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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, as we approach this Father's Day weekend, we praise You that You are our Heavenly Father from whom we learn what true fatherhood really means. You exemplify the perfect blend of admonition and affirmation, discipline and nurture, encouragement and inspiration.

May this Father's Day be more than a celebration honoring fathers, but a day of calling fathers to their responsibility for the spiritual and character formation of their children. In this time of absentee fathers, when 21 million children in America live without a father in their homes, we ask You to instigate a father movement.

Bless the families of our land. Stir fathers who have abdicated their responsibility. When fathers are silent about their faith, children miss the strength and courage of learning how to trust You with the ups and downs of life. O God, we need a great spiritual awakening. Thank You for waking up the fathers of the land and for a Father's Day dedicated to the recovery of the role of strong fathers to love their wives and their children. Through our Lord and Savior. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. ENZI. Mr. President, today the Senate will immediately begin the vote on final passage of H.R. 1664, the steel, oil and gas appropriations legislation. Following that vote, the Senate will begin consideration of the State Department authorization bill under a previous consent agreement. Therefore, votes are anticipated.

I thank my colleagues for their attention.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from West Virginia.

KOSOVO AND SOUTHWEST ASIA EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999

Mr. BYRD. Mr. President, I am authorized by the distinguished majority leader to ask for 5 minutes prior to the vote to be equally divided between Mr. NICKLES and myself.

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

Mr. BYRD. Mr. President, I ask unanimous consent also that other Senators may include statements in the RECORD if they so wish.

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

The clerk will report the bill by title.

The legislative assistant read as follows:

A bill (H.R. 1664) making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes.

The Senate resumed consideration of the bill.

Mr. VOINOVICH. Mr. President, no one cares about our Nation's steelworkers and steel industry more than I.

Since 1979, I have been at the forefront in support of Ohio's steel industry. As Mayor of Cleveland and Governor of Ohio, I pressured the Reagan and Bush Administrations to enforce the voluntary restraint agreements, VRAs, on steel and to make sure that all U.S. trade laws were enforced as soon as those agreements expired. In 1991, I set up the first Ohio Steel Industry Advisory Council as a public-private partnership to strengthen ties among the steel industry, the state of Ohio and its citizens.

And last year, when steel imports reached record levels, I was one of the first elected officials to pressure the Clinton administration to stop the illegal dumping of steel in our country. Since October of 1998, I have written the President three letters urging him to take action on behalf of the steel industry.

Ohio is now the largest steel producing state in the Nation—a development that occurred during my term as governor. Many have assumed that because steel is so important to the state of Ohio that I would vote in favor of this legislation. But it is because steel is so important that I cannot vote in favor of this legislation. There are three fundamental reasons why.

First, this bill does not provide industry-wide assistance. The legislation as it has been presented to the Senate provides loan-guarantee assistance to a few steel companies, and not all companies. In fact, the vast majority of steel companies in Ohio have not approached me indicating that my vote in favor of this legislation was crucial. Some steel companies in my state are opposed to this bill.

It does not make sense that in an economy as strong as ours, with steel production in the United States at record, all-time highs, with all the construction that is occurring in our nation, and all the cars that are being made and the record unemployment, that we should pass a package that is meant to assist only a handful of companies.

Which brings me to my second point: the government should not be in the position of picking winners and losers. What this legislation does is tell those companies that may have made poor business decisions that they will be given help. Meanwhile, we ignore those

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

companies that have done the right actions to make themselves competitive. This is not the spirit of American enterprise.

Indeed, I have to ask if we are going to make it the business of the federal government to help companies inside particular industries on a regular basis. We could be here in the Senate spending every taxpayer dollar bailing out specific businesses inside specific industries whenever we saw an economic threat or whenever we desired. Where will we draw the line? How will we decide which failing companies we'll bail out? What criteria will we use? Every time a company has a bad quarter or a bad year, should the federal government provide them with financial assistance? How are we different from those foreign countries we criticize for subsidizing their companies that are struggling to compete? These are the kinds of questions we need to ask if this is going to be the policy our government pursues.

Third, the history behind such loan programs points to a high default rate. The proponents of this legislation have indicated that they expect a default rate on the loans of 14%. That means of the $1 billion worth of loans that the government will guarantee for steel manufacturers, $140 million of that is expected to never be repaid. For the oil and gas industry, the expected default rate is higher, 25%, or $125 million on a loan guarantee of $500 million.

In essence, what Congress wants to do is allow the federal government to simply write off $265 million of taxpayer funds. That money has to come from somewhere, whether it's the Social Security trust fund, tax increases, or cuts in essential programs for our children.

The last time this nation established a steel loan guarantee program in 1978, the default rate was 77%. Five companies took out loans—all five companies defaulted and the U.S. taxpayer was forced to pick-up the tab for $222 million. The U.S. Commerce Department's Economic Development Administration said at the time, ''By any measurement, EDA's steel loan program would have to be considered a failure.'' In addition, EDA said, ''the program is an excellent example of the folly inherent in industrial policy programs.'' Now, I cannot guarantee that the companies today, if given these loan guarantees, will default at such a high rate, but I do not believe we should be making the same mistakes twice at the expense of other federal programs.

Mr. President, there have been scant few instances where the Federal Government getting involved in market decisions has been productive. I do not believe that we should do so here.

Mrs. LINCOLN. Mr. President, yesterday during consideration of the Steel and Oil and Gas Loan Guarantee Program the Senator from Illinois, Senator FITZGERALD, raised several concerns regarding the potential for program abuse. During these discussions, my colleague from Illinois questioned whether or not a bank, or other investor, would be able to transfer their risk to the government upon enactment of the Steel and Oil and Gas Loan Guarantee Program.

Fiscal responsibility is a top priority of mine and upon hearing of these concerns, I was initially troubled. However, I have been assured by the distinguished Senator from West Virginia, Senator BYRD, that the loan approval board is structured such that these situations will be prevented. Loans will not be approved on a whim and the taxpayers' dollars will not be thrown about recklessly to benefit those who did not need help in the first place. This program provides much needed, temporary assistance to keep our steel industry afloat.

It should be noted that the Steel and Oil and Gas Loan Guarantee Program sunsets in three years and is not a permanent change in public policy. We are simply responding to the crisis currently faced by many in our nation's steel industry.

I rise in support of this measure and thank the Senator from West Virginia for his leadership on this issue.

Mr. BYRD. Mr. President, this bill on which we are about to vote is a buy-American bill. A vote for this bill is a buy-American vote, a vote of confidence in American steel, American workers, and American families. But a vote against the bill sends a very different message. It says buy Russian, buy Japanese, buy South Korean, buy from our foreign competitors and send our steel industry and our steel jobs overseas. I urge my colleagues to vote American.

Now, if I have any time remaining in the 2½ minutes, I wish to compliment Mr. NICKLES, Mr. GRAMM, and others who were the opponents of the bill. They were honorable opponents, and I think they made good contributions, especially in our discussions yesterday. Their proposals improve the bill. I was happy to support their proposals and to join as a cosponsor of the amendment.

I especially wish to thank Senator STEVENS and Senator DOMENICI. Senator STEVENS has kept his word. He is a man of his word. Senator DOMENICI has done a great job in proposing a similar program for the oil and gas industry. I hope that he will be able to speak likewise at some point.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I urge my colleagues to vote against this bill. I compliment the sponsors of it, Senator BYRD and Senator DOMENICI. They are very persistent. I expect they will be successful today, but I hope that this bill doesn't pass either today in the Senate or in the conference.

I urge our colleagues to vote against it. The reason is because I think it is a mistake. It is not that I don't want to help the steel industry or that I don't want to help the oil and gas industry. I want to help both.

I do not think the Federal Government guaranteeing loans is the right thing to do. We have tried it. We have been there. It did not work. We did it in 1978 and 1979. The Federal Government had a loan guarantee program for the steel industry—$290 million worth of steel loans were made, guaranteed by the Federal Government. The Federal Government loaned $222 million on which the steel industry defaulted. That is a 77 percent default rate. Basically, the people who ran the program at the time or later said, well, really, it was replacing the marketplace with politicians making those decisions, saying that we don't think that the marketplace should be making capital decisions; we are going to have those decisions being made by Government.

I think that was a serious mistake. We have urged other countries not to go into this industrial policy; let the marketplace work. And now we are trying to come back and do it. We have done it before. It did not work before.

I want to help the oil and gas industry. It is really hurting in my State. But I do not think that having the Federal Government guaranteeing loans is the right solution. As a matter of fact, I do not think it will help anybody. I do not think it will even help the steel industry. It might help them reshuffle some debt, but I do not think it makes sense.

I urge my colleagues to vote no on this bill today.

Mr. President, I ask for the yeas and nays on the bill.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered.

The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

Mr. REID. I announce that the Senator from Connecticut (Mr. DODD) is necessarily absent.

I further announce that the Senator from New Mexico (Mr. BINGAMAN) is absent attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 63, nays 34, as follows:

[Rollcall Vote No. 176 Leg.]

YEAS—63

Abraham	Campbell	Feinstein
Akaka	Chafee	Gorton
Baucus	Cleland	Graham
Bayh	Cochran	Harkin
Bennett	Conrad	Hatch
Biden	Daschle	Helms
Bond	DeWine	Hollings
Boxer	Domenici	Hutchison
Breaux	Dorgan	Inhofe
Bryan	Durbin	Inouye
Byrd	Edwards	Johnson

Kennedy	Lugar	Sarbanes
Kerrey	Mikulski	Schumer
Kerry	Moynihan	Sessions
Kohl	Murray	Shelby
Landrieu	Reed	Specter
Lautenberg	Reid	Stevens
Leahy	Robb	Thurmond
Levin	Roberts	Torricelli
Lieberman	Rockefeller	Wellstone
Lincoln	Santorum	Wyden

NAYS—34

Allard	Frist	Murkowski
Ashcroft	Gramm	Nickles
Brownback	Grams	Roth
Bunning	Grassley	Smith (NH)
Burns	Gregg	Smith (OR)
Collins	Hagel	Snowe
Coverdell	Hutchinson	Thomas
Craig	Jeffords	Thompson
Crapo	Kyl	Voinovich
Enzi	Lott	Warner
Feingold	Mack	
Fitzgerald	McConnell	

NOT VOTING—3

Bingaman	Dodd	McCain

The bill (H.R. 1664), as amended, was passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 1664) entitled ''An Act making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes.'', do pass with the following amendments:

Page 2, strike out all after line 7 over to and including line 21 on page 3 and insert:

SEC. 101. EMERGENCY STEEL LOAN GUARANTEE PROGRAM. (a) SHORT TITLE.—This chapter may be cited as the ''Emergency Steel Loan Guarantee Act of 1999''.

