

of the affected State, the district court may enter a temporary restraining order or an injunction against any person to prevent a violation of section 1085 of title 18, United States Code, as added by this section, if the court determines, after notice and an opportunity for a hearing, that there is a substantial probability that such violation has occurred or will occur.

TORRICELLI AMENDMENTS NOS. 3269-3270

(Ordered to lie on the table.)

Mr. TORRICELLI submitted two amendments intended to be proposed by him to the bill, S. 2260, *supra*; as follows:

AMENDMENT NO. 3269

At the appropriate place in title II, insert the following:

SEC. 2. NONPOINT POLLUTION CONTROL.

(a) IN GENERAL.—In addition to the amounts made available to the National Oceanic and Atmospheric Administration under this Act, \$6,000,000 shall be made available to the Administration for the nonpoint pollution control program of the Coastal Zone Management program of the Administration.

(b) PRO RATA REDUCTIONS.—Notwithstanding any other provision of law, a pro rata reduction shall be made to each program of the Department of Commerce funded under this Act (other than the program referred to in subsection (a)) in such manner as to result in an aggregate reduction in the amount of funds provided to those programs of \$6,000,000.

AMENDMENT NO. 3270

At the appropriate place in title II, insert the following:

SEC. 2. NONPOINT POLLUTION CONTROL.

(a) IN GENERAL.—In addition to the amounts made available to the National Oceanic and Atmospheric Administration under this Act, \$6,000,000 shall be made available to the Administration for the nonpoint pollution control program of the Coastal Zone Management program of the Administration.

(b) PRO RATA REDUCTIONS.—Notwithstanding any other provision of law, a pro rata reduction shall be made to each program of the International Trade Administration of the Department of Commerce funded under this Act in such manner as to result in an aggregate reduction in the amount of funds provided to those programs of \$6,000,000.

BINGAMAN (AND DOMENICI) AMENDMENT NO. 3271

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by them to the bill, S. 2260, *supra*; as follows:

Notwithstanding any rights already conferred under this Act, Section 2 of the Act entitled "An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes," approved July 5, 1946, commonly referred to as the Trademark Act of 1946 (15 U.S.C. 1052 (b)), is amended in subsection (b) by inserting "or of any federally recognized Indian tribe," after "State or municipality,".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Wednesday, July 22, 1998. The purpose of this meeting will be to examine the Y2K computer problem as it relates to agricultural business and other matters.

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

COMMITTEE ON ARMED SERVICES

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Wednesday, July 22, 1998 at 10 a.m. in executive session, to consider certain pending nominations.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, July 22, 1998, to conduct a hearing on the 1946 Swiss Holocaust Assets Agreement.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, July 22, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider the nomination of Bill Richardson to be Secretary of Energy.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GREGG. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to meet to consider pending business Wednesday, July 22, 1998, at 9:00 a.m., hearing room (SD-406).

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

COMMITTEE ON FINANCE

Mr. GREGG. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Wednesday, July 22, 1998 beginning at 9:30 a.m. in room 215 Dirksen.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, July 22, 1998 at 4 p.m. to hold a hearing.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs and the House Committee on Resources be authorized to meet during open session on Wednesday, July 22, 1998 at 9 a.m., to conduct a Joint Hearing on S. 1770, to elevate the Director of the Indian Health Service to Assistant Secretary for Health & Human Services; and H.R. 3782, Indian Trust Fund Accounts. The hearing will be held in room 106 of the Dirksen Senate Office Building.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet in executive session during the session of the Senate on Wednesday, July 22, 1998, at 9:30 a.m.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, July 22, 1998 at 2 p.m., to vote on the nominations of:

Scott E. Thomas, of the District of Columbia, to be a member of the Federal Election Commission for a term expiring April 30, 2003 (reappointment);

David M. Mason, of Virginia, to be a member of the Federal Election Commission for a term expiring April 30, 2003, vice Trevor Alexander McClurg Potter, resigned;

Darryl R. Wold, of California, to be a member of the Federal Election Commission for a term expiring April 30, 2001, vice Joan D. Aikens, term expired; and,

Karl L. Sandstrom, of Washington, to be a member of the Federal Election Commission for a term expiring April 30, 2001, vice John Warren McGarry, term expired.

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

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. GREGG. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, July 22, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2 p.m. The purpose of this hearing is to receive testimony on S. 2136, to provide for the exchange of certain land in the State of Washington; S. 2226, to amend the Idaho Admission Act regarding the sale or lease of school land; H.R. 2886 to provide for a demonstration project in the Stanislaus National Forest, CA, under which a private contractor will perform multiple resource management

activities for that unit of the National Forest System; and H.R. 3796, to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management.

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

ADDITIONAL STATEMENTS

FAA MAKES PROGRESS ON Y2K

• Mr. MOYNIHAN. Mr. President, I would like to bring to the Senate's attention the latest development regarding the Year 2000 (Y2K) problem. The Federal Aviation Administration (FAA) has determined that a critical mainframe computer system used to monitor air traffic will continue to function smoothly into the millennium. The FAA, uncertain as to how long testing would take, only recently began an intensive investigation of its mainframe computers. The testing involved the time consuming task of examining more than 40 million lines of software. Although the technicians determined the date problem could be repaired in time, the process underscores the urgent nature of the Y2K issue. The uncertainties of Y2K mean repair work can be as simple as that of the FAA, or more complicated than is possibly imaginable. It is imperative that the public and private sectors follow the example of the FAA and begin testing their computer systems immediately. I continue to hope that it is not too late to properly prepare for the year 2000.

I ask that the July 22, 1998 Washington Post article on the FAA be printed in the RECORD.

