must pay income tax it they have investment income of more than $650. If their investment income is greater than $1,400, a special ''kiddy tax'' is levied that taxes the child's income at the parents' highest tax rate. The kiddy tax was designed for one simple purpose: To prevent high income taxpayers from shifting income to their children for tax avoidance purposes.

Mr. President, in the case of nearly every child in Alaska, there is no effort for parents to shift income to their children. A two-year old is required to file a tax return simply because the state had the foresight to invest state oil royalty income for the benefit of all it's citizens.

In recent years, the annual Permanent Fund dividend checks have averaged nearly $1,000 per person. For a two-year old child who received that dividend, the child's parents are responsible for having a tax return prepared for the child that will show a tax liability of $52.50. As all of my colleagues know, filling out tax returns has become ever more complicated. Fewer and fewer individuals are filling out their own returns. Instead, they are having to pay professional prepares to fill out these returns.

In fact, IRS reports that returns filled out by paid prepares are a record high this year—54% of all returns filed had been prepared by professionals. For an Alaskan family with two children, that means a paid preparer must fill out three separate tax forms—one for the mother and father and one for each of the two children. How much additional cost does the prepare charge for the additional returns? The simplest form to file—the 1040 EZ costs $16.50 at the local H&R block. For two children that's an additional $33, on top of the costs of the parents' return.

And what does it cost the IRS to process that return? I've heard costs that range from $5 to $30. I don't think anyone knows the real answer.

Mr. President, the bottom line is that families with children under 14 in Alaska are subjected to additional IRS paperwork and filing requirements simply because their children's permanent fund dividends are subject to a few dollars of federal income tax.

The legislation we are introducing today would exclude from income permanent fund dividends received by children under 14. This will eliminate the paperwork burdens that families in our state face simply because their children receive a dividend from the state. Although I am sure this will be scored as losing a modest amount of revenue, about $50 for every Alaskan child, IRS will have to process far fewer tax returns from Alaska's children and parents in Alaska will not have to incur additional tax preparation fees.

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

There being not objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1974

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

SECTION 1. INCOME TAX EXCLUSION FOR ALASKA PERMANENT FUND DIVIDENDS RECEIVED BY CHILDREN UNDER AGE 14.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to items specifically excluded from gross income) is amended by redesignating section 138 as section 139 and by inserting after section 137 the following new section:

''SEC. 138. ALASKA PERMANENT DIVIDENDS TO CHILDREN UNDER AGE 14.

''Gross income shall not include any Alaska Permanent Fund dividend received by an individual during a taxable year if the individual has not attained age 14 before the close of the taxable year.''

(b) CONFORMING AMENDMENTS.—

(1) Section 1(g)(7)(A)(i) of the Internal Revenue Code of 1986 is amended by striking ''(including Alaska permanent fund dividends)''.

(2) The table of sections for part III of subchapter B of chapter 1 of such Code is amended by striking the item relating to section 138 and inserting:

''Sec. 138. Alaska Permanent Fund dividends to children under age 14.

''Sec. 139. Cross references to other Acts.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1997.

By Mr. DEWINE (for himself and Mr. LEAHY):

S. 1976. A bill to increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problem, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities; to the Committee on the Judiciary.

THE CRIME VICTIMS WITH DISABILITIES AWARENESS ACT

Mr. DEWINE. Mr. President, I am pleased today to join with Senator LEAHY to introduce the Crime Victims With Disabilities Awareness Act. The purpose of this legislation is to achieve three basic goals: first, to increase public awareness of the plight of crime victims with developmental disabilities; second, to start collecting data to measure the extent and nature of the problem; and third, to develop strategies to address the safety and justice needs of these victims.

Research in foreign countries has found that persons with developmental disabilities are at a 4 to 10 times higher risk of becoming crime victims than those without disabilities. Studies in Canada, Australia, and Great Britain consistently show that crime victims with developmental disabilities suffer repeated victimization, because so few of the crimes against them are reported. Unfortunately, even when crimes against victims with disabilities are reported, there is sometimes a reluctance by justice officials to rely on the testimony of a disabled person, further making these victims a target for criminal predators.

What do we know about similar crimes in the United States? Amazingly, little if any. No significant studies have been conducted in the United States. In fact, the Bureau of Justice Statistics in their annual National Crime Victims Survey does not specifically collect data about crimes against persons with disabilities.

Research needs to be done in the United States to (1) understand the nature and extent of crimes against persons with developmental disabilities; (2) assess how the law enforcement and justice systems currently respond to crimes against the developmentally disabled; and (3) identify programs, policies, or laws that hold promise for making our law enforcement and justice systems more responsive to crimes against persons with developmental disabilities.

Our legislation today would accomplish these three research goals. Our legislation would direct the Attorney General to contract with the National Research Council through the National Academy of Sciences' Committee on Law and Justice to develop a research agenda to increase the understanding and control of crime against persons with developmental disabilities. The National Academy of Sciences would develop a research agenda that includes convening an interdisciplinary panel of nationally recognized experts on crime victims with disabilities and related fields, to define and address critical issues to understanding crimes against people with developmental disabilities. Their research would focus on preventive, educative, social, and legal strategies, and recommend methods for addressing the needs of underserved populations.

An authoritative report resulting from this process should provide some important answers.

In addition, the bill would direct the Attorney General to begin collecting data for the National Crime Victims Survey of crime victims with developmental disabilities. The Attorney General is asked to study and report to the States and to Congress on how the States may collect centralized databases on the incidences of crimes against the disabled.

One reason why this issue is so important, and why this legisation is necessary is because there are more and more people with developmental disabilities. The factors behind this rising population include poor prenatal nutrition and care, increases in child abuse, and substance abuse during pregnancy.

I am hopeful that the research called for in this legislation will have broad, positive national policy implications. Greater knowledge about victims with developmental disabilities will help service providers target programs more effectively. Victims and their families will have a better understanding of crime risks. Justice and social service policy makers will have a greater understanding of how, where, and when these crimes occur, the characteristics of victims, and how these crimes affect victims and their families. Law enforcement may gain information on how to improve investigative and prosecution strategies, and how to use victims' testimony in conjunction with other case evidence. Clearly, what we're trying to do with this legislation is to raise considerably the national profile of this issue among research agencies and the academic community, and to continue to define and develop solutions to this problem.