(b) CONGRESSIONAL FINDINGS.—Congress finds that—

(1) the United States steel industry has been severely harmed by a record surge of more than 40,000,000 tons of steel imports into the United States in 1998, caused by the world financial crisis;

(2) this surge in imports resulted in the loss of more than 10,000 steel worker jobs in 1998, and was the imminent cause of 3 bankruptcies by medium-sized steel companies, Acme Steel, Laclede Steel, and Geneva Steel;

(3) the crisis also forced almost all United States steel companies into—

(A) reduced volume, lower prices, and financial losses; and

(B) an inability to obtain credit for continued operations and reinvestment in facilities;

(4) the crisis also has affected the willingness of private banks and investment institutions to make loans to the United States steel industry for continued operation and reinvestment in facilities;

(5) these steel bankruptcies, job losses, and financial losses are also having serious negative effects on the tax base of cities, counties, and States, and on the essential health, education, and municipal services that these government entities provide to their citizens; and

(6) a strong steel industry is necessary to the adequate defense preparedness of the United States in order to have sufficient steel available to build the ships, tanks, planes, and armaments necessary for the national defense.

(c) DEFINITIONS.—For purposes of this section:

(1) BOARD.—The term ''Board'' means the Loan Guarantee Board established under subsection (e).

(2) PROGRAM.—The term ''Program'' means the Emergency Steel Guarantee Loan Program established under subsection (d).

(3) QUALIFIED STEEL COMPANY.—The term ''qualified steel company'' means any company that—

(A) is incorporated under the laws of any State;

(B) is engaged in the production and manufacture of a product defined by the American Iron and Steel Institute as a basic steel mill product, including ingots, slab and billets, plates, flat-rolled steel, sections and structural products, bars, rail type products, pipe and tube, and wire rod; and

(C) has experienced layoffs, production losses, or financial losses since the beginning of the steel import crisis, in January 1998 or that operates substantial assets of a company that meets these qualifications.

(d) ESTABLISHMENT OF EMERGENCY STEEL GUARANTEE LOAN PROGRAM.—There is established the Emergency Steel Guarantee Loan Program, to be administered by the Board, the purpose of which is to provide loan guarantees to qualified steel companies in accordance with this section.

(e) LOAN GUARANTEE BOARD MEMBERSHIP.—There is established a Loan Guarantee Board, which shall be composed of—

(1) the Secretary of Commerce;

(2) the Chairman of the Board of Governors of the Federal Reserve System, who shall serve as Chairman of the Board; and

(3) the Chairman of the Securities and Exchange Commission.

(f) LOAN GUARANTEE PROGRAM.—

(1) AUTHORITY.—The Program may guarantee loans provided to qualified steel companies by private banking and investment institutions in accordance with the procedures, rules, and regulations established by the Board.

(2) TOTAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed and outstanding at any one time under this section may not exceed $1,000,000,000.

(3) INDIVIDUAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed under this section with respect to a single qualified steel company may not exceed $250,000,000.

(4) TIMELINES.—The Board shall approve or deny each application for a guarantee under this section as soon as possible after receipt of such application.

(5) ADDITIONAL COSTS.—For the additional cost of the loans guaranteed under this subsection, including the costs of modifying the loans as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), there is appropriated $140,000,000 to remain available until expended.

(g) REQUIREMENTS FOR LOAN GUARANTEES.—A loan guarantee may be issued under this section upon application to the Board by a qualified steel company pursuant to an agreement to provide a loan to that qualified steel company by a private bank or investment company, if the Board determines that—

(1) credit is not otherwise available to that company under reasonable terms or conditions sufficient to meet its financing needs, as reflected in the financial and business plans of that company;

(2) the prospective earning power of that company, together with the character and value of the security pledged, furnish reasonable assurance of repayment of the loan to be guaranteed in accordance with its terms;

(3) the loan to be guaranteed bears interest at a rate determined by the Board to be reasonable, taking into account the current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of such loan;

(4) the company has agreed to an audit by the General Accounting Office prior to the issuance of the loan guarantee and annually thereafter while any such guaranteed loan is outstanding; and

(5) In the case of a purchaser of substantial assets of a qualified steel company, the qualified steel company establishes that it is unable to reorganize itself.

(h) TERMS AND CONDITIONS OF LOAN GUARANTEES.—

(1) LOAN DURATION.—All loans guaranteed under this section shall be payable in full not later than December 31, 2005, and the terms and conditions of each such loan shall provide that the loan may not be amended, or any provision thereof waived, without the consent of the Board.

(2) LOAN SECURITY.—Any commitment to issue a loan guarantee under this section shall contain such affirmative and negative covenants and other protective provisions that the Board determines are appropriate. The Board shall require security for the loans to be guaranteed under this section at the time at which the commitment is made.

(3) FEES.—A qualified steel company receiving a guarantee under this section shall pay a fee to the Department of the Treasury to cover costs of the program, but in no event shall such fee exceed an amount equal to 0.5 percent of the outstanding principal balance of the guaranteed loan.

(4) GUARANTEE LEVEL.—No loan guarantee may be provided under this section if the guarantee exceeds 85 percent of the amount of principal of the loan.

(i) REPORTS TO CONGRESS.—The Secretary of Commerce shall submit to Congress a full report of the activities of the Board under this section during each of fiscal years 1999 and 2000, and annually thereafter, during such period as any loan guaranteed under this section is outstanding.

(j) SALARIES AND ADMINISTRATIVE EXPENSES.—For necessary expenses to administer the Program, $5,000,000 is appropriated to the Department of Commerce, to remain available until expended, which may be transferred to the Office of the Assistant Secretary for Trade Development of the International Trade Administration.

(k) TERMINATION OF GUARANTEE AUTHORITY.—The authority of the Board to make commitments to guarantee any loan under this section shall terminate on December 31, 2001.

(l) REGULATORY ACTION.—The Board shall issue such final procedures, rules, and regulations as may be necessary to carry out this section not later than 60 days after the date of enactment of this Act.

(m) IRON ORE COMPANIES.—

(1) IN GENERAL.—Subject to the requirements of this subsection, an iron ore company incorporated under the laws of any State shall be treated as a qualified steel company for purposes of the Program.

(2) TOTAL GUARANTEE LIMIT FOR IRON ORE COMPANY.—Of the aggregate amount of loans authorized to be guaranteed and outstanding at any one time under subsection (f)(2), an amount not to exceed $30,000,000 shall be loans with respect to iron ore companies.

FEDERAL ADMINISTRATIVE AND TRAVEL EXPENSES

(RESCISSIONS)

SEC. 102. (a) Of the funds available in the nondefense category to the agencies of the Federal Government, $145,000,000 are hereby rescinded: Provided, That rescissions pursuant to this subsection shall be taken only from administrative and travel accounts: Provided further, That rescissions shall be taken on a pro rata basis from funds available to every Federal agency, department, and office in the Executive Branch, including the Office of the President.

(b) Within 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsection (a) of this section.

Page 4, strike out all after line 1 over to and including line 14 on page 22 and insert:

SEC. 201. PETROLEUM DEVELOPMENT MANAGEMENT. (a) SHORT TITLE.—This chapter may be cited as the ''Emergency Oil and Gas Guaranteed Loan Program Act''.

(b) FINDINGS.—Congress finds that—

(1) consumption of foreign oil in the United States is estimated to equal 56 percent of all oil consumed, and that percentage could reach 68 percent by 2010 if current prices prevail;

(2) the number of oil and gas rigs operating in the United States is at its lowest since 1944, when records of this tally began;

(3) if prices do not increase soon, the United States could lose at least half its marginal wells, which in aggregate produce as much oil as the United States imports from Saudi Arabia;

(4) oil and gas prices are unlikely to increase for at least several years;

(5) declining production, well abandonment, and greatly reduced exploration and development are shrinking the domestic oil and gas industry;

(6) the world's richest oil producing regions in the Middle East are experiencing increasingly greater political instability;

(7) United Nations policy may make Iraq the swing oil producing nation, thereby granting Saddam Hussein tremendous power;

(8) reliance on foreign oil for more than 60 percent of our daily oil and gas consumption is a national security threat;

(9) the level of United States oil security is directly related to the level of domestic production of oil, natural gas liquids, and natural gas; and

(10) a national security policy should be developed that ensures that adequate supplies of oil are available at all times free of the threat of embargo or other foreign hostile acts.

(c) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Loan Guarantee Board established by subsection (e).

(2) PROGRAM.—The term ''Program'' means the Emergency Oil and Gas Guaranteed Loan Program established by subsection (d).

(3) QUALIFIED OIL AND GAS COMPANY.—The term ''qualified oil and gas company'' means a company that—

(A) is—

(i) an independent oil and gas company (within the meaning of section 57(a)(2)(B)(i) of the Internal Revenue Code of 1986); or

(ii) a small business concern under section 3 of the Small Business Act (15 U.S.C. 632) (or a company based in Alaska, including an Alaska Native Corporation created pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)) that is an oil field service company whose main business is providing tools, products, personnel, and technical solutions on a contractual basis to exploration and production operators that drill, complete wells, and produce, transport, refine, and sell hydrocarbons and their byproducts as the main commercial business of the concern or company; and

(B) has experienced layoffs, production losses, or financial losses since the beginning of the oil import crisis, after January 1, 1997.

(d) EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM.—

(1) IN GENERAL.—There is established the Emergency Oil and Gas Guaranteed Loan Program, the purpose of which shall be to provide loan guarantees to qualified oil and gas companies in accordance with this section.

(2) LOAN GUARANTEE BOARD.—There is established to administer the Program a Loan Guarantee Board, to be composed of—

(A) the Secretary of Commerce;

(B) the Chairman of the Board of Governors of the Federal Reserve System, who shall serve as Chairman of the Board; and

(C) the Chairman of the Securities and Exchange Commission.

(e) AUTHORITY.—

(1) IN GENERAL.—The Program may guarantee loans provided to qualified oil and gas companies by private banking and investment institutions in accordance with procedures, rules, and regulations established by the Board.

(2) TOTAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed and outstanding at any 1 time under this section shall not exceed $500,000,000.

(3) INDIVIDUAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed under this section with respect to a single qualified oil and gas company shall not exceed $10,000,000.

(4) EXPEDITIOUS ACTION ON APPLICATIONS.—The Board shall approve or deny an application for a guarantee under this section as soon as practicable after receipt of an application.

(5) ADDITIONAL COSTS.—For the additional cost of the loans guaranteed under this subsection, including the costs of modifying the loans as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), there is appropriated $122,500,000 to remain available until expended.

(f) REQUIREMENTS FOR LOAN GUARANTEES.—The Board may issue a loan guarantee on application by a qualified oil and gas company under an agreement by a private bank or investment company to provide a loan to the qualified oil and gas company, if the Board determines that—

(1) credit is not otherwise available to the company under reasonable terms or conditions sufficient to meet its financing needs, as reflected in the financial and business plans of the company;

(2) the prospective earning power of the company, together with the character and value of the security pledged, provide a reasonable assurance of repayment of the loan to be guaranteed in accordance with its terms;

(3) the loan to be guaranteed bears interest at a rate determined by the Board to be reasonable, taking into account the current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of the loan; and

(4) the company has agreed to an audit by the General Accounting Office before issuance of the loan guarantee and annually while the guaranteed loan is outstanding.

(g) TERMS AND CONDITIONS OF LOAN GUARANTEES.—

(1) LOAN DURATION.—All loans guaranteed under this section shall be repayable in full not later than December 31, 2010, and the terms and conditions of each such loan shall provide that the loan agreement may not be amended, or any provision of the loan agreement waived, without the consent of the Board.