The article follows:

AIR TRAFFIC CONTROL COMPUTER SYSTEM
CLEARED FOR 2000

IBM WARNING PROMPTED TESTS
(By Rajiv Chandrasekaran)

ATLANTIC CITY, N.J.—Federal Aviation Administration technicians have concluded that a critical mainframe computer system used in the nation's largest air traffic control centers will function properly in the year 2000, despite warnings from the system's manufacturer that the agency should replace the equipment.

The determination, reached over the past few weeks by programmers at the FAA's technical center here, has elicited cheers from agency officials who had been castigated by congressional investigators earlier this year for not planning a quick replacement of the systems.

"The examination has revealed that the [system] will transition the millennium in a routine manner," FAA Administrator Jan F. Garvey said in an interview yesterday.

The mainframe computers at issue, made by International Business Machines Corp., are used at the FAA's 20 air route traffic control centers to track high-altitude aircraft between airports. The computers, IBM's Model 3083 mainframes, receive data from radar systems and integrate that infor-

mation into a picture for air traffic controllers.

Last October, IBM sent a letter to the FAA warning that "the appropriate skills and tools do not exist to conduct a complete Year 2000 test assessment" of the 3083 computers, once the mainstay of large corporate data centers. The machines have been mothballed by most users, step IBM urged the FAA to take.

Although the FAA plans to replace the mainframes as part of a broader modernization effort, agency officials were unsure they could complete the process by 2000. As a result, they embarked on an aggressive testing program to figure out how the computer system would be affected.

Most mainframes use a two-digit dating system that assumes that 1 and 9 are the first two digits of the year. Without specialized reprogramming, it was feared that the IBM 3083s would recognize "00" not as 2000 but as 1900, a glitch that could cause them to malfunction. The federal government and private companies are racing to fix other computers to avoid the year 2000 problem.

To conduct the testing, the FAA hired two retired IBM programmers and assigned a handful of other agency employees to the project, which involved checking more than 40 million lines of "microcode"—software that controls the mainframe's most basic functions. Among the initial areas of concern was whether a date problem would affect the operation of the mainframe's cooling pumps. If the computer does not regularly switch from one cooling pump to another, it can overheat and shut down, causing controllers' radar screens to go blank.

The technicians, however, found that the microcode doesn't consider the last two digits of the year when processing dates. Instead, it stores the year as a two-digit number between one and 32, assuming that 1975 was year one. As a result, they determined, the system would fail in 2007, but not in 2000.

"Nothing we have found will cause an operational aberration over the new year. It will continue to function as it's supposed to," said one FAA technician working on the project. FAA officials recently allowed a reporter to tour the facility here and talk to employees on the condition that they not be named.

"We're dealing with minutes and seconds in air traffic control," said another technician. "The systems don't really care about days and years."

The programmers did find four software modules that need to be repaired to handle the leap year in 2000, but they said the task would be relatively straightforward.

While the technicians came to their conclusions a few weeks ago, Garvey only recently was briefed on the findings. The results, sources said, have not yet been shared widely within the Transportation Department or with lawmakers.

Agency officials acknowledge their determination will be met with skepticism on Capitol Hill and in the aviation industry. To bolster their case, the technicians said they have compiled reams of computer printouts that back up their conclusions.

The findings highlight one of the uncertainties of year 2000 repair work. While some projects can be more costly and time consuming than originally expected, others can be unexpectedly simple.

"It's a welcome surprise," Garvey said. "And we don't get many of them in government."•

MICHIGAN ATTORNEY GENERAL FRANK J. KELLEY RETIRES

• Mr. ABRAHAM. Mr. President, I rise today to honor Michigan Attorney

General Frank J. Kelley, the longest serving chief law enforcement officer in the history of the United States. After spanning the administrations of five U.S. Presidents, Attorney General Kelley decided this spring not to seek re-election. Attorney General Kelly will have served for 37 years when he retires at the end of 1998, leaving behind a long and distinguished career of service to the State of Michigan and its citizens.

A native of Detroit, Frank Kelley's career in law began after receiving both his Bachelor of Arts and Juris Doctor degrees from the University of Detroit. He practiced law in Alpena, Michigan, where he served as both city attorney and the Alpena County Supervisor. In 1961, Governor John Swainson appointed Kelley Michigan's 50th Attorney General. The following year he was elected to his first term and has been reelected every term since.

Recognized as having an enduring commitment to good government, Frank Kelley has been a champion of consumer causes, fighting to protect Michigan citizens from price gouging and fraud, and serving as a watchdog on other consumer issues. Kelley also used his office to fight for school desegregation and equal housing. He has been honored with several public service awards throughout his career, including the Wyman Award from the National Association of Attorneys General.

In his almost four decades as Attorney General, Frank Kelley has earned the respect and admiration of those he worked with and the millions he represented. He has served with tenacity, distinction, and honor. It is with great pleasure that I add my heartfelt thanks and congratulations to Attorney General Kelley for his extraordinary career and service to the State of Michigan.•

100TH ANNIVERSARY OF GREATER SALEM CHAMBER OF COMMERCE

• Mr. DURBIN. Mr. President, I rise today to congratulate the Greater Salem Chamber of Commerce of Salem, Illinois, which will celebrate its 100th anniversary on July 23.

A century ago, seven Illinoisans founded the Salem Business Men's Association, which was later renamed the Greater Salem Chamber of Commerce. As they stated in their original charter, its purpose was "to promote and encourage the location of manufactories and other industries in our city * * * and to encourage in all proper and lawful ways the development of our city and its surrounding country." It is hard to imagine that the seven founders could have foreseen how their association would grow and flourish into the present.

Today, the Chamber supports the community of Salem through numerous projects ranging from economic development to educational support. In