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

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

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 ''Crime Victims With Disabilities Awareness Act''.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) although research conducted abroad demonstrates that individuals with developmental disabilities are at a 4 to 10 times higher risk of becoming crime victims than those without disabilities, there have been no significant studies on this subject conducted in the United States;

(2) in fact, the National Crime Victim's Survey, conducted annually by the Bureau of Justice Statistics of the Department of Justice, does not specifically collect data relating to crimes against individuals with developmental disabilities;

(3) studies in Canada, Australia, and Great Britain consistently show that victims with developmental disabilities suffer repeated victimization because so few of the crimes against them are reported, and even when they are, there is sometimes a reluctance by justice officials to rely on the testimony of a disabled individual, making individuals with developmental disabilities a target for criminal predators; and

(4) research in the United States needs to be done to—

(A) understand the nature and extent of crimes against individuals with developmental disabilities;

(B) describe how the justice system responds to crimes against the developmentally disabled; and

(C) identify programs, policies, or laws that hold promises for making the justice system more responsive to crimes against individuals with developmental disabilities.

(b) PURPOSES.—The purposes of this Act are—

(1) to increase public awareness of the plight of victims of crime who are individuals with developmental disabilities;

(2) to collect data to measure the extent of the problem of crimes against individuals with developmental disabilities; and

(3) to develop strategies to address the safety and justice needs of victims of crime who are individuals with developmental disabilities.

SEC. 3. DEFINITION OF DEVELOPMENTAL DISABILITY.

In this Act, the term ''developmental disability'' has the meaning given the term in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001).

SEC. 4. RESEARCH AGENDA.

(a) REQUEST FOR CONTRACT.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit a request to the National Research Council, that the Committee on Law and Justice of the National Academy of Sciences, acting through the National Research Council, enter into a contract with the Attorney General to develop a research agenda to increase public awareness of crimes against individuals with developmental disabilities and to reduce the incidence of crimes against those individuals.

(b) RESEARCH AGENDA.—The research agenda developed under this section shall—

(1) address such issues as—

(A) the nature and extent of crimes against individuals with developmental disabilities;

(B) the risk factors associated with victimization of the developmentally disabled;

(C) strategies to reduce crimes against individuals with developmental disabilities;

(D) the manner in which the justice and social service systems respond to crimes against the developmentally disabled, and the means by which that response can be improved;

(E) the personal and social consequences of victimization;

(F) the importance of place and context in understanding crimes against the developmentally disabled; and

(G) the means by which to achieve a better understanding of the interaction between caregiver, victim, and other circumstances in improving public safety; and

(2) include an analysis of various methodologies for addressing the issues described in paragraph (1), which may include—

(A) appropriate longitudinal designs to increase understanding of its causes;

(B) rigorous evaluation research designs to inform and improve prevention, intervention, and control efforts;

(C) a multidisciplinary approach to measuring the nature and frequency of crimes against the developmentally disabled, and the personal and social consequences of those crimes;

(D) survey data and analysis efforts that better describe the victimization experiences of the developmentally disabled, the context in which victimization occurs, and the social and institutional responses to these experiences; and

(E) the development of a Federal research response and a coordinated research strategy by Federal agencies.

(c) PANEL OF EXPERTS.—In developing the research agenda under this section, the Committee on Law and Justice shall—

(1) convene and consult with a panel, which shall be composed of—

(A) nationally recognized experts on victims of crime who are individuals with disabilities, in the fields of—

(i) law;

(ii) services to individuals with disabilities;

(iii) criminology;

(iv) education;

(v) direct services to victims of crime; and

(vi) the social sciences; and

(B) crime victims with disabilities who are members of diverse ethnic, social, and religious communities; and

(2) focus primarily on preventive, educative, social, and legal strategies, including addressing the needs of underserved populations.

(d) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report describing the research agenda developed under this section.

(2) REPORT.—The Attorney General shall ensure that—

(A) the report submitted under paragraph (1) is disseminated widely in governmental, nonprofit, and academic arenas, including by seminars, briefings, and the Internet; and

(B) shall make not less than 100 copies of the report available upon request to nonprofit organizations free of charge.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $375,000 for each of fiscal years 1999 and 2000.

SEC. 5. NATIONAL CRIME VICTIMS SURVEY.

(a) SURVEY.—As part of each National Crime Victims Survey, the Attorney General shall include statistics relating to the nature and characteristics of victims of crime who are individuals with developmental disabilities.

(b) CONSULTATION.—In carrying out subsection (a), the Attorney General shall use a methodology developed in consultation with experts in the collection of criminal justice data, statistics, services to individuals with disabilities, and victims of crime.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000 for fiscal year 1999.

SEC. 6. STATE DATABASES.

(a) IN GENERAL.—The Attorney General shall conduct a study and submit to Congress and to each State a report on the means by which each State may establish and maintain a centralized computer database on the incidence of crimes against individuals with disabilities within the State.

(b) CONSULTATION.—In conducting the study under subsection (a), the Attorney General shall consult with—

(1) individuals who are experts in the collection of criminal justice data;

(2) State statistical administrators;

(3) law enforcement personnel;

(4) nonprofit nongovernmental agencies that provide direct services to victims of crime who are individuals with disabilities; and

(5) such other individuals and entities as the Attorney General considers to be appropriate.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives, a report describing the results of the study under subsection (a), which report shall include the views of the individuals and agencies consulted under subsection (b).

Mr. LEAHY. Mr. President, I am proud to join Senator DEWINE in introducing the Crime Victims With Disabilities Awareness Act. This legislation will address and strengthen our services for disabled victims of crime throughout our country.

It is important that we focus attention on the needs and rights of crime victims not only during this week, National Crime Victims Rights Week, but throughout the year. For the past several years, I have worked hard with others to make improvements in the law and provide greater assistance to victims of crime.