(2) LOAN SECURITY.—A commitment to issue a loan guarantee under this section shall contain such affirmative and negative covenants and other protective provisions as the Board determines are appropriate. The Board shall require security for the loans to be guaranteed under this section at the time at which the commitment is made.

(3) FEES.—A qualified oil and gas company receiving a loan guarantee under this section shall pay a fee to the Department of the Treasury to cover costs of the program, but in no event shall such fee exceed an amount equal to 0.5 percent of the outstanding principal balance of the guaranteed loan.

(4) GUARANTEE LEVEL.—No loan guarantee may be provided under this section if the guarantee exceeds 85 percent of the amount of principal of the loan.

(h) REPORTS.—During fiscal year 1999 and each fiscal year thereafter until each guaranteed loan has been repaid in full, the Secretary of Commerce shall submit to Congress a report on the activities of the Board.

(i) SALARIES AND ADMINISTRATIVE EXPENSES.—For necessary expenses to administer the Program, $2,500,000 is appropriated to the Department of Commerce, to remain available until expended, which may be transferred to the Office of the Assistant Secretary for Trade Development of the International Trade Administration.

(j) TERMINATION OF GUARANTEE AUTHORITY.—The authority of the Board to make commitments to guarantee any loan under this section shall terminate on December 31, 2001.

(k) REGULATORY ACTION.—Not later than 60 days after the date of enactment of this Act, the Board shall issue such final procedures, rules, and regulations as are necessary to carry out this section.

FEDERAL ADMINISTRATIVE AND TRAVEL EXPENSES (RESCISSIONS)

SEC. 202. (a) Of the funds available in the nondefense category to the agencies of the Federal Government, $125,000,000 are hereby rescinded: Provided, That rescissions pursuant to this subsection shall be taken only from administrative and travel accounts: Provided further, That rescissions shall be taken on a pro rata basis from funds available to every Federal agency, department, and office in the Executive Branch, including the Office of the President.

(b) Within 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsection (a) of this section.

Page 22, strike out all after line 15 over to and including line 4 on page 32 and insert:

GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in the Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the ''Emergency Steel Loan Guarantee and Emergency Oil and Gas Guaranteed Loan Act of 1999''.

The title was amended so as to read: ''An Act providing emergency authority for guarantees of loans to qualified steel and iron ore companies and to qualified oil and gas companies, and for other purposes.''.

Mr. BYRD. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2000 AND 2001

The PRESIDING OFFICER. The clerk will report H.R. 886.

The legislative assistant read as follows:

A bill (S. 886) to authorize appropriations for the Department of State for fiscal years 2000 and 2001; to provide for enhanced security at United States diplomatic facilities; to provide for certain arms control, nonproliferation, and other national security measures; to provide for the reform of the United Nations; and for other purposes.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from North Carolina.

Mr. HELMS. Mr. President, to make the RECORD absolutely clear, what is the pending business now?

The PRESIDING OFFICER. The pending business is S. 886.

Mr. HELMS. Which is?

The PRESIDING OFFICER. State Department authorization.

UNANIMOUS CONSENT REQUEST

Mr. HELMS. Mr. President, I ask unanimous consent with respect to the State Department authorization bill, all amendments in order pursuant to the consent agreement of June 10 must be offered and debated during Friday's session of the Senate. I further ask

consent that any votes relative to the bill occur in a stacked sequence beginning at 5:30 p.m. on Monday, with 2 minutes for explanation prior to each vote.

The PRESIDING OFFICER. Is there objection?

Mr. BIDEN. Mr. President, reserving the right to object, I will object.

The PRESIDING OFFICER. The Senator will suspend. We will please have order in the body.

The Senator from Delaware.

Mr. BIDEN. Reserving the right to object, I will object, and I want to explain why. The reason I object is there are several amendments from Senators who are not going to be able to be here today. They are necessarily absent. So they would be shut out completely from introducing their amendments.

On behalf of the leadership, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BIDEN. Mr. President, with the permission of my colleague from North Carolina, I ask unanimous consent, with respect to the State Department authorization bill, any amendments on the list of amendments in order to the State Department authorization bill must be filed at the desk by 11:30 today, that there be no further votes today, and the next vote would occur beginning at 5:30 on Monday.

The PRESIDING OFFICER. Is there objection?

Mr. HELMS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BIDEN. Will the Senator yield for a unanimous consent request relating to staff?

Mr. HELMS. Certainly.

PRIVILEGE OF THE FLOOR

Mr. BIDEN. Mr. President, I ask unanimous consent the privilege of the floor be granted to the following members of the minority staff of the Foreign Relations Committee: David Auerswald, an American political science fellow, and Joan Wadelton, a Pearson fellow, during the pendency of the State Department authorization bill, S. 886.

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

Mr. BIDEN. I thank the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, on behalf of the majority leader, I suggest Senators not leave town because there are going to be additional votes today.

Having made that announcement, I hope it is clear to all Senators we were willing to offer an agreement, but that failing, we must proceed.

Mr. REID. Will the Senator yield?

Mr. HELMS. Yes, sir.

Mr. REID. I could not quite hear, but you indicated there would be votes during today?

Mr. HELMS. Yes, sir.

Mr. REID. There was an announcement made by the leader yesterday that there would be no votes occurring after 11:45 a.m. today. There are people who have based their schedules on that public announcement made yesterday.

Mr. HELMS. I ask the Chair if the unanimous consent agreement stated 11:45 a.m.

Mr. REID. I am not sure there was a unanimous consent agreement. There was a public statement made.

The PRESIDING OFFICER. There is no agreement on limiting votes for the remainder of the day.

The Senator from North Carolina.

Mr. HELMS. Mr. President, I believe I am authorized to say there will be no votes after 11:45 a.m. today. At least I will not participate in ordering them.

Mr. KERRY. Mr. President, I understand a couple of Senators are out of town and therefore are not, even though they may want to, able to physically meet the unanimous consent request of the chairman. I wonder if the purposes of the Senate in moving this legislation forward are not equally well served by narrowing the universe of amendments by requiring that they all be laid down before the hour when there will be no further votes. We will then have a fixed universe of amendments, and we can begin debating them and proceed rapidly.

Mr. HELMS. I am unable to pass judgment on that. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. HELMS. I have to object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue calling the roll.

The assistant legislative clerk continued with the call of the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HELMS. Mr. President, I am a father. Like everybody else, every daddy wants to get home, except a few who will not give time agreements on their amendments. So we will just have to plow ahead and do the best we can.

On behalf of the Senate Committee on Foreign Relations, I offer the foreign relations authorization bill, approving specific State Department activities for fiscal years 2000 and 2001, including funds for payment of some dues arrearages to the United Nations and other international organizations conditioned upon reform of those institutions.

In the course of debate, the distinguished Senator from Delaware, Mr. BIDEN, and I will offer an amendment naming this bill the Admiral James W. Nance Foreign Relations Authorization bill, in memory and in honor of the late chief of staff of the Foreign Relations Committee, Bud Nance.

The Foreign Relations Committee approved this bipartisan legislation back in April—I believe on April 21st—by a vote of 17 to 1.

This is the first authorization of State Department activity since enactment last October on the Foreign Affairs Reform and Restructuring Act, which required the consolidation of the Arms Control and Disarmament Agency and the U.S. Information Agency into the State Department. These were temporary agencies. They were established in the 1950s and were explicitly and emphatically described as temporary agencies.

As Ronald Reagan said, there is nothing so near eternal life as a temporary Federal agency. So what we did, we folded two of those into the State Department, their responsibilities, and got rid of them.

Both of these temporary agencies were created about a half century ago, and this effort by the Foreign Relations Committee is the first time any body has tried to do away with those nontemporary or temporary agencies.

The bill addresses several significant oversight and authorization issues. It proposes to strengthen and preserve the arms control verification functions of the U.S. Government, while addressing other nonproliferation matters as well.

The bill authorizes a 5-year $3 billion construction blueprint for upgrading U.S. embassies around the world to provide secure environments for America's personnel overseas. Unlike the funds provided more than a decade ago in the wake of a report by Admiral Inman calling for improved security of U.S. embassies, this bill creates a firewall for funding from other State Department expenditures which will ensure that embassy funds are not raided to pay for other State Department pet projects.

The bill makes some reforms to strengthen the Foreign Service. Most Foreign Service officers are supportive of ensuring poor performing members of the Foreign Service are not automatically kept in the Service by statutes manipulated to protect unworthy employees from discharge and/or personnel actions. The changes in the bill will streamline the grievance and disciplinary process stipulated by the Foreign Service Act.

The bill augments a coordination and oversight of the U.S. Government's role in assisting parents seeking return of abducted children. These provisions are an outgrowth of the Foreign Relations Committee oversight hearing this past year on the growing problem of international abduction of children in disputes growing out of divorce and separation. It is a real problem, I say to the distinguished occupant of the Chair.

Significantly, the bill includes a U.N. reform package which includes payments of arrearages in exchange for—I reiterate for emphasis—in exchange for key reforms of and by the United Nations.

I say parenthetically to the distinguished occupant of the Chair that on the day that Kofi Annan was designated to be the Secretary General of the United Nations, I called him and invited him to come to Washington. We worked out a stipulated number of reforms that had to be done before any thought or agreement could be considered regarding the so-called arrearages.

He agreed to that. He went back to the United Nations and made some other statements, but we are working that out.

Interestingly enough, we are getting some support from the gentleman who probably will be confirmed in a week or so as the new U.S. Ambassador to the United Nations who strongly favors the reform of the United Nations. He stipulated that to me yesterday.

The reform agenda required by this bill, prior to the payment of any U.S. taxpayer dollars, has the full support of the Secretary of State and the distinguished Senator from Delaware, Mr. BIDEN, and me. These reforms were approved by the Senate during the 105th Congress by a vote of 90–5, but it was vetoed by the President of the United States.

I thank the Chair, and I yield the floor.

I believe we are going to have to have order, Mr. President.

The PRESIDING OFFICER. The Senator is correct. There is not order in the body.

Please, may we have order in the body so we can proceed on this important piece of legislation. Conversations will please be taken off the floor.

Mr. HELMS. Mr. President, I suggest the absence of a quorum until we can get order.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HELMS. I am going to depart from what we agreed to. The distinguished Senator from Vermont needs 3 minutes, he says, for a statement in the form of a eulogy. I yield that time to him.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 3 minutes.

LEONARD RIESER

Mr. LEAHY. Mr. President, Vermont and the United States lost one of its most distinguished academics last winter. Leonard Rieser, a physicist, a professor, a dean, and chairman of the board of the Bulletin of Atomic Scientists, holder of so many titles that we couldn't repeat all of them, died at the same time his great gifts and talent were still expanding.

I knew Leonard and his wife, Rosemary, through their son, Tim Rieser. Tim has been the most extraordinary advisor to me for many years, and he holds the best attributes of his father: decency, a towering intellect, and a constant search for knowledge.

