

(b) DECLARATIONS.—The advice and consent of the Senate is subject to the following declarations:

(1) LIMITED RESERVATIONS PROVISIONS.—It is the Sense of the Senate that a "limited reservations" provision, such as that contained in Article 35, has the effect of inhibiting the Senate in its exercise of its constitutional duty to give advice and consent to ratification of a treaty, and the Senate's approval of this treaty should not be construed as a precedent of acquiescence to future treaties containing such a provision.

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

(c) PROVISIO.—The resolution of ratification is subject to the following proviso, which shall be binding on the President:

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

INTERNATIONAL GRAINS AGREEMENT, 1995

(The text of the resolution of ratification as agreed to by the Senate on June 26, 1998, follows:)

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of The Grains Trade Convention and Food Aid Convention Constituting the International Grains Agreement, 1995, signed by the United States on June 26, 1995 (Treaty Doc. 105-4), subject to the declaration of subsection (a), and the proviso of subsection (b).

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

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

(a) PROVISIO.—The resolution of ratification is subject to the following proviso, which shall be binding on the President:

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

TRADEMARK LAW TREATY WITH REGULATIONS

(The text of the resolution of ratification as agreed to by the Senate on June 26, 1998, follows:)

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of The Trademark Law Treaty done at Geneva October 27, 1994, with Regulations, signed by the United States on October 28, 1994 (Treaty Doc. 105-

35), subject to the declarations of subsection (a), and the proviso of subsection (b).

(a) DECLARATIONS.—The advice and consent of the Senate is subject to the following declarations:

(1) LIMITED RESERVATIONS PROVISIONS.—It is the Sense of the Senate that a "limited reservations" provision, such as that contained in Article 21, has the effect of inhibiting the Senate in its exercise of its constitutional duty to give advice and consent to ratification of a treaty, and the Senate's approval of this treaty should not be construed as a precedent for acquiescence to future treaties containing such a provision.

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

(b) PROVISIO.—The resolution of ratification is subject to the following proviso, which shall be binding on the President.

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

AMENDMENTS TO THE CONVEN- TION ON THE INTERNATIONAL MARITIME ORGANIZATION

(The text of the resolution of ratification as agreed to by the Senate on June 26, 1998, follows:)

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Amendments to the Convention on the International Maritime Organization, adopted on November 7, 1991, and November 4, 1993 (Treaty Doc. 104-36), subject to the declaration of subsection (a), and the proviso of subsection (b).

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

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

(b) PROVISIO.—The resolution of ratification is subject to the following proviso, which shall be binding on the President:

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

MEASURE READ THE FIRST TIME—H.R. 2431

Mr. BOND. Madam President, I understand that H.R. 2431 has arrived from the House and is at the desk. I now ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (H.R. 2431) to establish an Office of Religious Persecution Monitoring, to provide for the imposition of sanctions against countries engaged in a pattern of religious persecution, and for other purposes.

Mr. BOND. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. The bill will remain at the desk and have its next reading on the next legislative day.

MEASURE READ THE FIRST TIME—H.R. 3150

Mr. BOND. Madam President, I understand that H.R. 3150 is also at the desk, and I now ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (H.R. 3150) to amend title 11 of the United States Code, and for other purposes.

Mr. BOND. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. The bill will remain at the desk and have its second reading on the next legislative day.

ORDERS FOR TUESDAY, JULY 7, 1998

Mr. BOND. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Tuesday, July 7. I further ask that when the Senate reconvenes on Tuesday, immediately following the prayer, the routine requests through the morning hour be granted.

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

Mr. BOND. I further ask that the Senate stand in recess from 12:30 until 2:15 p.m. to allow the weekly party caucuses to meet.

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

PROGRAM

Mr. BOND. Madam President, for the information of all Senators, when the Senate reconvenes Tuesday morning at 9:30 a.m., there will immediately be a vote on the motion to invoke cloture on the motion to proceed to the product liability bill. If cloture is invoked, the Senate will debate the motion to proceed until the policy luncheons at 12:30. Following the policy luncheons, it is expected that the Senate will resume consideration of the VA-HUD bill. It is our hope that Members will come to the floor during Tuesday's session to offer and debate amendments to the VA-HUD bill. The Senate may also consider the IRS reform conference report Tuesday night, hopefully, under a short time agreement, with a vote occurring on adoption of the conference report Wednesday morning.

The majority leader would like to remind Members that July will be a very busy month with late-night sessions and votes. The cooperation of all Members will be necessary for the Senate to complete its work prior to the August recess.

Ms. MIKULSKI. Madam President, I would like to echo for all staffs and Senators returning from the Fourth of July work period that we really would like to see a definite list of amendments to the VA-HUD appropriations bill so that when we take it up, we can move as expeditiously as possible.

ORDER FOR ADJOURNMENT

Mr. BOND. Madam President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order following the remarks of the Senator from North Dakota.

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

The Senator from North Dakota is recognized.

IRS REFORM BILL

Mr. DORGAN. Madam President, I have come to the floor to talk a bit about the crisis in agriculture, especially the crisis facing family farmers in my State of North Dakota. But before I do that, I would like to talk just for a moment about a piece of legislation that I understand may be brought to the floor of the Senate tomorrow—probably tomorrow evening. It is the so-called IRS reform bill.