My involvement with crime victims rights began more than three decades ago when I served as State's Attorney for Chittenden County, Vermont, and witnessed first-hand the devastation of crime. I have worked ever since to ensure that the criminal justice system is one that respects the rights and dignity of victims of crime and domestic violence, rather than presents additional ordeals for those already victimized.

The needs of victims of crime are many and must be addressed in a number of ways, including strengthening law enforcement and education, improving and increasing services for victims, and protecting the rights of victims. Today I am proud to again have the support of the Vermont Center for Crime Victim Services in focusing attention on the needs of crime victims with disabilities with the Crime Victims With Disabilities Awareness Act.

Research conducted abroad has shown that individuals with disabilities have a four to 10 times higher risk of becoming a victim than do individuals without disabilities. Despite these findings, there have been no significant studies on this subject conducted in the United States. The Crime Victims With Disabilities Awareness Act we are introducing today will rectify this omission.

The Crime Victims With Disabilities Awareness Act proposes to have the Committee on Law and Justice of the National Academy of Sciences conduct research so as to increase public awareness of victims of crime with disabilities, to understand the nature and extent of such crimes, and to develop strategies to address the safety and needs of victims of crime with disabilities. This Act directs the Attorney General to utilize statistics gathered from this study for inclusion in the National Crime Victims Survey. The Crime Victims With Disabilities Awareness Act also directs the Attorney General to submit a report detailing the means by which each State can establish and maintain a database on the incidence of crimes against individuals with disabilities.

Over the last 20 years we have made strides in recognizing crime victims' rights and providing much needed assistance. I am proud to have played a role in passage of the Victims and Witness Protection Act of 1982, the Victims of Crime Act of 1984, and the Victims' Rights and Restitution Act of 1990 and the other improvements we have been able to make.

In the Violent Crime Control Act of 1994, Congress acted to ensure a right of allocation for victims of crimes of violence or sexual abuse and to make tens of millions of dollars available to crime victims. No amount of money can make up for the harm and trauma of being the victim of a crime, but we should do all that we can to see that victims are assisted, compensated and treated with dignity by the criminal justice system.

I was the author of the Victims of Terrorism Act that was passed by the Senate in the wake of the Oklahoma City bombing and became the basis for the Justice for Victims of Terrorism Act signed into law in April 1996. We were able to make funds available through supplemental grants to the States to assist and compensate victims of terrorism and mass violence, which incidents might otherwise have overwhelmed the resources of Oklahoma's crime victims compensation program or its victims assistance services. We also filled a gap in our law for residents of the United States who are victims of terrorism and mass violence that occur outside the borders of the United States. In addition, we allowed greater flexibility to our State and local victims' assistance programs and some greater certainty so that they can know that our commitment to victims programming will not wax and wane with events. And we were able to raise the assessments on those convicted of federal crimes in order to fund the needs of crime victims.

Last year, I cosponsored the Victim Rights Clarification Act of 1997. That legislation reversed a presumption against crime victims observing the fact phase of a trial if they were likely to provide testimony during the sentencing phase of that trial. As a result of that legislation, not only were victims of the Oklahoma City bombing able to observe the trial of Timothy McVeigh, all those who were able to witness the trial and were called as witnesses to provide victim impact testimony at the sentencing phase of that trial were able to do so.

The Crime Victims Assistance Act, legislation that I introduced this past July with Senator KENNEDY, builds upon the progress made over the last several years. It provides for a wholesale reform of the Federal Rules and Federal law to establish additional rights and protections for victims of federal crime. This bill would provide crime victims with an enhanced right to be heard on the issue of pretrial detention and plea bargains, an enhanced right to a speedy trial and to be present in the courtroom throughout a trial, an enhanced right to be heard on probation revocation and to give a statement at sentencing, and the right to be notified of a defendant's escape or release from prison. The Crime Victims Assistance Act would also strengthen victims' services by increasing Federal victim assistance personnel, enhancing training for State and local law enforcement and Officers of the Court, and establishing and ombudsman program for crime victims.

With a simple majority of both Houses of Congress, the Crime Victims Assistance Act could be enacted this year and we could mark a significant and immediate difference in the lives of victims throughout our country. I hope that the Senate will turn to this important measure without further delay. Unfortunately, one consequence of the effort to focus attention on proposals to amend the Constitution has been to dissipate efforts to enact effective victims rights legislation over the past two years. The momentum we had built over the last several years has been dissipated by this focus to the exclusion of statutory reform.

While we have made great improvements in our law enforcement and crime victims assistance programs and have made advances in recognizing crime victims' rights, we still have work to do. This week is National Crime Victims' Rights Week. Crime victims advocates across Vermont and the nation are commemorating this week with ceremonies, awards and proclamations. I am honored to have received recognition from the Vermont Center for Crime Victims Services and the Vermont Network for Domestic Violence and Sexual Assault during National Crime Victims Rights Week in 1996 and a Congressional Leadership Award from the National Organization for Victim Assistance. Each year at this time our hearts go out to the families and victims of crime. Each year I try to help focus attention on those who work so hard every week of the year on behalf of all crime victims in crime victims' assistance and compensation programs.

There are many individuals in Vermont who I would like to thank for their expertise and advice in addressing victims' rights and services, including Lori Hayes, Executive Director of the Vermont Center for Crime Victim Services, and Marty Levin, Coordinator of the Vermont Network Against Domestic Violence and Sexual Assault. Their hard work and dedication have made a real difference in the lives of people who suffer from violence and abuse.

In May 1997, the Department of Justice Office for Victims of Crime concluded that ''Vermont's programs are setting the standard for outreach to undeserved populations and service coordination among providers and allied professionals.'' Vermont's leadership

was also recently recognized with its selection for participation in the Department of Justice Rural Victim Services 2000 project. The Vermont Center for Crime Victim Services will administer this grant to conduct the first systematic survey of what rural crime victims need. The more informed we become of the needs of victims, the more we can adapt services to make them more effective and efficient.

I commend all those in Vermont and across the country who are committed to assisting crime victims.

By Mr. D'AMATO (for himself and Mr. REID):

S. 1977. A bill to direct the Secretary of Transportation to conduct a study and issue a report on predatory and discriminatory practices of airlines which restrict consumer access to unbiased air transportation passenger service and fare information; to the Committee on Commerce, Science, and Transportation.