Leonard Rieser is a man who lived more in a decade than most people will live in a lifetime. He accomplished in a few years what others would be proud to have as their life's work. What is extraordinary is that he did it for decade after decade.

In Vermont and throughout the Nation, expressions of sorrow but also of admiration and gratitude for his life poured in. We have all benefited by his life. He leaves a great void, especially for his wife, his sons, Tim, Leonard, and Ken, his daughter, Abby, his grandchildren and all his friends.

Mr. President, I ask unanimous consent that just one of the many tributes written about him be printed in the RECORD at this point.

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

[From the Bulletin of the Atomic Scientists, Mar./Apr. 1999]

LEONARD M. RIESER, 1922–1998

(By Mike Moore)

Leonard M. Rieser, 76, who chaired the board of the Bulletin from 1985 to June of last year, died in December of pancreatic cancer. His tenure as chairman spanned a tumultuous era. When Rieser took the chair, the Bulletin's ''Doomsday Clock'' stood at three minutes to midnight and ''Evil Empire'' rhetoric still ricocheted back and forth across the Atlantic.

But by late 1991, the United States and the Soviet Union had signed the Strategic Arms Reduction Treaty, a coup attempt in the Soviet Union had failed, and the United States and Russia had begun to withdraw thousands of tactical nuclear weapons from forward deployment. That fall, the board voted to move the minute hand ''off the scale''—from 10 minutes to 17 minutes to midnight.

In speaking to the press after the meeting, Rieser displayed the rooted-in-the-real-world optimism that characterized his life. The Cold War was clearly over, Leonard told the audience, as was the East-West arms race. That was a cause for celebration, and it surely justified the unprecedented seven-minute move. ''But the world is still a dangerous place and governments continue to pour vast sums of money and intellectual capital into weaponry. The Bulletin has much work left to do. It will continue reporting on the destructiveness of seeking military solutions to the world's ills.''

He was surely right about the Bulletin having more work to do. In 1995, the board moved the minute hand back onto the scale, to 14 minutes to midnight, in part because of the slow U.S. and Russian pace in cutting back nuclear arsenals. And last June, the board moved the hand to nine minutes to midnight, partly because of nuclear tests by India and Pakistan, and partly because East-West arms reductions were still agonizingly slow.

In December of 1942, Rieser, an undergraduate in physics at the University of Chicago, enlisted in the army, but received a deferment so he could finish his degree. After receiving his baccalaureate, he was assigned to the Manhattan Project, first in the Chicago laboratory and then at Los Alamos.

In later years, he seldom talked of his bomb-related work, other than to say that he had no interest in pursuing weapons work after the war. Al Baez, a physicist who met Rieser in the late 1940s while both were graduate students at Stanford, said they became lifelong friends partly because of their mutual belief that scientists had a moral responsibility to weigh the consequences of their work.

Rieser joined the Dartmouth College physics faculty in 1952 and remained active in Dartmouth affairs until his death. He became dean of the faculty, provost, and the Sherman Fairchild Professor in the Sciences. During the socially and politically chaotic years of the late 1960s and early 1970s, he helped transform Dartmouth from a small men's liberal arts school into a more diverse coed institution.

Rieser retired as provost in 1982, the year he joined the board of the Bulletin, but he remained chairman of Dartmouth's Montgomery Endowment, which brings scholars, artists, and political figures to the campus for periods ranging from a week to a year. In 1984, he became the founding director of the John Sloan Dickey Center for International Understanding at Dartmouth.

Despite his decision to follow a largely administrative track, he remained passionately committed to science, pure and applied, and to the teaching of science. He was a member of the American Physical Society, the American Association of Physics Teachers, and the American Association for the Advancement of Science (AAAS).

Rieser chaired the AAAS's Commission on Science Education from 1966 to 1971, and he successively served as president-elect, president, and chairman of the AAAS board in the early 1970s. He later chaired the association's Committee on Future Directions and the Committee on Scientific Freedom and Responsibility.

In 1974, Rieser was a co-founder of the Interciencia Association, an organization based in Caracas that is dedicated to uniting scientific communities in the Americas, so they can more effectively promote the welfare of the people. He later served as president of Interciencia, and he was still a director at his death.

At various times, Rieser was president of the New England Council on Graduate Education, an overseer at Harvard, a member of the Commission on the International Exchange of Scholars, a member of the Council on Humanities and Sciences at Stanford, a trustee of Hampshire College, and a trustee of the Latin American Student Programs at American Universities.

In 1990, Rieser became a consultant to the John D. and Catherine T. MacArthur Foundation in Chicago. For four years, beginning in 1993, he chaired MacArthur's Fellows program—the so-called ''genius grant'' program in which scholars, artists, and innovators of all description are awarded handsome sums so they can more readily pursue their work by freeing them of financial constraints.

The program's yearly awards regularly make headlines. They have been applauded as being imaginative and visionary and criticized for being too offbeat, ''too politically correct.''

''It was not a matter of 'political correctness,''' says Adele Simmons, president of MacArthur. ''Leonard delighted in finding people not already being supported by mainstream institutions, and giving them an opportunity to look at institutions and issues in a new way, getting people to really think.''

Victor Rabinowitch, senior vice president of MacArthur, said Rieser took particular

joy in mentoring younger people. ''He loved to play that role. He was idealistic—but also realistic. He believed in the goodness of people, a man of enormous decency. The secretaries all adored him—he listened to them.''

An adjective often used to describe Rieser is ''graceful''—in the sense that he was a considerate man, a ''gentleman'' in the old-fashioned use of the term. Listening, says Barbara Gerstner, assistant provost at Dartmouth, was one of Rieser's greatest gifts. ''When he conducted a meeting, he made sure that everyone's point of view was heard and understood. A person could leave a meeting unsatisfied with the result. But at least he knew he had had a fair chance to be heard.''

MacArthur's Rabinowitch, who has attended high-powered meetings throughout the world for most of his professional life, says simply: ''Leonard was the most talented chairman I have ever seen.''

Dorothy Zinberg, on the faculty at Harvard's John F. Kennedy School of Government, recalls Rieser's ability to put people at ease. She first met Leonard in the early 1970s, when she ''parachuted into Washington'' to serve as the ''token woman'' on the AAAS's Committee for Science and Social Responsibility. It was a small but steller group that included former Chief Justice Earl Warren and John Knowles, then president of the Rockefeller Foundation, and Alan Astin, a towering figure in Washington science policy. Zinberg, who was then a young professor at Harvard, was ill at ease. ''Don't worry,'' said Leonard. ''You have every right to be here. Speak up.'' That she did, and she went on to serve on several more AAAS committees.

In the early 1990s, Zinberg was a consultant at the MacArthur Foundation and often found herself working closely with Rieser. ''Leonard challenged every statement to make certain that no issue under discussion had been superficially examined. Behind the boyish smile, the informal style, the casual country clothes, and the droll humor lay a steely determination to get things right.''

Leonard M. Rieser, according to those who knew him well, did get it right.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent for 3 minutes.

The PRESIDING OFFICER. The Senate is in a quorum call.

Mr. WELLSTONE. I ask unanimous consent that the order for the quorum call be dispensed with so I may have 3 minutes as in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE BANKRUPTCY BILL

Mr. WELLSTONE. I thank the Senator from North Carolina. It may take less than 3 minutes.

I refer colleagues, and I will include in the RECORD, to a piece today in the New York Times, front-page article, the title of which is ''New Lenders With Huge Fees Thrive on Workers With Debts.''

Some of my colleagues remember that Senator Metzenbaum did a lot of work on this. When we do bring up the bankruptcy bill, I will have an amendment which will prohibit claims in bankruptcy which rise from these high-cost transactions such as ''payday'' loans, car title loans, or any other credit extension that extends beyond 100 percent per annum. I will go into this in detail. I cannot right now in 3 minutes. I will put this piece in the RECORD. I hope colleagues will read it. It is really quite outrageous what these companies have been able to get away with. I look forward to having a debate on this amendment on the bankruptcy bill.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I referred.

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

[From the New York Times, June 18, 1999]

NEW LENDERS WITH HUGE FEES THRIVE ON WORKERS WITH DEBTS

(By Peter T. Kilborn)

KOKOMO, IND, June 16.—A year and a half ago, Doris Rude, a taxi driver who is partly disabled by a herniated disc, was living at the edge of her income of $300 a week and had just $5 in the bank. Then she received a $1,900 hospital bill. With poor credit and no money, she turned in desperation to a new, fast-growing American institution: The payday loan company.

For a fee of $30, the company agreed to advance her a two-week loan of $100. To obtain the loan, she wrote the company a check for $130 that the lender greed to hold until her next payday. With the $30 fee, the lender was charging her an annual interest rate that consumer advocates say is 780 percent.

But two weeks later, with no change in her living expenses, her check was sure to bounce. So the lender let Ms. Rude renew the loan for another two weeks, for another $30 fee. Soon she was bounding from one payday lender to another, six in all, borrowing from the next to pay the accumulating fees of the others.

Ms. Rude had fallen into a trap that regulators worry is an increasingly common one, not just for lower-paid workers like Ms. Rude but for higher-salaried ones as well.

Payday lending companies are sprouting up all over the country, having increased to nearly 8,000 today from 300 seven years ago. Although this is the most prosperous peacetime decade of the century, many workers have become trapped by debts run up in free spending or have been driven deeper into debt by misfortune. But these workers have the two basic things needed to obtain a payday loan: paychecks and checking accounts.

Although plentiful in big cities like New York and Los Angeles, the payday lenders have become most visible in places like Kokomo; Springfield, Ohio, and Cleveland, Tenn. Ten have opened in Kokomo, a city of 45,000 people.

Bearing names like Check Into Cash, Check 'n Go and Fast Cash, payday lenders grant loans to workers against their next paychecks. In return, the companies charge a ''fee,'' typically $15 to $35. At annual rates, the fees normally exceed 300 percent and 400 percent and in some cases they reach four digits.

At least a dozen national chains have sprung up. The biggest, Ace Cash Express in Irving, Tex., has around 900 stores and revenue last year—what it collected in loan fees—of $100 million, twice that of 1996. Check Into Cash, in Cleveland, Tenn., reported that its revenue had jumped to $21 million in the first six months of 1998 from $10 million three years ago and $1 million five years ago.

In much of the country, these companies escape the routine scrutiny and regulations faced by banks, finance companies and pawn shops, because in some states they are too new to have stirred much controversy and in others they have used political clout to stave off legislation.

As of late last year, the Consumer Federation of America reported that 19 states, including all of those in New England, as well as Pennsylvania, Texas and Virginia, prohibited payday lending, most by limiting annual, small-loan interest to less than 40 percent. But the federation said the 31 other states, including New York and New Jersey, condoned it by law or by the absence of law.

A spokesman for the New York State Banking Department, Rick Hansen, disputed this assertion, saying the state's usury law forbids charging more than 25 percent annual interest on any loan.

The payday lenders say they are providing a vital service. As commercial banks have shunned the poorest borrowers, in part by raising the minimum amounts they will lend, people who need small sums to get over a hump, like paying for a medical prescription or buying tires for a car, have few choices. These include people who are unable to get credit cards or who have charged or exceeded their cards' credit limits.

