

Whereas the return of these prisoners of war to United States control and to their families and comrades was designated Operation Homecoming;

Whereas many members of the United States Armed Forces who were taken prisoner as a result of ground or aerial combat in Southeast Asia have not returned to their loved ones and their whereabouts remain unknown;

Whereas United States prisoners of war in Southeast Asia were routinely subjected to brutal mistreatment, including beatings, torture, starvation, and denial of medical attention;

Whereas United States prisoners of war in Southeast Asia were held in a number of facilities, the most notorious of which was Hoa Loa Prison in downtown Hanoi, dubbed the "Hanoi Hilton" by the prisoners held there;

Whereas the hundreds of United States prisoners of war held in the Hanoi Hilton and other facilities persevered under terrible conditions;

Whereas the prisoners were frequently isolated from each other and prohibited from speaking to each other;

Whereas the prisoners nevertheless, at great personal risk, devised a means to communicate with each other through a code transmitted by tapping on cell walls;

Whereas then-Commander James B. Stockdale, United States Navy, who upon his capture on September 9, 1965, became the senior POW officer present in the Hanoi Hilton, delivered to his men a message that was to sustain them during their ordeal, as follows: Remember, you are Americans. With faith in God, trust in one another, and devotion to your country, you will overcome. You will triumph.;

Whereas the men held as prisoners of war during the Vietnam conflict truly represent all that is best about America;

Whereas two of these patriots, Congressman Sam Johnson, of Texas, and Senator John McCain, of Arizona, have continued to honor the Nation with devoted service; and

Whereas the Nation owes a debt of gratitude to all of these patriots for their courage and exemplary service: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses its gratitude for, and calls upon all Americans to reflect upon and show their gratitude for, the courage and sacrifice of the brave men who were held as prisoners of war during the Vietnam conflict, particularly on the occasion of the 25th anniversary of Operation Homecoming, their return from captivity; and

(2) acting on behalf of all Americans—

(A) will not forget that more than 2,000 members of the United States Armed Forces remain unaccounted for from the Vietnam conflict; and

(B) will continue to press for the fullest possible accounting for such members.

#### SENATE RESOLUTION 178—TO AUTHORIZE THE PRODUCTION OF SENATE DOCUMENTS AND REPRESENTATION BY THE SENATE LEGAL COUNSEL

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 178

Whereas, in the case of *United States f.u.b.o. Kimberly Industries v. Trafalgar House Construction*, Civil Case No. 97-0462, pending in the United States District Court for the Southern District of West Virginia, documents have been requested from the offices of Senator Robert C. Byrd and Senator John D. Rockefeller IV;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

*Resolved*, That the offices of Senator Byrd and Senator Rockefeller are authorized to produce documents in the case of *United States f.u.b.o. Kimberly Industries v. Trafalgar House Construction*, except concerning matters for which a privilege or objection should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent employees of Senator Byrd and Senator Rockefeller in connection with any subpoena or request for documents or testimony in *United States f.u.b.o. Kimberly Industries v. Trafalgar House Construction*.

#### AMENDMENTS SUBMITTED

#### THE ENERGY POLICY AND CONSERVATION ACT PROVISIONS EXTENSION ACT

##### MURKOWSKI AMENDMENT NO. 1645

Mr. COVERDELL (for Mr. MURKOWSKI) proposed an amendment to the bill (H.R. 2472) to extend certain programs under the Energy Policy and Conservation Act; as follows:

In lieu of the matter proposed to be inserted insert the following:

##### "SECTION 1. ENERGY POLICY AND CONSERVATION ACT AMENDMENTS.

"The Energy Policy and Conservation Act is amended—

"(1) in section 166 (42 U.S.C. 6246) by striking '1997' and inserting in lieu thereof '1999';

"(2) in section 181 (42 U.S.C. 6251) by striking '1997' both places it appears and inserting in lieu thereof '1999';

"(3) by striking 'section 252(l)(1)' in section 251(e)(1) (42 U.S.C. 6271(e)(1)) and inserting 'section 252(k)(1)';