THE CONSUMER ACCESS TO TRAVEL INFORMATION ACT OF 1998

Mr. D'AMATO. Mr. President, I rise today to offer legislation that will benefit consumers and small businessmen and women who must travel by air. The bill I am introducing today, the Consumer Access to Travel Information Act of 1998, will reverse an increasingly anti-consumer, anti-competitive trend in airline travel across the country.

For three years, the major airlines have been moving to gain more control over the airline travel ticket distribution system. While this effort may seem harmless, the ramifications to consumers are significant. Currently, most air travelers get their information from one of the 33,000 travel agencies around the country. These agencies provide consumers with unbiased and comprehensive air travel information, i.e., the best flight at the cheapest fare. Without that independent source of travel information, there is no doubt that consumers will be paying more, in many cases, substantially more for air travel.

The Consumer Access to Travel Information Act of 1998 is a reasonable, and balanced bill that is significant not only for what it does, but also for what it doesn't do. This legislation would simply require the Secretary of Transportation to investigate the behavior of major airlines, including discriminatory and predatory practices of airlines which target travel agents, other independent distributors, and small airlines. This is authority that the Secretary currently has under the Airline Deregulation Act of 1978, but has thus far not elected to use. This bill makes certain this investigation is undertaken. If it is determined that anti-competitive, discriminatory or predatory practices exist, the Secretary must report to Congress those steps the Department intends to take to address such practices.

What this legislation does not do is regulate the airline industry. In fact, this legislation is a wake up call for the industry. As the for-profit hospital and HMO industries discovered, if consumers are disregarded, and anti-competitive activities are encouraged, the heavy hand of regulators and anti-trust remedies will soon follow. This investigation by DOT may bring to light practices that the airlines themselves may not even realize exist. It is far better to have DOT look into these issues and have them addressed now, than to have Congress begin pursuing more proactive legislative remedies in the future.

Travel agents provide critical services to air travelers, and air travelers depend heavily upon travel agents to provide an accurate, broad selection of schedules, fare quotes, and ticketing services for all airlines. Agents quote schedules and fares, and provide ticketing services, to consumers on major U.S. airlines, small U.S. airlines, large and small international airlines, and start-up airlines.

The travel agency community and other independent ticket distributors are the only efficient, independent and comprehensive sources of information for airline travel options. Travel agencies and other independent distributors comprise a considerable portion of the small business sector in the United States, employing over 250,000 people. Over 50% of travel agencies are owned by women or minorities.

Every industry study conducted since the 1960's has concluded that travel agents can process reservation and ticketing transactions in any medium more efficiently than can airlines. Just this year, one of the world's largest and most efficient airlines announced the closing of all of its U.S. ticket offices in favor of the efficiencies of the U.S. travel agency industry.

So why are multi-billion dollar airlines putting the squeeze on the mom and pop travel agencies? Unfortunately, the answer lies beyond just sucking more revenue from the travel agent. The biggest threat to the current airline oligopoly is the young, upstart airlines. Wherever these airlines operate, the major air carriers' prices are competitive. Wherever these airlines do not operate, the consumer pays monopoly prices. Small domestic airlines, many international airlines, and start-up airlines heavily depend upon the travel agency distribution system. There is no alternate distribution system available to these types of airlines. A less ubiquitous, less independent travel agency means less business for, and less competition from, the smaller airlines.

As part of the effort to consolidate their market power, the airlines began to focus on the ticket distribution system. Twice in the last three years, the major airlines have initiated and supported reductions in travel agent commissions on the sale of air travel. In February alone, total travel agent commissions on domestic travel dropped 21%. More reductions from airlines, and greater travel agent losses, are expected. The number of travel agencies has decreased for the first time since World War II, and many more closings are expected as agency operating reserves are exhausted.

As travel agents are forced out of the industry and airlines secure more direct consumer business, consumer alternatives will continue to decrease, resulting in significantly higher consumer travel costs. Major airlines have generally misrepresented the reason for agency commission cuts, citing a need to reduce expenses and pass savings on to consumers. In fact, airline ticket prices have steadily increased, there have been no consumer benefits, airlines are posting record profits quarter-after-quarter, and consumers are paying the highest airfares in history.

Commissions are not the only way in which the airlines are using anti-competitive practices to pressure the travel agents. For example, confidential business information generated by travel agents, such as marketing, bookings, and sales data, is routinely shared by the airlines.

Considering airlines regard themselves as competitors of travel agents, this is an intolerable situation for the travel agents.

Another example of unfair treatment is the use of promotions, concessions, and benefits that airlines can pass on to consumers that are denied to travel agents. In addition the airlines operate the Airlines Reporting Corporation (ARC), which controls both who can become a travel agent and the settlement of funds between travel agents and the airlines.

Internet travel servicing, one ticket distribution alternative which holds great promise for consumers, is also being dominated by the major air carriers. As a practical matter, travel agents have already been excluded by airlines from selling tickets booked by electronic means. As with conventional distribution, Internet consumers have very limited ability to view consolidated electronic schedule and fare information, much less interpret the rules, restrictions and penalties attached to such lower fares as might be found.

That is why, Mr. President, Congress must pass the Consumer Access to Travel Information Act of 1998 before consumers are hurt further, and before there is an overwhelming cry to reregulate air travel.

Mr. President, I urge my colleagues to support this legislation. 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. 1977

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 ''Consumer Access to Travel Information Act of 1998''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) To foster and preserve competition, national transportation policy should support the continuation of widespread, convenient, and efficient public access to unbiased comparative air transportation passenger service and fare information.

(2) The traveling public relies upon unbiased comparative air transportation passenger service and fare information provided by independent retail travel agents and other independent sources.

(3) Concentrations of market power, restrictions on entry, and predatory and discriminatory practices of airlines impair consumer access to independently distributed unbiased comparative information about air transportation passenger services or fares.

(4) If not corrected, such practices will seriously restrict consumer access to the independent and unbiased service and fare information provided by travel agents and other independent sources.

SEC. 3. POLICY.