Industry leaders say comparing payday lenders' fees with annual interest rates is unfair because most of the loans are paid off within a month.

Consumer advocates consider the payday lenders' interest rates exorbitant.

''I know of loan sharks in New York who wouldn't charge this kind of interest,'' said Gary L. Calhoun, a lawyer here who provides legal services for members of the United Automobile Workers.

State Representative Richard W. Bodiker of Indiana, a Democrat whose bill this year to regulate the lenders fell to intense industry lobbying, calls the fees, ''in excess of what usury laws consider loan-sharking.''

Robert C. Rochford, deputy counsel of the National Check Cashers Association, an industry trade group, called such accusations spurious.

''Loan-sharking involves coercive tactics to collect the debt,'' Mr. Rochford said. ''No major direct deposit provider has been convicted of that.''

One reason for the lenders' growth is people's comfort with debt. The nation's savings rate, the percentage of people's disposable income that is saved, dropped to 0.5 percent last year and to nothing at all by earlier this year from 6 percent a decade ago. Rather than save, people are spending more than ever and borrowing more than ever.

''We know there's a pretty sizable group of folks whose credit cards are maxed out,'' said Mark B. Tarpey, a supervisor in the consumer finance division of the Indiana Department of Financial Institutions.

With payday lenders around, Mr. Tarpey said: ''They don't have to tell the boss they need a cash advance. They don't have to give up their TV's and furniture. They don't have to run a credit check.''

Another reason is a level of unemployment, 4.2 percent, that economists used to call unattainable. To succeed, payday lenders need customers with bank accounts and regular checks, in particular paychecks, and these days, just about every able-bodied adult receives one.

Under such conditions, said Mr. Rochford, the deputy counsel for the check cashers' association, payday lenders' revenues will grow to $1.44 billion this year from $810 million last year.

Payday lending exists, Mr. Rochford said, ''because there's a need for it.'' A short-term deferred deposit loan, the industry's preferred term, helps a worker through an emergency and is cheaper than bouncing a check.

Most banks do not make loans for less than $1,000, he said, and pawning is embarrassing.

Borrowers like a payday loan, Mr. Rochford said, because ''it is private,'' adding: ''It is quick. And they do not need a lot of documentation.'' The fees cover loans that turn sour, he said, and the cost of employees to process loans.

Kokomo, about 50 miles north of Indianapolis, may be a case in point. A steel and asphalt city of immense new Daimler-Chrysler and Delphi-Delco automobile component factories, Kokomo is fertile terrain for payday lending.

Strapped by bad credit and unmanageable or unexpected expenses, people here used to go to pawn shops for loans. But of three pawn shops here two years ago, one has closed, and another, Bob's, passed up renewing its license this month. Now people go to the city's new payday lenders.

Unemployment, which has exceeded 20 percent in Kokomo in recessions, was just 1.4 percent in March, according to the latest survey by the Kelley School of Business at Indiana University. About 20,000 people, roughly 40 percent of the area work force, is employed by automotive companies. They earn $50,000 to $60,000 a year and are the new lenders' biggest customers.

The payday lenders here approve most loans within 10 minutes. ''No Credit Check, Instant Approval,'' Easy Money's flier promises. ''The fastest way to payday,'' read the banners on the walls of Check 'n Go.

For this service, some states specify a maximum fee of $15 on a one- or two-week loan of $100 or $200. In Indiana the limit is $33. At $33, the annual rate on a two-week $100 loan is 858 percent.

And as borrowers amass loans, taking new ones to pay the fees on the others, the fastest way to payday becomes a fast way, too, to garnished wages and bankruptcy.

Kathy Jo King, 41, earns almost $60,000 a year as an assembly-line worker at the Daimler-Chrysler transmission plant. But she has no savings, in part because she is paying creditors $113 a week to work her way out of a bankruptcy that followed a serious automobile accident and left her husband partly disabled and both with high medical bills.

Then early last year, Ms. King and her husband and their boys, 18 and 11, had to move, incurring $1,500 in unexpected expenses.

''I've got kids to feed,'' she said. ''I had to go do something.'' With her credit in ruins, she could not go to a bank for a loan, so she went to payday lenders.

''We did several payday loans all at once,'' Ms. King said. ''They make you feel real at ease about it.'' She started paying off the loans bit by bit but became saddled with $200 in fees alone every two weeks and could not keep up.

So one lender tried to redeem her last $330 check covering a loan of $300 and a fee of $30. She did not have money in the bank to cover the check and it bounced. The bank and the lender then charged her $80 in fees for a bad check.

Next, the lender sued, and Ms. King lost. The court awarded the lender triple damages—$990, or three times the amount of the check, plus $150 in lawyer fees and $60 for court costs. With the $80 for bouncing the check, Ms. King owes $1,280 on her original loan of $330.

Currently, about 100 payday lenders suits against borrowers are on file in the Howard County Superior Court in Kokomo. Lenders here also send out letters threatening their customers with imprisonment for bouncing a loan check, although none is known to have tested the state penal code provision that they invoke in making the threat. Some lenders start taking legal action within a month to obtain unpaid loans; others try to work longer with customers to avoid a lawsuit.

David Hannum, coordinator of the Consumer Credit Counseling Service, said borrowers kept paying the fees, digging themselves deeper into debt, out of fear that lenders would otherwise try to redeem their checks when they did not have money in the bank to cover them, further tainting their credit ratings.

To tap into this market, Carol Brenner, 36, opened Quick Cash here in September. Ms. Brenner now has 350 clients, most of whom return every week or two to have their loans renewed or to pay them off, but then they often take another a few days later. She charges less than most lenders: $20 for a two-week $100 loan, for an annual percentage rate of 521 percent, and $30 for $200, or 391 percent.

Unlike some lenders, Ms. Brenner lets her clients pay off portions of their loans as they extend them and in that way work them down. And to avert probable trips to small-claims court, she says she will not lend to people who already have more than two loans from other payday lenders.

The biggest borrowers, many lenders say, are not Kokomo's low-wage service workers, but auto industry employees who earn more than $20 an hour.

''Most of my customers are from Chrysler and Delco,'' said Marc Sutherland, manager of the Kokomo office of Nationwide Budget Finance.

Shari Harris, 39, who earns around $25,000 a year as an information security analyst, was managing money well enough until the father of her two children, 10 and 4, stopped paying $1,200 a month in child support.

''And then,'' Ms. Harris said, ''I learned about the payday loan places.''

She qualified immediately for a two-week $150 loan at Check Into Cash, handing it a check for $183 to include the $33 fee. ''I started maneuvering my way around until I was with seven of them,'' she said.

In six months, she owed $1,900 and was paying fees at a rate of $6,006 a year. ''That's the sickness of it,'' Ms. Harris said. ''I was in the hole worse than when I started. I had to figure a way to get out of it.''

So she asked her employer to stop paying her wages into her checking account, emptying it, and putting her checks into a savings account. She stopped paying the biweekly fees to extend the loans, so the lenders tried to redeem her checks. ''I let them all bounce,'' she said.

She took a second job, working in a department store, and turned to the Consumer Credit Counseling Service, which worked out a plan under which she is paying $440 a month to work down the loans.

Jean Ann Fox, director of consumer protection at the Consumer Federation of America and a prominent critic of payday lending, said, ''There's nothing wrong with small loans at reasonable interest rates, reasonable terms and reasonable collection practices.

''But these practices are designed to keep you in perpetual debt.''

WHAT IT COSTS

An Expensive $100—A payday loan is a short-term cash advance, for a fee, to be paid off with a check that will be cashed on the borrower's next payday. But with fees like $30 for a two-week loan of $100, they are far more expensive than even credit cards:

Payday loan: $60 a month—A $30 fee for a two-week $100 loan, renewed for two more weeks; $100 cash loan—$60 $100 cash advance—$5.

Credit card: About $5 a month—A card available to people with poor credit might have a 3 percent fee for a cash advance, plus an annual interest rate of 19.8 percent, or about $2 a month on $100.

Mr. WELLSTONE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2000 AND 2001

The Senate continued the consideration of the bill.

Mr. HELMS. Mr. President, I know it must appear to the Chair and others that this is sort of a disjointed way to begin consideration of a major bill, but we are trying to work out time agreements. Senators are being very cooperative. I think we are approaching some reconciliation on it; I am not sure.

In the meantime, Senator SARBANES needs to get away for an important appointment. How much time will the Senator need?

Mr. SARBANES. This is the amendment I indicated I could do in 40 minutes. Once the amendment is explained, I hope that the committee will accept it. I would be prepared to offer it now. I have another amendment which will take longer.

I am prepared to go ahead and offer it now if the chairman wishes.

Mr. HELMS. Why don't we do that.

Mr. REID. Mr. President, I say to the Senator from North Carolina, we are working on a unanimous consent request. Would the Senator allow us to interrupt his statement if necessary?

Mr. SARBANES. Yes, absolutely.

Mr. MURKOWSKI. Mr. President, if I may interrupt for a moment on a matter of procedure, I recognize the difficulty the leader has in trying to orchestrate things in the body. I know he is working very diligently to try to come up with time agreements and the possibility of stacking votes and holding them over until Monday. I remember that former Senator Jake Garn sort of had an affinity for a family-friendly process, and I want to commend the leadership for trying to follow that.

I want to point out that I happen, by coincidence, to live very far away. For me to make a Monday vote, I have to leave Sunday night and fly all night to get here. If I leave on the very first flight from Fairbanks, AK, on Monday and leave at 8 o'clock, I get arrive in Washington in the evening. Ordinarily, I don't go back to my State on a weekend; I stay here. But Father's Day and Mother's Day are fairly important, so I intend to go to Alaska today.

Unfortunately, I will miss the stacked votes that are proposed on Monday. I was inclined to object to the unanimous-consent agreement, but in

the spirit of cordiality, which I have pretty much maintained around here in the last 19 years, I will defer to the leadership. I wanted to explain this uniqueness to those who live in Chicago or for those who can take the train next door. I wish I could. It is a little different set of circumstances.

I have made my concerns known. As we plan events, I think we should recognize there are a couple of special days, and Father's Day is one of them. I have 11 grandchildren who are coming, so sayonara.

Mr. LOTT. Mr. President, I certainly wish the Senator from Alaska a wonderful trip. I know how important his family is to him. I also want to thank him for his magnanimous decision not to object to the stacked votes. I know it is important to him to be here and participate in recorded votes. I also know his family is very important and Father's Day is very important. He could have objected, but he decided not to. I hope other Senators will follow that example. I try very hard to accommodate every Senator on both sides of the aisle.

I fear that the problem in the Senate now is that I have been too accommodating, because we try to work votes around every Senator's schedule, and it is absolutely out of control. I have Senators come in here and say: Oh, please, please, please, don't have another vote after 9:30 on Friday. And other Senators say: You mean we are going to vote Monday afternoon?

I realize voting is a problem, but it is required to move bills along. So I ask my colleagues to not get mad at me for trying to get our work done.