In my judgement, there is much in the IRS reform bill that has merit. The hearings that were held in the Senate, which reviewed cases of harassment of taxpayers, some unacceptable behavior by Internal Revenue Service agents, and some other items clearly made the case for the need for some changes with respect to the Internal Revenue Service. Much of this piece of legislation, as I indicated, has merit. But I want to object to something that was done in legislative darkness in putting this conference report together. It is a provision that was not in either the House or Senate bills. It is a provision that had never been debated. It had not been put in either bill in the House or Senate. Yet at the last moment, in legislative darkness, it was stuck in this conference report in the conference committee. I don't understand by what rules they operate when they say we are going to stick something in the conference report that is not in either the House or Senate bill.

Here is what they did. They said in the conference report that they will reduce the holding period of assets for capital gains from 18 months to 12 months. What does that mean? Well, it means that those with incomes in this country of over \$100,000 a year are going to get 90 percent of the benefit of a \$2 billion tax break. That is \$2 billion in tax breaks. Ninety percent of it will

go to people who make over \$100,000 in income. In fact, 76 percent goes to people making over \$200,000 a year or more. This was done without debate. This was one of those little nuggets that was stuck in the bill. It was not debated by the House or the Senate.

The same day they said we have \$2 billion to give away to the upper-income people, they said we don't have enough money to provide for low-income heating assistance during the winter for low-income folks in the northern climates. This majority in Congress doesn't have enough money for that. They don't have enough money for low-income people who are trying to heat their homes. They say we are out of money, so we will cut that program off. They don't have enough money for summer jobs for disadvantaged youth. Gee, there is not enough money for that. They say there is not enough money for school construction in Indian schools, where the schools are falling apart and kids are walking through school doors into classrooms of which we all ought to be ashamed. No, there is not enough money for that.

But in the dark of the legislative night, there is enough money to stick \$2 billion into the purses of the richest Americans. This is done with no debate in this Congress. To the people who behave and operate like that and carry those knapsacks full of money to the upper-income folks, I just say that is a terrible way to legislate. On one hand you say you can't afford to help people who really need help, and that you have to abolish low-income energy assistance. Yet, on the other side there is plenty of money to reduce the capital gains holding period, without even a discussion in Congress about who it is going to benefit. It seems to me this is not a very happy day, when you talk about what should be our legislative priorities around this Capitol Building. I will talk more about that when the bill comes to the floor of the Senate tomorrow evening.

FAMILY FARM CRISIS

Mr. DORGAN. Madam President, for the RECORD, I want to read a letter from Joni Flaten from Langdon, ND. I visited with her this afternoon. She sent me a letter some while ago. She is a farm wife. We have a huge farm crisis not only in my State of North Dakota, but also in the entire wheat belt. Grain prices have collapsed. We have been hit with the toughest, worst outbreak of crop disease in a century in North Dakota. So you take crop disease that devastates the crop and then you add collapsed prices, and you have a calamity for a lot of family farmers.

Joni Flaten writes:

My husband has been farming now for 18 years. He is a third generation farmer, and with my oldest son graduating last Sunday, we were looking forward to some day having the fourth generation. However, that will no longer be possible for we have been unable to

get an operating loan this season due to low grain prices . . .

I have 3 children and have stayed home for 18 years to raise them and help my husband on the farm. We are now going to be forced into giving up the family farm, and I'm not sure if there is a lot of need for a 38-year-old combine operator/tractor driver/trucker/run for parts person and be a mother in the work force in North Dakota. We have been a true family operation since the boys were able to see over the steering wheels . . . We have not been able to hire an extra man to help us, but we have pulled together as a family at planting and harvest times to get the job done. Now Farm Credit tells us we are unable to get a loan to operate our farm. FAHS tells us we can't have a loan and the sad truth is such a blow to all of my family. Not that you or anyone can do much about this but maybe somehow you can stop it from happening to some other family in the future. It is a good life here in ND but I think you will be 5 people less come this winter!!!

This is from a woman named Joni Flaten, a farm wife, has been a farm wife for 18 years, and they are losing their livelihood, losing their family farm.

Let me show you a picture of Bev and Jim McAllister from Oriska, ND. Jim McAllister came to a meeting that I had in Mandan, ND, a few months ago. You can see Jim is a pretty big guy. He stood up at that meeting and began talking about his family farm. He said his granddad farmed it, his dad farmed it, and he has farmed it for 23 years. Then his chin began to quiver and he got tears in his eyes. Then he said he is going to have to quit farming. Jim and Bev McAllister love farming. They are family farmers. They have raised their family on the farm. It is a way of life they say they wouldn't have traded for anything, and yet they are having to leave the farm. There family farm will be history. No more family farming for the McAllister family.

Why is this happening?

This is a picture of an auction sale in North Dakota. You can see what an auction sale looks like. There are a lot of folks standing around with an auctioneer auctioning off farm machinery. Here are pages from a North Dakota newspaper. It shows about 150 auction sales. It is all advertised in the same week's paper. These auction sales go out for a good number of weeks. This listing includes some 150 auction sales.

They have had so many auction sales on North Dakota farms that they have had to call retired auctioneers back from retirement to handle the auction sales. Every one of these auction sales represents a family farmer who has tried to invest everything they have, and have worked hard, to run a family farm. And then they discover they can't make it.

Why can't they make it? Well, farmers are beset by a whole range of problems these days. First, they wrote a new farm program in Congress two years ago. I didn't vote for it. I thought it was a terrible farm program. But those who voted for it—and the President reluctantly signed it—essentially said we are going to pull the safety net