Section 40101(a) of title 49, United States Code, is amended by adding at the end the following:

''(16) Ensuring that consumers may obtain unbiased comparative information from travel agents and other independent sources about air transportation passenger services and fares in an efficient and convenient manner.''.

SEC. 4. STUDY; REPORT.

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation (hereinafter in this Act referred to as the ''Secretary'') shall undertake a study of the availability to consumers of adequate unbiased information about air transportation passenger services and fares. The study shall include an investigation of the following practices:

(1) Air carrier policies that deter or prevent travel agents or other independent sources from using competitively efficient phone systems, computer reservation systems, or other electronic systems to communicate or consummate transactions with the public.

(2) Air carrier policies that deter or prevent travel agents and other independent sources from offering the public the same or greater concessions, benefits, or services than those offered by air carriers directly to those consumers.

(3) Discriminatory collective or joint operation of assets used to offer concessions, benefits, or services to the public while denying comparable access to such concessions, benefits, or services through travel agents and other independent sources, including joint sales activities, denial of competitive tools, and denial of distribution efficiencies.

(4) Sharing of competitively significant sales transaction data in violation of the confidentiality interests of the travel agents or other independent sources that generated such data.

(5) As the Secretary considers appropriate, any other practices which may impair consumer access to independently distributed unbiased comparative information about air transportation passenger services or fares.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall transmit to Congress a report of the conclusions of the study required by subsection (a).

SEC. 5. CEASE AND DESIST ORDERS.

The Secretary shall, after notice and hearing, order any air carrier or other party engaged in any practice or policy which constitutes a predatory, unfair, or deceptive practice or unfair method of competition which restricts the widespread, convenient, and efficient access by the public to unbiased comparative air transportation passenger service and fare information or the sale, booking, or distribution of air transportation passenger services or products, to cease and desist therefrom.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 1978. A bill to designate the auditorium located within the Sandia Technology Transfer Center in Albuquerque, New Mexico, as the ''Steve Schiff Auditorium''; to the Committee on Energy and Natural Resources.

THE STEVE SCHIFF AUDITORIUM DESIGNATION ACT OF 1998

Mr. DOMENICI. Mr. President, it is a real honor today to introduce legislation, together with Senator BINGAMAN, to honor Representative Steve Schiff. This legislation designates a special auditorium at the Sandia National Laboratories as the ''Steve Schiff Auditorium.'' Steve spoke in this Auditorium on several occasions, as part of his long service to the people of New Mexico.

I think everyone knows that Steve Schiff exemplified all that was good about public service: integrity of the highest order, deep and fundamental decency, and an acute and open mind. He went about his business quietly, but with wonderful efficiency. He was great at telling stories, usually about himself. He was a model for all politicians to admire.

Steve came to New Mexico from Chicago, where he was born and raised. He served the people of New Mexico in different capacities since 1972, when he graduated from the Law School at the University of New Mexico. Before election to Congress in 1988, he served as District Attorney for eight years.

One of Steve's favorite local programs was his Tree Give-Away Program. For eight years, Steve held a Saturday tree give-away day at the Indian Pueblo Cultural Center. He gave away more than 115,000 trees. Through those trees, he shared his own hope, faith, and love. Those trees now flourish throughout the Albuquerque area in New Mexico as lasting symbols of this man. In a similar way, his legislative achievements continue to serve the American people as another reminder of this great American.

Along with those trees and his legislation, the Steve Schiff Auditorium will serve as a lasting memorial. I am happy and honored to have been a part of his life.

I think he would be pleased that this major facility at Sandia National Laboratories, an auditorium where many events occur, many events he has sponsored, that he desires that we talk about in our Federal Government as it pertains to nuclear weapons and research, that it be designated after him.

Mr. BINGAMAN. Mr. President, I feel very honored today to rise with my colleague, Senator DOMENICI, to introduce legislation to honor Representative Steven H. Schiff, who died last month. This bill names the Auditorium in the Technology Transfer Center at Sandia National Laboratories as the Steven H. Schiff Auditorium. I have visited Sandia's Technology Transfer Center (TTC) in Albuquerque, New Mexico. It is a beautiful building dedicated to furthering collaborations between the fine staff of scientists and engineers at Sandia and their counterparts in American universities and industry.

It is altogether fitting that we dedicate the TTC Auditorium to the memory of Steven Schiff. Steve was a strong champion of collaborations and making the resources of our national laboratories available to US industry to help us compete in the global economy.

Mr. President, Sandia National Laboratories has 6,000 employees. The lab is one of the nation's premier national security facilities with major responsibilities for our nation's energy research and development projects. Part of Sandia's mission includes technology transfer. The emphasis is on partnerships between industry and the lab to collaborate on emerging new technologies.

Today, Sandia's vast technical expertise is being applied to solve a variety of technical problems that will benefit working Americans. A number of exciting collaborations between Sandia's engineers and private industry have come about as a direct result of Steve's efforts. Some of these collaborations include projects to improve microelectronics and computers, airline and airport safety, lightweight materials for automobiles, robots for advanced manufacturing, and automobile tires that are safer and provide consumers better fuel economy. Madam President, I could go on and on.

Perhaps the one area of Sandia's work that Steve was the most proud of was the lab's application of its 20 years of experience in state-of-the-art physical security technologies to the important areas of fighting crime and terrorism. Today, Sandia's vital and highly visible programs are helping to assure the safety and security of every American. In particular, Steve's efforts were instrumental in creating a satellite facility of the National Institute of Justice at Sandia. This linkage was especially satisfying to Steve because of his leadership positions on both the House Science and Judiciary Committees.

In a short time, Sandia's efforts for the Department of Justice and the FBI are helping to combat crime and terrorism. These programs are having a major impact on the safety and security of all Americans. These efforts are truly one of Steve Schiff's greatest legacies to New Mexico and the nation.

I'd like to cite just a few examples of Sandia's programs for the National Institute of Justice. Because of Steve's efforts, Sandia was able to play a vital role in disarming a bomb left in the unabomber's cabin. Sandia also has a school safety and security program

that has dramatically increased the safety of high school students in Belén, New Mexico. I had a chance to visit the school, and it is truly remarkable what Sandia has accomplished there. Another example of Sandia's innovative technologies is the development of a ''smart gun'' that can only be fired in the hands of someone authorized to use it. And Sandia is developing explosive detectors for increased airport security and new ways of detecting illegal drugs.