This week has been unusually productive. With this bill, if we could have finished it today, we would have completed seven bills this week. Senator REID and Senator DASCHLE share my frustration at what we go through. You would not believe the kinds of requests we get from Senators not to have votes during the middle of the day on Tuesday, or in the morning on Wednesday, or on Thursday afternoon. My colleagues, it is just out of control.

We try to say on Mondays or Fridays, for good and valid reasons, we will not have votes on occasion. We try to tell Members in advance. Because of a number of problems, we have notified both sides of the aisle that there won't be votes next Friday, the 25th. But there is a limit as to how much we can do. I was always used to working Monday through Friday. I realize that when we go home, we are still working. When we tell Senators we are not going to have votes before 5 on Monday or after 12 on Friday, we still have difficulty.

I thank Senator MURKOWSKI for his attitude. I must say to all the Senators that we just have to be prepared to be here and vote.

Here is another thing. Senators have now gotten to where, when there is a death in the family, they don't even want to miss a vote. That is a terrible and difficult time, but your constituents will understand. You can't ask 99 Senators not to have a recorded vote because you have had a death in the family. Sometimes it is an in-law. People understand if you can't be here. Meanwhile, back in the jungle, we have to get our work done. So I ask for your indulgence.

I yield to Senator MURKOWSKI.

Mr. MURKOWSKI. My only frustration, I share with the leader, is that the assumption today was that we were going to have some votes. As a consequence, I made my plans accordingly for a 2 o'clock airplane. I could have gotten a 10:30 airplane. After 2 o'clock, there are no more airplanes. I share the frustration of the leader who, obviously, is today accommodating a number of Senators who want to get out of here early, even though the leader said today we are going to vote in the morning at least. We did vote in the morning. It works both ways, Mr. President. When the leader says so, the consistency of that statement, I think, should be followed through, if I can make an appropriate suggestion.

Mr. LOTT. I must say, if I may respond, it was our intent to have more votes, but obstructionists can quite often prevail in the Senate. If somebody objects, it is pretty hard to force a vote. On Monday, I could call up Executive Calendar items. I can force votes, but I prefer not to do that. I have never liked the so-called ''bed check'' votes. I try to have votes on substance. That is the problem. Today, we had a blowup here at 9:45, and all kinds of efforts to be reasonable and get agreements came apart. I believe maybe by 11 o'clock, if enough people are gone, we can get this thing worked out.

Mr. SARBANES. Will the majority leader yield?

Mr. LOTT. I am glad to yield.

Mr. SARBANES. Mr. President, I appreciate the frustrations the majority leader has to work under. But he has just had a very productive week. We passed half a dozen bills of consequence here in the Senate this week. So I guess I would better understand this reaction if we hadn't done anything all week. I thought we had a productive week. I am right next door here, so it is easy for me. Sometimes you get more with a carrot than you do with a stick.

Mr. LOTT. I don't believe there has been a majority leader since Mansfield who has used a carrot as much as this majority leader. We don't go late on Mondays or Fridays.

Mr. SARBANES. I acknowledge that the majority leader worked hard to try to make the calendar more family friendly.

Mr. LOTT. Thank you for doing that.

Mr. REID. Mr. President, I say to the majority leader and the others assembled here, not only have we done a good job this week on those things we voted upon—major appropriations bills—but also there are a lot of things that have gotten a lot of attention that are completed and passed in this body, not the least of which is the resolution sponsored by the four leaders and everybody else in the Senate, and basically a vast majority here, dealing with commending the troops and all those who were involved in the Kosovo war. That took some work between the two sides, and we worked that out. It is a beautiful resolution. It is passed. If we had more time today, we would talk about that.

Lots of things occurred here. There, of course, is some question as to whether there are other things we would like to do. We have talked about the Patients' Bill of Rights. But we have to say that we have accomplished a great deal this week, and I think we should feel good about that.

Having served in the other body and this body, I think every Senator who has served here for a matter of years appreciates the work of the leader in making this body one where we have certainty as to our schedule. That has been a big help.

We had a vote this morning. We didn't have as many people as we thought, but we had a vote. Our time wasn't wasted this morning. The progress made on this State Department bill, I think, is terrific. I have been involved in this bill when we have taken more than a week to deal with this bill. We will resolve this in a matter of a few hours.

I appreciate the anxiety and frustration of the leader, but we want to work with the leader and make sure we get more done. I speak for everyone on this side.

Mr. LOTT. I will use leader time to respond briefly. I thank Senator REID for his comments. I note the fact he was willing to work with us. We had the resolution worked out over a period of several days, commending our troops and commending the President and others for their work in Kosovo. That could have been difficult, could have caused amendments, and there could have been requests for recorded votes.

That was one of several things we have done this week. I note the Senator from Nevada in his new role as the whip on the Democratic side has really made a difference. We appreciate his cooperation. Quite often, it takes a lot of time to work through the pending amendments. He has been very helpful.

I am glad we had a good week. I am hoping every week will be similar to this week. I will keep working in that effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENT NO. 689

(Purpose: To revise the deadlines with respect to the retention of records of disciplinary actions and the filing of grievances within the Foreign Service)

Mr. SARBANES. I have an amendment at the desk which I ask be called up.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Mr. SARBANES] proposes an amendment numbered 689.

Mr. SARBANES. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 39, strike lines 14 and 15 and insert the following: ''for a period commensurate with the seriousness of the offense, as determined by Director General of the Foreign Service, except that the personnel records shall retain any record with respect to a reprimand for not less than one year and any record with respect to a suspension for not less than two years.'.''.

On page 41, line 16, strike ''one year'' and all that follows through the end of line 22 and insert the following: ''two years after the occurrence giving rise to the grievance or, in the case of a grievance with respect to the grievant's rater or reviewer, one year after the date on which the grievant ceased to be subject to rating or review by that person, but in no case less than two years after the occurrence giving rise to the grievance.'.''.

Mr. SARBANES. Mr. President, I hope the committee will find it possible to accept this amendment. I will very briefly describe it.

This amendment seeks to address two provisions in the bill which affect the rights of those who serve in the Foreign Service. The first problem deals with the time period given in order to file a grievance. Under the current system, employees have a period of 3 years to file a grievance; that is the current law, 3 years. The bill does two things: It reduces that period to 1 year. It will take away the employee's right, which was upheld by a 1989 decision by the Foreign Service Labor Relations Board, to challenge an old evaluation that has been used against them.

It does two things. The amendment addresses those issues. It extends the period for filing a grievance to 2 years. In other words, the committee bill brings it down from 3 years to 1 year. We put it back up to 2 years.

Let me explain why I think this is important. Members of the Foreign Service have limited access to lawyers and personnel files while they are overseas. This amendment, moving the period back up to 2 years, gives them time to return to the United States on home leave, which they are entitled to only after they have been at their post for 18 months. They can come back on home leave in order to research and file their case.

If the grievance is against an employee's supervisor, the employee would have 1 year after he or she ceased to be supervised by that individual to file the grievance. I think the fairness of that is obvious on its face.

In addition—and this is a complicated, but I think important point—the amendment deletes the sentence that would preclude employees from grieving old evaluations used against them. Currently, promotion panels can reinterpret old reports to select out Foreign Service personnel using report statements which did not seem and were not intended at the time to be negative. The promotion panels can go back to these old reports and reinterpret them.

The bill, as it is written, eliminates the ability to challenge an old evaluation on the part of the employee. Civil service employees have this protection now. They can contest all bases cited for their termination, regardless of when the matter occurred. A Foreign Service employee should have the same due process rights.

In fact, following this 1989 decision to which I referred, the Foreign Service Association and the five foreign affairs agencies in the Government reached an agreement under which employees may contest records to the extent they are used as a basis for grievable actions taken against them.

Denying employees the ability to do that, among other things, would lead to filing unnecessary preemptive grievances for fear they would be used against them in the future. In other words, if you are going to say these old evaluations can't be ''grievanced,'' then it will serve as an incentive to contest more evaluations earlier.

This amendment restores the limited right, if an old evaluation is used to challenge it, and it would preclude the need for such preemptive grievances.

That is the first part of the amendment. It seems to me to make eminent good sense to do this. I have tried to take into account some of what the committee was seeking to accomplish. As I have indicated, we accept bringing the 3 years down, but we think it should come down to 2. I think taking it to 1 is going too far. The employees overseas would have a difficult time because they don't get the home leave for 18 months.

The second part of the amendment relates to the length of time a disciplinary action stays in an employee's personnel file. Under the current system, a reprimand stays in the employee's file for 1 year and a suspension for 2 years. The bill would extend that period in all cases until the employee is tenured as a career member of the service or next promoted. In effect, you may significantly lengthen the time in which these disciplinary actions stay in the employee's file.

There is a balancing to be done because under the current system disciplinary records are removed from the file after 1 or 2 years, no matter how serious. Therefore, they are not always available to reviewers when a Foreign Service employee is considered for promotion. That is something we need to look at. I understand the committee was focused on that.

The bill attempts to rectify this problem by requiring all records of disciplinary action to remain in the employee's file until the employee is tenured or next promoted. The proposed change makes no distinction between a suspension of 1 day or 1 month, between a minor infraction or a major violation. By failing to differentiate between minor and major violations, this change could have the unintended effect either of extending the length of punishment beyond a reasonable time period or reducing the likelihood that appropriate disciplinary actions will be imposed in the first place. The disciplining authorities may forego imposing these actions in the more minor cases because they know these things will remain in the file perhaps for a long period—until tenure or the next promotion.

This part of the amendment requires the Director General of the Foreign Service to decide when taking a disciplinary action what length of time it should remain in the employee's record based on the seriousness of the violation. In no case, however, would the letter remain in the file less than 1 year for a reprimand or 2 years for a suspension.

So we set, as it were, a minimum requirement of 1 year for a reprimand and 2 years for a suspension. Beyond that, the Director General, at the time of the disciplinary action, could indicate the additional length of time, as it were, that the disciplinary action would remain in the employee's file. I think this accomplishes the purpose of distinguishing between major and minor infractions, in a sense. It does not put the minor infractions in there indefinitely or until tenure or promotion is reached, but it does permit the Director General, on the major infractions, to extend them beyond the minimum of 1 year for a reprimand or 2 years for a suspension.

In both instances here I have tried to take into account what I have perceived to be the concerns of the committee in including these provisions. Neither proposal, in effect, eliminates the committee provisions. It only seeks to modify them or to adjust them, and I think would make for a more equitable system. I very much hope the committee will find it possible to accept this amendment.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I had a very brief discussion with the chairman of the committee about the second part of the Senator's amendment, which I happen to support fully; that is, instead of going from 3 years down to 1 year. All the reasons the Senator stated seem valid to me. A 2-year time period, it seems to me, is more reasonable. I suspect the chairman may be inclined to agree with that.

With regard to the first part of the amendment of the Senator relating to this issue of the seriousness of the offense, right now it is 1 year and 2 years. This would allow the State Department to make an independent judgment as to whether or not a reprimand or suspension should stay in the file beyond the time period here.