"(4) in section 252 (42 U.S.C. 6272)—

"(A) in subsections (a)(1) and (b), by striking 'allocation and information provisions of the international energy program' and inserting 'international emergency response provisions';

"(B) in subsection (d)(3), by striking 'known' and inserting after 'circumstances' 'known at the time of approval';

"(C) in subsection (e)(2) by striking 'shall' and inserting 'may';

"(D) in subsection (f)(2) by inserting 'voluntary agreement or' after 'approved';

"(E) by amending subsection (h) to read as follows—

"(h) Section 708 of the Defense Production Act of 1950 shall not apply to any agreement or action undertaken for the purpose of developing or carrying out—

"(1) the international energy program, or

"(2) any allocation, price control, or similar program with respect to petroleum products under this Act.;"

"(F) in subsection (k) by amending paragraph (2) to read as follows—

"(2) The term 'international emergency response provisions' means—

"(A) the provisions of the international energy program which relate to international allocation of petroleum products and to the information system provided in the program, and

"(B) the emergency response measures adopted by the Governing Board of the International Energy Agency (including the July 11, 1984, decision by the Governing Board on 'Stocks and Supply Disruptions') for—

"(i) the coordinated drawdown of stocks of petroleum products held or controlled by governments; and

"(ii) complementary actions taken by governments during an existing or impending international oil supply disruption.;" and

"(G) by amending subsection (l) to read as follows—

"(1) The antitrust defense under subsection (f) shall not extend to the international allocation of petroleum products unless allocation is required by chapters III and IV of the international energy program during an international energy supply emergency.;" and

"(5) in section 281 (42 U.S.C. 6285) by striking '1997' both places it appears and inserting in lieu thereof '1999'.

"(6) at the end of section 154 by adding the following new subsection:

"(f)(1) The drawdown and distribution of petroleum products from the Strategic Petroleum Reserve is authorized only under section 161 of this Act, and drawdown and distribution of petroleum products for purposes other than those described in section 161 of this Act shall be prohibited.

"(2) In the Secretary's annual budget submission, the Secretary shall request funds for acquisition, transportation, and injection of petroleum products for storage in the Reserve. If no request for funds is made, the Secretary shall provide a written explanation of the reason therefor.'"

#### NOTICE OF HEARING

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that several hearings have been scheduled before the Full energy and Natural Resources Committee to consider the President's proposed FY 1999 budget.

The Committee will hear testimony from the following:

1. The Forest Service on Tuesday, March 3, 1998, beginning at 9:30 A.M. in room SD-366 of the Dirksen Senate Office Building in Washington, D.C.

2. The Department of Energy on Wednesday, March 4, 1998, beginning at 10:00 A.M., in room SD-366 of the Dirksen Senate Office Building in Washington, D.C.

3. The Department of the Interior on Thursday, March 5, 1998, beginning at 9:30 A.M. in room SD-366 of the Dirksen Senate Office Building in Washington, D.C.

For further information, please call Betty Nevitt, Staff Assistant at (202) 224-0765.

# AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON ARMED SERVICES

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, February 12, 1998, at 10:00 A.M. in open session, to receive testimony on the Defense Authorization request for fiscal year 1999 and the future years defense plan.

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

## COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALLARD. Mr. President, I ask unanimous consent that the Commerce, Science, and Transportation Committee be authorized to meet on Thursday, February 12, 1998, at 9:30 AM on the nomination of Winter Horton to be a member of the Corporation for Public Broadcasting.

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

## COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALLARD. Mr. President, I ask unanimous consent that the Commerce, Science, and Transportation Committee be authorized to meet on Thursday, February 12, 1998, at 10:00 AM (or immediately following) the 9:30 AM hearing) on S. 1422—FCC Satellite Carrier Oversight.

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

## COMMITTEE ON FOREIGN RELATIONS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 12, 1998 at 2:00 pm to hold a hearing.