Perhaps the culmination of Steve's efforts was last August, when 64 of the world's top bomb squads came to Operation Albuquerque '97 for hands-on experience with the latest science and methods for disabling terrorist bombs.

Madam President, using our national laboratories' unique resources to save lives and protect the safety of ordinary people is surely a proper memorial for Steve Schiff. Naming the auditorium at Sandia National Laboratories in his honor is another. I am proud to cosponsor this legislation, and I thank my colleague, Senator DOMENICI, for his efforts.

By Mr. CAMPBELL (for himself and Mr. FAIRCLOTH):

S. 1979. A bill to ensure the transparency of International Monetary Fund operations; to the Committee on Foreign Relations.

THE IMF TRANSPARENCY AND EFFICIENCY ACT OF 1998

Mr. CAMPBELL. Mr. President, today I introduce the ''International Monetary Fund Transparency and Efficiency Act of 1998.'' When bailing out failing economies, the International Monetary Fund often requires countries to make their markets more transparent, efficient and accountable. In the wake of the Asian economic crisis, it has become clear that the IMF itself also sorely needs the very same increased transparency, efficiency, and accountability that the IMF demands of others.

I am pleased to be joined today by my colleagues from North Carolina and Alabama, Senators FAIRCLOTH and SHELBY, who are original cosponsors of this legislation.

On March 17, 1998, the Senate Appropriations Committee approved S. 1769, which would provide Supplemental Appropriations for the IMF for Fiscal Year 1998. Although I voted against the amendment which would provide $18 billion to bail out the IMF, the Senate ultimately adopted this amendment. While S. 1769 contains a few provisions calling for IMF reforms, like increased transparency and calling on countries receiving IMF loans to end market distorting government subsidies, S. 1769 contains much weaker enforcement mechanisms than those contained in the bill I am introducing today. Also, S. 1769 does not curtail the IMF's subsidized interest rates, something this bill will do.

Just last week, the IMF itself freely admitted the need for increased openness and accountability. On April 14, 1998, on the eve of the IMF's annual spring meeting, Managing Director, Michel Camdessus, promised more openness and accountability at the IMF. Furthermore, during a National Journal interview earlier this month, Deputy Treasury Secretary Lawrence Summers was quoted as saying, ''Equally, we cannot be satisfied with the IMF that we now have. And that is why it is important to build consensus as rapidly as possible on efforts to make the IMF a more transparent institution.'' I believe the American taxpayers deserve no less.

We in Congress must act to ensure that just such IMF reforms become reality. By sending the IMF's established hierarchy a clear and immediate reason to implement these reforms we will ensure that these long overdue reforms will actually take place.

This legislation is also timely. When the IMF bails out failing economies, it regularly calls for increased transparency and governmental efficiency as a precondition for receiving financial aid. The IMF is right on target in this respect. Increased transparency and accountability are crucial to give the American taxpayers reasonable assurances that the problems that cause these economic breakdowns are being directly addressed. Obviously, if these troubled economies had been transparent, efficient and open to American exports from the start, Congress would not be debating about making another $18 billion available to the IMF. Clearly, the IMF itself should live up to the standards it sets for others.

This legislation would withhold U.S. federal funding from the IMF until the Treasury Secretary certifies that the IMF has met four specific reform requirements, and then Congress enacts a joint resolution approving this certification.

First, the IMF would be required to make the minutes of its board of Governors or Executive Board available for public inspection within three months of the meeting. Second, the IMF would release copies of loan and program documents, written reviews, and other pertinent documents related to proposed and ongoing programs within three months. Third, the IMF would establish an independent board to review the IMF's operations, research and loan activities and then issue annual reports for public inspection. Finally, when granting financial assistance, the IMF would charge interest rates that are comparable to market interest rates rather than the subsidized interest rates it currently charges. Naturally, this bill includes special exemptions to protect classified U.S. information, information which would disrupt markets, and proprietary information.

The administration and IMF have requested that the American taxpayers make an additional $18 billion of their hard-earned dollars available to the IMF to replenish its fund that has been depleted by the Asian financial crisis. My bill will bring accountability to an institution, funded in large part by the American people that has—for the last 50 years—eluded true accountability. Increased transparency and efficiency will finally enable the American taxpayers to clearly see how their tax dollars are being used by the IMF.

For the reasons stated above and more, I introduce this bill as the Senate companion to H.R. 3331, recently introduced by our colleagues in the House, Congressman SAXTON of New Jersey, the Chairman of the Joint Economic Committee, Congressman TOM CAMPBELL from California, and House Majority Leader DICK ARMEY. The Heritage Foundation has described this legislation as a compromise with a lot of merit. It is time for increased transparency and efficiency at the IMF, and I urge my colleagues to support passage of this legislation. I ask unanimous consent that the bill be printed in the RECORD.

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

S. 1979

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 ''IMF Transparency and Efficiency Act of 1998''.

SEC. 2. DENIAL OF FEDERAL FUNDS TO THE INTERNATIONAL MONETARY FUND IF ITS OPERATIONS ARE NOT MADE MORE TRANSPARENT.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o–262o–1) is amended by adding at the end the following:

''SEC. 1503. DENIAL OF FEDERAL FUNDS TO THE INTERNATIONAL MONETARY FUND IF ITS OPERATIONS ARE NOT MADE MORE TRANSPARENT.

''(a) IN GENERAL.—An officer, employee, or agent of the United States may not, directly or indirectly, provide Federal funds to, or for the benefit of the International Monetary Fund unless—

''(1) there is in effect a written certification, made by the Secretary of the Treasury to the Committee on Banking and Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, that the International Monetary Fund has met the requirements of subsection (b); and

''(2) the Congress has enacted a joint resolution approving the certification.

''(b) REQUIREMENTS.—The requirements of this subsection are the following:

''(1) Within 3 months after any meeting of the Board of Governors or the Executive Board of the International Monetary Fund, an edited copy of the minutes of the meeting shall be made available for public inspection, with the following information redacted:

''(A) Information which, if released, would adversely affect the national security of a country, and which is of the type that would be classified by the United States Government.