I raise the question whether or not we may be able to work something out. I have not had a chance to talk to the chairman about this to see whether it makes sense to him, but it seems to me the greatest difficulty with the first part of the amendment of the Senator, as it relates to the reforms we are trying to implement, is leaving open-ended this notion of who determines the seriousness of the offense. Having the Director General of the Foreign Service determine the seriousness of the offense without us, the committee, knowing how he or she will go about making that determination, in effect leaves a hole wide enough to eliminate the reform. I am not asking my colleague from North Carolina to respond to this yet.

I raised a moment ago in private with the Senator from Maryland whether or not he would be agreeable to amend the first part of his amendment to suggest the Director General had to submit to the Congress and the committee a set of regulations about how he or she would determine what constitutes the seriousness of the offense; in other words, how that would be determined. We would put the burden on them to come back to us to tell us, so we had some faith it would not be an ad hoc way of approaching this and we would have some sense of how to proceed.

I do not know whether or not that is amenable. It obviously needs to be fleshed out more than I have just outlined it, whether or not that is amenable to the chairman. But I suggest there is a possibility that the Senator, if he is willing, could work with us to see if we could work out some procedure that may enable the chairman to agree, for his part, to accept the amendment. Is the Senator amenable to that approach, I ask the Senator from Maryland?

Mr. SARBANES. Let me say to my distinguished colleague, I think we could work something out. I am not trying to create a situation in which the Director General can simply end up retaining the current system. Because, as I understand it, the committee's concern was that these disciplinary records were taken out of the file after 1 or 2 years, no matter how serious, and therefore they were not always available for review when a Foreign Service employee was considered for promotion. So the committee said, all right, we are going to keep it in the record until you are tenured or you are next promoted.

I think that is reasonable to do for serious violations, but I think we need to create a differentiation between serious violations and what would be minor infractions. But I think if we require regulations be proposed that would define that difference and that would be submitted to the committee, it seems to me maybe that would work it out in a way that is amenable to everyone.

Mr. BIDEN. I say to my friend from Maryland, I appreciate his willingness to try to work this out. I think we can work out the issue of the nature of the seriousness of the offense through regs being submitted.

I am told there is one other concern that is being suggested now. Right now there is a floor of 2 years for suspension.

Mr. SARBANES. We keep that floor.

Mr. BIDEN. Pardon me?

Mr. SARBANES. We keep that floor.

Mr. BIDEN. I understand it, but rather than do this negotiation, probably on the floor, that is another part Senator HELMS wants to take a look at.

What I suggest is I think we are very close to being able to work this out. I commit to the Senator we will attempt to do that. Obviously, if we do not, he is entitled to a vote on this, but I am inclined to believe we can do this and accept it to his satisfaction in the managers' amendment. But we will have between now and Monday evening to try to work that out, if he is willing to do that?

Mr. SARBANES. Yes. I will be happy to work with the committee members. I am trying to recognize the committee's concerns and, in a sense, simply fine-tune the language. I am not contending in either instance that there is no validity in the committee concerns. I concede the validity of the committee concerns. But I am trying to fine-tune this thing so I think it works in a better fashion.

Does the Senator want me to request it be temporarily laid aside so others can offer amendments?

Mr. BIDEN. I suggest that, if the Senator is willing to do that.

Mr. SARBANES. Mr. President, I ask unanimous consent this amendment be temporarily set aside, thereby opening the way for other Members to offer amendments.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, today we begin consideration of the State Department Authorization Act for fiscal year 2000 and 2001, which was reported out of the committee 17–1.

Mr. President, as I said, today the Senate begins consideration of the State Department Authorization Act for Fiscal Years 2000 and 2001. The bill was reported by the Committee on Foreign Relations on April 21 by an overwhelming vote of 17 to 1.

The bill contains several titles, which Chairman HELMS has just summarize. Let me just take a few minutes to highlight the major provisions of the bill.

First the bill revives the so-called Helms-Biden legislation on paying our overdue bills to the United Nations.

This proposal, I remind my colleagues, was approved by the Senate in June 1997 by a 90 to 5 vote. Unfortunately, it was ultimately sidetracked by the other body in the last Congress.

The version in this bill contains several changes from the bill approved in 1997—changes that were made to reflect the time that has passed since the deal was devised in the 105th Congress.

This package meets the central objective that I have—to pay back most of our back dues, or arrears—to the United Nations. It provides for the payment of $926 million in arrears, nearly all that we owe to the United Nations, over the course of three years, with the amount of funding released in each year contingent on the achievement of specific reforms in the United Nations.

Significant changes have been made to the final plan that we passed in the last Congress:

First, the bill provides a waiver for the two toughest provisions in the package—the requirement to achieve a reduction to 20 percent in our regular budget assessment rate, and a requirement to establish a ''contested arrears'' account for those arrears that are in dispute between the United States and the United Nations.

Seocnd, the bill provides more money upfront. A provision permitting the President to waive $107 million in reimbursements owed by the United Nations to the United States has been moved from ''year three'' to ''year two'' of the bill. This will allow $682 million to be paid to the United Nations as soon as the ''year one'' and ''year two'' conditions are met.

That is enough to cover most of our $712 million debt to the regular and peacekeeping budgets, which together constitute the bulk of our arrears. I should emphasize here that a significant amount of this funding—$575 million—has already been appropriated in the last two fiscal years.

I expect that the third year of funding will be appropriated this year—because this money is exempt from the limits imposed by the 1997 Balanced Budget Act. So once we pass this bill, and the Secretary of State makes the necessary certifications, the money can begin to flow.

This package is the product of lengthy negotiations that began over two years ago.

The final details of this revised package were negotiated earlier this year between the chairman, the Secretary of State, and me. It is supported by the Clinton administration.

I think we have a good deal here. It is not everything that I wanted. It is not everything that the Secretary of State wanted. And it is not everything the chairman wanted. That is the essence of compromise. And this is a solid compromise that I hope our colleagues will support.

Let me briefly discuss a few other provisions in the bill.

First, we fully funded the President's budget request for most of the bill, including the operating accounts of the Department of State, international and cultural exchanges, and international broadcasting operations such as the Voice of America.

Second, we developed bipartisan legislation to improve security at our embassies. The tragic bombings of our embassies in Kenya and Tanzania last August underscored the vulnerability of our diplomatic posts. Some 80 percent of our embassies do not meet government security standards for setback from the street.

An official review chaired by retired Admiral William Crowe concluded that there had been a ''collective failure'' in the U.S. Government in failing to address security at our embassies overseas, and called on the government to devote $1.4 billion a year over each of the next ten years to strengthen security.

The bill before the Senate authorizes $3 billion over the next five years for construction of more secure facilities.

This meets the President's requested funding level, and accelerates it by a year. Even though it is the amount that the President sought, we must recognize that it is just the beginning of what must be a sustained program of enhancing security.

Working overseas is dangerous. We can never make our embassies bombproof or risk-free. But we owe it to our dedicated employees who work overseas to provide the resources necessary to minimize known risks.

Third, the bill provides for the establishment of a new Assistant Secretary of State for Verification and Compliance, which will carry out a function that was handled at an equivalent level in the former Arms Control and Disarmament Agency.

The verification function has long been headed by a Senate-confirmed official, and for good reason. Once a treaty is signed, we don't want its enforcement to be lost in the bureaucratic shuffle. Moreover, the existence this office will be of considerable importance in obtaining Senate approval of future arms control treaties.

Fourth, the bill reauthorizes Radio Free Asia, which began broadcasting in 1996 pursuant to legislation that I introduced.

Although it has been on the air less than three years, Radio Free Asia already plays an important role in providing news and information to the people living under dictatorial rule in East Asia, particularly the People's Republic of China, where freedom of the press remains a distant dream.

I am pleased that we are giving our stamp of approval to continue the radio at an increased level of funding.

This bill is a solid piece of legislation which enjoyed strong bipartisan support in the Foreign Relations Committee—as was reflected in the strong vote of 17 to 1 in the committee.

I want to join the chairman in putting the Senate on notice in two respects.

First, we will oppose any amendments that address foreign assistance or security assistance. Those measures do not belong on the State Department authorization bill.

Second, we will oppose any measures dealing with ''sanctions reform'' or imposing new sanctions.

The chairman has scheduled hearings for next month to consider the various bills on sanctions reforms that are pending in the committee; therefore, it would be premature to consider amendments on that subject at this time.

I pay public tribute to the chairman. Quite frankly, his leadership and the consensus which he has built in the committee in the last 18 months has been remarkable. This bill is a product of JESSE HELMS.

There are some serious, significant changes we make—one of which I will speak to in a moment—with the United Nations. That is through the persistence of my friend from North Carolina. As my mom might say, everyone is capable of redemption, and of late, the State Department has finally redeemed itself on this one. I am confident—the Senator is correct—if and when Mr. Holbrooke is confirmed, we will have an advocate for the Senator's position at the United Nations.

This bill contains several titles which the chairman has summarized. I will take a few minutes to highlight the major provisions of the bill from my perspective.

First, the bill revives the so-called Helms-Biden legislation on paying our overdue bills at the United Nations. The Senator from North Carolina and I have always been friends. We have become very close friends, and we suffer from the same problem: Our friends get very angry with us when we compromise.

I am sure the friends of the Senator from North Carolina are very angry that he has worked out a solution to the so-called arrearages to get this moving, and Senator BIDEN's friends, on my side of the aisle, are very angry that I have agreed to it because they think it should be more.

The bottom line is, we have done some good work. The Senate acted on what we did once before. It was the herculean efforts of the Senator from North Carolina, taking on folks on his side of the aisle, which came to naught, and the not so herculean efforts on my part to take on folks on my side of the aisle who did not think this was enough. We are back.

Hopefully, a little reason has permeated the environment and the purists on both sides will understand that what we have done is necessary in the national interest, very much in the interest of the American taxpayers, and is coupled to genuine reforms with which, when one thinks about it, nobody really disagrees.

The argument on my side of the aisle is: We should not make them agree to the reforms by holding dues over their heads and holding arrearages over their heads. Nobody I have spoken with says what Chairman HELMS wants is unreasonable.

I do not hear anybody coming to the floor saying there is no bloated bureaucracy at the United Nations. I do not hear anyone coming to the floor saying that the United States should pay more. Everybody says we should pay less as a percentage. I do not hear anyone arguing about the substance the chairman has been insisting on for years.

We are down to: Are we doing it the right way? It reminds me of an expression—I will probably get myself in trouble with the French Government—which I think is classic. I was meeting with a State Department person, who will remain nameless, in a very significant position, negotiating a very significant agreement with the French relative to NATO. That is as much as I will say about it.

I asked this fellow: Are the French going to agree with this?

He said: Yes, I think they will, but it is kind of difficult.

I said: What do you mean?

He said: My friend's counterpart duly said to me last night, ''Yes, yes, yes, this will work in practice, but will it work in principle?''

That is what we are hung up on here. What the Senator has suggested in these reforms is practically what everyone has acknowledged is needed. What we have been hung up on is the principle of whether or not it should be done the way in which we are doing it.

On the other side of the equation, nobody argues that if we do not come up with this $926 million we are going to badly hurt the United Nations. We are hurting our allies, we are hurting England, we are hurting the Germans, we are hurting others, because over $700 million of this money is for peacekeeping accounts that we agreed to sign on to with the Brits, with the French, with the Germans, and with our NATO allies.