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

## COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. ALLARD. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia, to meet on Thursday, February 12, 1998, at 9:00 a.m. for a hearing on "Adoption and Foster Care Reforms in D.C."

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

## COMMITTEE ON INDIAN AFFAIRS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Thursday, February 12, 1998 at 9:30 a.m. in room 485 of the Russell Senate Building to conduct a hearing on the Indian provisions contained in the following Tobacco settlement legislation: S. 1414, S. 1415, and S. 1530.

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

## COMMITTEE ON THE JUDICIARY

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on the Judiciary, be authorized to hold an executive business meeting

during the session on the Senate on Thursday, February 12, 1998, at 10:00 a.m. in room 226 of the Senate Dirksen Office Building.

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

## COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Education of the Deaf Act during the session of the Senate on Thursday, February 12, 1998, at 10:00 a.m.

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

## COMMITTEE ON SMALL BUSINESS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing entitled "IRS Reform: What Taxpayers Need Now." The hearing will be held on Thursday, February 12, 1998, and will begin at 9:30 a.m. in room 428A of the Russell Senate Office Building.

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

## SUBCOMMITTEE ON AVIATION

Mr. ALLARD. Mr. President, I ask unanimous consent that the Subcommittee on Aviation be authorized to meet on Thursday, February 12, 1998, at 2:00 p.m. on the Airport Improvement Program

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

## SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. ALLARD. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, February 12, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:00 p.m. The purpose of this hearing is to receive testimony on S. 62, a bill to prohibit further extension or establishment of any national monument in Idaho without full public participation and an express Act of Congress, and for other purposes; S. 477, a bill to amend the Antiquities Act to require an Act of Congress and the consultation with the Governor and State legislature prior to the establishment by the President of national monuments in excess of 5,000 acres; S. 691, a bill to ensure that the public and the Congress have both the right and a reasonable opportunity to participate in decisions that affect the use and management of all public lands owned or controlled by the Government of the United States H.R. 901, an act to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands; and H.R. 1127, an act to

amend the Antiquities Act regarding the establishment by the President of certain national monuments.

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

## ADDITIONAL STATEMENTS

### NATIONAL DONOR DAY: FEBRUARY 14, 1998

• Mr. FRIST. Mr. President, Saturday, February 14, has a special significance: it is the first National Donor Day to promote the Five Points of Life, gifts that we can give others to help save lives. The Five Points of Life are whole blood, platelets, bone marrow, umbilical cord blood, and organ/tissue transplants; gifts of these valuable resources have been responsible for saving numerous lives.

The National Donor Day was developed by a partnership of the Saturn Motor Company, one of the leading corporations in my home state of Tennessee, and the United Auto Workers. The National Donor Day has the strong support of the Department of Health and Human Services and the enthusiastic cooperation of other volunteer associations, such as the American Red Cross, America's Blood Centers, National Marrow Donor Program, National Minority Organ/Tissue Transplant Education Program, the Transplant Recipients International Organization, Coalition on Donation, and Rotary International.

On National Donor Day, February 14, all Saturn automobile dealerships will be participating in a program to promote donation of the Five Points of Life. Blood donor drives will be conducted, and registration forms will be available to sign up as an organ donor or bone marrow donor.

This type of public/private partnership is the key to solving the shortage of donors. The stocks of whole blood and platelets have to be constantly replaced so their life-saving components will be available to the millions who use them. There are over 56,000 people on the waiting list for organ transplants, and ten die each day because organs are not available to save their lives. The National Marrow Donor Program has over 2.6 million people registered, but still there are many people who need bone marrow donation who are unable to find a suitable match among these individuals. Medical science has developed ways to save peoples' lives by using these resources, but unless everyone helps by offering the gift of Five Points of Life, all the skills of our doctors and physicians are for naught.

In response to this need for the Five Points of Life, people from all over the country are stepping up to meet the call. Tom Meredith from Nashville is a donor dad whose tragedy at the loss of two children was somewhat alleviated by the thought that their donated organs benefitted 97 people. Dr. Kenneth