''(B) Information which, if released, would disrupt markets.

''(C) Proprietary information.

''(2) Within 3 months after the staff of the International Monetary Fund makes a loan document, written review, program document, or assessment of any proposed or ongoing loan program of the International

Monetary Fund, a copy of the review, document, or assessment, and all related and supporting materials, shall be made available for public inspection, with the following information redacted:

''(A) Information which, if released, would adversely affect the national security of a country, and which is of the type that would be classified by the United States Government.

''(B) Information which, if released, would disrupt markets.

''(C) Proprietary information.

''(3) Not later than 18 months after the date of enactment of this section:

''(A) The International Monetary Fund shall establish an independent advisory board to review the research, operations, and loan programs of the International Monetary Fund.

''(B) The legislature of each country which is represented on the Executive Board of the International Monetary Fund shall each appoint to the advisory board 1 individual with expertise in private sector finance gained in the private sector or in academia.

''(C) The advisory board shall issue annual reports summarizing its activities, which shall be available immediately for public inspection.

''(4) The annual rate at which the International Monetary Fund charges interest on loans made after the date of enactment of this section shall be comparable to the average annual rate of interest in financial markets for loans of comparable maturity, adjusted for risk.

''(c) EFFECTIVE PERIOD OF CERTIFICATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), certification made under this section shall cease to be in effect 1 year after the date the certification is made.

''(2) REVOCATION.—

''(A) IN GENERAL.—A certification made under this section shall cease to be in effect if the Secretary of the Treasury revokes the certification.

''(B) CAUSE FOR REVOCATION.—The Secretary of the Treasury shall revoke a certification made under this section if the Secretary of the Treasury is made aware that the International Monetary Fund has ceased to meet a requirement of subsection (b).''.

SEC. 3. EFFECTIVE DATE.

This Act shall take effect 6 months after the date of enactment of this Act.

By Mr. BREAUX:

S. 1980. A bill to amend the Internal Revenue Code of 1986 to allow certain coins to be acquired by individual retirement accounts and other individually directed pension plan accounts; to the Committee on Finance.

INDIVIDUAL RETIREMENT ACCOUNT LEGISLATION

Mr. BREAUX. Mr. President, I rise today to introduce legislation allowing certain U.S. legal tender coins to be qualified investments for an individual retirement account (IRA).

Congress excluded ''collectibles'', such as antiques, gold and silver bullion, and legal tender coinage, as appropriate for contribution to IRAs in 1981. The primary reason was the concern that individuals would get a tax break when they bought collectibles for their personal use. For example, a taxpayer might deduct the purchase of an antique rug for his/her living room as an IRA investment. Congress was also concerned about how the many different types of collectibles are valued.

Over the years, however, certain coins and precious metals have been excluded from the definition of a collectible because they are independently valued investments that offer investors portfolio diversity and liquidity. For example, Congress excluded gold and silver U.S. American Eagles from the definition of collectibles in 1986, and the Taxpayer Relief Act of 1997 took the further step of excluding certain precious metals bullion.

My legislation would exclude from the definition of collectibles only those U.S. legal tender coins which meet the following three standards: certification by a nationally-recognized grading service, traded on a nationally-recognized network, and held by a qualified trustee as described in the Internal Revenue Code. In other words, only investment quality coins that are independently valued and not held for personal use may be included in IRAs.

There are several nationally-recognized, independent certification or grading services. Full-time professional graders (numismatists) examine each coin for authenticity and grade them according to established standards. Upon certification, the coin is sonically-sealed (preserved) to ensure that it remains in the same condition as when it was graded.

Legal tender coins are then traded via two independent electronic networks—the Certified Coin Exchange and Certified CoinNet. These networks are independent of each other and have no financial interest in the legal tender coinage and precious metals markets. The networks function in precisely the same manner as the NASDAQ with a series of published ''bid'' and ''ask'' prices and last trades. The buys and sells are enforceable prices that must be honored as posted until updated.

Mr. President, the liquidity provided through a bona fide national trading network, combined with published prices, make legal tender coinage a practical investment that offers investors diversification and liquidity. Investment in these tangible assets has become a safe and prudent course of action for both the small and large investor and should be given the same treatment under the law as other financial investments. I urge the Senate to enact this important legislation as soon as possible.

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. 1980

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

SECTION 1. CERTAIN COINS NOT TREATED AS COLLECTIBLES.

(a) IN GENERAL.—Subparagraph (A) of section 408(m)(3) of the Internal Revenue Code of 1986 (relating to exception for certain coins and bullion) is amended to read as follows:

''(A) any coin certified by a recognized grading service and traded on a nationally recognized electronic network, or listed by a recognized wholesale reporting service, and—

''(i) which is or was at any time legal tender in the United States, or

''(ii) issued under the laws of any State, and''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 1997.

By Mr. HUTCHINSON:

S. 1981. A bill to preserve the balance of rights between employers, employees, and labor organizations which is fundamental to our system of collective bargaining while preserving the rights of workers to organize, or otherwise engage in concerted activities protected under the National Labor Relations Act; read the first time.

THE TRUTH IN EMPLOYMENT ACT

Mr. HUTCHINSON. Mr. President, small businesses are under attack in this country, and the United States government, through the National Labor Relations Board and other regulatory agencies, is aiding in this unprecedented assault. This battle is being waged against small employers by paid and unpaid union operatives who get access to non-union workplaces by seeking employment in these companies. Because employers are not allowed to refuse to hire union labor, they are usually hired. Once on job, these union agents put economic pressure on their employers by causing workplace disruptions that increase their employer's cost of doing business. This union guerilla warfare against employers is known as ''salting.''

The weapon of choice for these union operatives is to file unfair labor charges against their merit shop employers at the National Labor Relations Board or to file complaints against their employers at the EEOC, OSHA, or other regulatory agencies. Defending against these charges and complaints costs the employers in both legal fees and in lost time. As an added benefit, these cases often net union employees large damage awards or settlements because their employers can ill-afford the expense of defending themselves against the barrage of frivolous charges being filed against them.

Consider the following examples: Gaylor Electric of Carmel, Indiana has had 96 charges filed against it. While each and every one of these cases has been dismissed without merit, Gaylor Electric has had to bear the cost of these cases to the tune of $250,000 per year. Likewise, hth Companies in Union, Missouri has had 48 unfair labor charges filed against it. Again, while all but one of these cases was dismissed, hth Companies has wasted $150,000 defending itself against these frivolous charges. Bay Electric in Cape Elizabeth wasted over $100,000 defending itself against 14 unfair labor charges—each of which was dismissed without merit. Wright Electric in Delano, Minnesota has lost almost $500,000 defending itself against 15 unfair labor charges, 14 of which have been dismissed, and one of which is still pending.

In my home state, Little Rock Electrical, of Little Rock, Arkansas has been flooded with 72 unfair labor cases in just one year, 20 of which have already been dismissed, and 45 which have been set for trial. Finally, R.D. Goss in Clearfield, Pennsylvania has suffered the worst, having been hit with 20 unfair labor cases, all but one of which was dismissed—but which forced them out of business after 38 years.

Mr. President, I support the right of workers to organize, and I am always reluctant to propose federal legislation that interferes in private matters—particularly private contractual relationships between employers and employees. However, in this case, as the above examples show, the federal government, particularly through the National Labor Relations Board, is wreaking havoc on merit shop contractors through this unfair, but legal, practice.

Evidence as to the true nature and intent of union salting was best explained in the Organizing Manual of the International Brotherhood of Electrical Workers (IBEW), which stated that the true goal of ''salting'' is to:

. . . threaten or actually apply the economic pressure necessary to cause the employer to . . . raise his prices to recoup additional costs, scale back his business activities, leave the union's jurisdiction, go out of business, and so on.

Or, more bluntly, in the words of an IBEW organizing flyer, the goal is:

. . . infiltration, confrontation, litigation, disruption, and hopefully annihilation of all non-union contractors.

On February 13, 1997, I introduced legislation that addresses the issue of salting. This legislation, The Truth in Employment Act of 1997, would have allowed employers to reject an applicant that has no intention of actually working for the company, but who was instead solely interested in organizing and harassing their employer and fellow employees. Earlier this month, the House of Representatives passed their own version of the Truth in Employment Act, under the able leadership of Chairman BILL GOODLING of Pennsylvania and Chairman HARRIS FAWELL of Illinois, both of whom I had the privilege of serving with when I was a Member of the House.

Today, I am introducing new legislation to address this issue of salting. My new bill, the Truth in Employment Act of 1998 is identical to the House passed version.

Mr. President, the strength of this country rests on the freedom of individuals to pursue their dreams and ideas, and to risk their own capital to open and operate small businesses. Likewise, this country is built on the principle that workers are free to sell their labor, and if they deem necessary, to join fellow workers to negotiate higher pay or better working conditions. This measure will not undermine either of these legitimate rights. This bill only seeks to stop the destructive practice of ''salting'' to protect employers who operate non-union shops, and to protect employees who freely choose to work for these non-union employers.

I would urge my fellow Senators to join our colleagues in the House and pass the Truth in Employment Act. The survival of America's small businesses demand that we act.

ADDITIONAL COSPONSORS

S. 236

At the request of Mr. GRAMS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 236, a bill to abolish the Department of Energy, and for other purposes.

S. 887

At the request of Ms. MOSELEY-BRAUN, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 887, a bill to establish in the National Service the National Underground Railroad Network to Freedom program, and for other purposes.

S. 981

At the request of Mr. LEVIN, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 981, a bill to provide for analysis of major rules.

S. 1069

At the request of Mr. MURKOWSKI, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1069, a bill entitled the ''National Discovery Trails Act of 1997.''

S. 1141

At the request of Mr. JOHNSON, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 1141, a bill to amend the Energy Policy Act of 1992 to take into account newly developed renewable energy-based fuels and to equalize alternative fuel vehicle acquisition incentives to increase the flexibility of controlled fleet owners and operators, and for other purposes.

S. 1251

At the request of Mr. D'AMATO, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1251, a bill to amend the Internal Revenue Code of 1986 to increase the amount of private activity bonds which may be issued in each State, and to index such amount for inflation.

S. 1252

At the request of Mr. D'AMATO, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1252, a bill to amend the Internal Revenue Code of 1986 to increase the amount of low-income housing credits which may be allocated in each State, and to index such amount for inflation.

S. 1273

At the request of Mr. GRAHAM, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1273, a bill to amend title 10, United States Code, to expand the National Mail Order Pharmacy Program of the Department of Defense to include covered beneficiaries under the military health care system who are also entitled to medicare.

S. 1375

At the request of Mr. KOHL, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 1375, a bill to promote energy conservation investments in Federal facilities, and for other purposes.

S. 1413

At the request of Mr. LUGAR, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 1413, a bill to provide a framework for consideration by the legislative and executive branches of unilateral economic sanctions.

S. 1525

At the request of Mr. SPECTER, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 1525, a bill to provide financial assistance for higher education to the dependents of Federal, State, and local public safety officers who are killed or permanently and totally disabled as the result of a traumatic injury sustained in the line of duty.

S. 1580

At the request of Mr. SHELBY, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1580, a bill to amend the Balanced Budget Act of 1997 to place an 18-month moratorium on the prohibition of payment under the medicare program for home health services consisting of venipuncture solely for the purpose of obtaining a blood sample, and to require the Secretary of Health and Human Services to study potential fraud and abuse under such program with respect to such services.

S. 1712

At the request of Mr. JEFFORDS, the names of the Senator from North Carolina (Mr. FAIRCLOTH) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 1712, a bill to amend title XXVII of the Public Health Service Act and part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 to improve the quality of health plans and provide protections for consumers enrolled in such plans.

S. 1774

At the request of Mr. LOTT, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 1774, a bill to amend the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to make guaranteed farm ownership loans and guaranteed farm operating loans of up to $600,000, and to increase the maximum loan amounts with inflation.

S. 1802

At the request of Mr. ASHCROFT, his name was added as a cosponsor of S.