I think and I hope, I say to the chairman, a little bit of reason is seeping into this debate—I hope.

I guess I am preaching to the choir here, but hopefully some of the congregation on the House side will hear what the choir is saying, because it is very important that we finally settle this issue and put it to bed.

The version in this bill contains several changes from the bill approved in 1997, changes that were made to reflect the time that has passed since the deal we put together—the chairman actually put together—devised in the 105th Congress which made sense. Time has passed. We have had to make some adjustments. I compliment and thank the chairman, as well as the Secretary of State, who was not overwhelmingly enthused about this approach.

We finally, through the leadership of the chairman actually, are all singing from the same hymnal, as they say up my way. The State Department is on the same page now, the Senator is on the same page, I am on the same page, hopefully, the House will get on the same page, and we can go on to the next hymn.

I think this package meets the central objectives that we have, at least

the ones I have—to pay back most of our so-called arrears to the United Nations. It provides for a payment of $926 million in arrears—nearly all of that we owe to the United Nations—over the course of 3 years, with the amount of funding released in each year contingent on achievement of specific reforms in the United Nations.

This package is a product of very lengthy negotiations begun over 2 years ago. The details of this revised package were negotiated earlier this year between the chairman, the Secretary of State, and me. It is now supported by the Clinton administration. I think we have a good deal. It is not everything I wanted, and it is not everything the Secretary wanted, and it is clearly not everything the chairman wanted, but that is the essence of compromise. This is a solid compromise. I hope our colleagues will support it.

Let me briefly discuss a few other provisions of the bill.

First, we fully funded the President's budget request for most of the bill, including the operations account in the State Department, international and cultural exchanges, and the international broadcasting operations, such as the Voice of America.

Second, we developed a bipartisan legislative approach to improve the security of our embassies. The tragic bombings of our embassies in Kenya and Tanzania last August underscored the vulnerability of our diplomatic posts. Some 80 percent of our embassies do not meet Government security standards for setbacks from the streets, just to state one aspect of the problem.

The official review, chaired by retired Admiral William Crowe, concluded that there had been a ''collective failure'' in the U.S. Government in failing to address the security of our embassies overseas and called on the Government to devote $1.4 billion a year over each of the next 10 years to strengthen security.

The bill before the Senate authorizes $3 billion over the next 5 years for the construction of more secure facilities. This meets the President's requested funding level and accelerates it by a year. Even though it is the amount that the President sought, we must recognize that it is just the beginning of what must be a sustained program of enhancing security.

I know my colleague in the Chair knows better than anybody in this building what it is like to have a Government building vulnerable to and subject to terrorist attacks. No one knows the tragedy that flows from that better than the Presiding Officer.

We are as exposed in our foreign embassies around the world as buildings are in this town. We cannot and we should not become ''Fortress America'' internally. But we must do the reasonable things that can be done outside of the country in hostile environments or environments where we have less control over the protection of our citizens.

Working overseas is dangerous. We can never make our embassies bombproof or risk-free. But we owe it to our dedicated employees who work overseas to provide resources necessary to minimize the known risk.

Third, the bill provides for the establishment of a new Assistant Secretary of State for Verification and Compliance, who will carry out a function that was handled at the equivalent level in the former Arms Control and Disarmament Agency.

I might add, all we are doing now is putting in place what the distinguished chairman is the father of, and that is a significant reorganization of the State Department apparatus. When people ask me, why was this so important to Senator HELMS and why did he work so hard to get it done, I analogize it to what our former colleague, Barry Goldwater, did in terms of the reorganization of the Defense Department. It is as consequential, it is as significant, and I believe it will be remembered as successful as Senator Goldwater's initiatives were with regard to the Defense Department.

It basically takes us into the 21st century and recognizes how fundamentally changed the world is. I think he is to be complimented for it. I plan, as long as I am here, that every time we implement a new aspect of his reorganization plan, to remind our colleagues why it is occurring. It is occurring because the Senator from North Carolina was as persistent as he was, and as consistent as he is, in making sure this organization is modernized.

The verification function had long been headed by a Senate confirmed official, and for a good reason. Once a treaty was signed, we did not want its enforcement to be lost in the bureaucratic shuffle. Moreover, the existence of this office will be of considerable importance to obtaining Senate approval of future treaties.

Fourth, the bill reauthorizes Radio Free Asia, which began broadcasting in 1996 pursuant to legislation I introduced.

I must tell you that we all have our pet initiatives that we care a great deal about because we think they have a significant impact on our security and our interests. I have been ferocious, and some suggest too vocal, in my support of the radios.

But I want to again publicly thank the chairman, who maybe disagreed with me in some aspects of this, but was willing to go along with my basic approach on how to deal with the radios. I know, from his many years during the cold war, of his devotion to Radio Free Europe and Voice of America. I appreciate his lending his considerable support and weight to the way in which we are approaching, under the reorganization, the so-called radios.

Although it has been on the air less than 3 years, by the way, Radio Free Asia already plays an important role in providing news and information for people living under the dictatorial rule in East Asia, particularly the People's Republic of China, where freedom of the press remains a distant dream. I am pleased that we are giving our stamp of approval to continue the radio at increased levels of funding to make it workable.

There is much more to say, but I will stop at this point in the interest of accommodating my colleagues. But this bill is a solid piece of legislation which enjoys strong bipartisan support in the Foreign Relations Committee. Again, I want to remind everybody, this, as the defense authorization bill, usually attracts every contentious issue that is out there. It is because of the leadership of the chairman that we came out of the committee with a 17–1 vote.

My colleagues should understand—it is presumptuous for me to say this—that this is a reflection of the fact that what is in this bill is solid. It is a solid, solid bill. We would not have gotten this kind of consensus out of an ideologically divided committee but a committee where we are totally committed to making sure we have the strongest ability, the greatest ability, to project our foreign policy around the world.

Again, I thank the chairman for his leadership. I still think people are probably scratching their heads: How do BIDEN and HELMS get along so well and produce such bipartisan approaches? Because I think we both respect each other, but also because I understand that the chairman's motivation here is to make this committee's work a product that can pass the bipartisan muster of the Senate and the Congress. I compliment him again for his leadership.

I yield the floor.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from North Carolina.

Mr. HELMS. Mr. President, the distinguished Senator, the ranking member of the Foreign Relations Committee, Mr. BIDEN, is far too generous. Several times in the past year or two, former Secretaries of State, and other past foreign policy officials of this Government, have said that the Foreign Relations Committee is now relevant. I think that is a high compliment to the committee.

But it would not have happened if it had not been for JOE BIDEN. When JOE BIDEN became—by his choice—the ranking member of the Foreign Relations Committee, when I became chairman, we made a pact that we would work together. I have not enjoyed any other of my services in the Senate more than the cooperation with him.

I have just been amazed at how much he has learned about foreign policy since we have been on opposite sides of the committee. I have gotten to know JOE BIDEN well. He is a good partner, a good Senator, and an expert on foreign policy. And I compliment him.

Mr. BIDEN. I thank the Senator.

UNANIMOUS CONSENT AGREEMENT

Mr. LOTT. Mr. President, I ask the chairman to yield so that I may enter this unanimous consent agreement.

I join in that exchange of compliments to each Senator. I commend the chairman of the committee and the ranking member on the Democratic side, Senator BIDEN. Senator HELMS, you have done a great job. I know you have put a lot of time and energy into this particular bill, and we would not be here without your persistence and without the cooperation of Senator BIDEN.

It is an important bill. When you showed up in my office a week or so ago and said we are ready to go, we need to do this, I was determined we would find a place to do it. I think you have now worked through an agreement that will allow us to get it completed and final passage, hopefully, Monday afternoon. I would like to enter into this unanimous consent request and thank both of you for the outstanding work that you are doing.

I ask unanimous consent that with respect to the State Department authorization bill, all amendments must be filed by 11:45 today, with the exception of the managers' amendment and any second-degree amendments.

I further ask that any votes ordered with respect to amendments be stacked at a time to be determined by the majority leader and the Democratic leader, and the following amendments limited to the following times, to be equally divided in the usual form.

The amendments are as follows: Dodd amendment regarding the inspector general, 30 minutes; Sarbanes amendment No. 689; Wellstone amendment regarding child soldiers, 90 minutes; Wellstone-Harkin, ILO convention amendment, 30 minutes; Wellstone, women and children amendment, 90 minutes; Feingold, war crimes in Rwanda, 30 minutes; Sarbanes amendment with regard to the U.N., 2 hours; Feingold amendment regarding NED, 40 minutes; the Leahy amendment regarding East Timor, 20 minutes; the Helms-Biden managers' amendment; the Feinstein arms trafficking amendment, 30 minutes; and a relevant amendment by the majority leader and the Democratic leader.

Before the Chair rules, let me say again, the managers' packet will include the following: Amendments offered by Senators ABRAHAM, ASHCROFT, KENNEDY, DODD, DURBIN, MOYNIHAN, REID of Nevada, BINGAMAN, THOMAS, BIDEN, LUGAR, GRAMS, another one by LUGAR, and others that have been cleared by the two managers.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. In light of the agreement, there will be no further votes today, and the next votes will occur at 5:30 on Monday.

REDUCTION IN VOLUME STEEL IMPORTS—MOTION TO PROCEED

Mr. LOTT. Mr. President, I move to proceed to Calendar No. 66, H.R. 975, the steel quota bill, and send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of Rule XXII of The Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 66, H.R. 975, The Steel Import Limitation Bill:

Trent Lott, Rick Santorum, Mike DeWine, Jesse Helms, Ted Stevens, Harry Reid, Byron Dorgan, Orrin Hatch, Jay Rockefeller, Robert C. Byrd, Robert Torricelli, Fritz Hollings, Pat Roberts, Arlen Specter, Richard Shelby, and Craig Thomas.

Mr. LOTT. For the information of all Senators, this cloture vote will occur Tuesday, June 22.

Mr. President, before I complete that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CALL OF THE ROLL

Mr. LOTT. Mr. President, cloture will occur Tuesday, June 22. I ask unanimous consent that the vote occur at 12:15 p.m. on Tuesday, and the mandatory quorum under rule XXII be waived.

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

Mr. LOTT. I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. LOTT. Mr. President, in conclusion, I want to make it clear that while I am calling up this steel quota bill and signed the cloture motion, it is because I think this is an important issue and because I made commitments to Senators that we would have a vote on this issue.

I do not think cloture should be invoked. I do not think this bill should pass. I think it would be a very large mistake if we pass it. I want to make that clear.

I am not in any way supporting it. I urge my colleagues on both sides of the aisle to think about this vote very carefully. We have already had one steel-related issue passed by the Senate. If we start down the trail of imposing quotas, I think it will not be well received in the financial markets, and it is going in a different direction from what we have been trying to do. I want to make sure the record is clear from the beginning.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2000 AND 2001

Mr. HELMS. Mr. President, I submit for the RECORD a Congressional Budget Office cost estimate for S. 886, the pending legislation. The estimate was not available at the time the committee report was filed.

I ask unanimous consent that this CBO cost estimate be printed in the RECORD.

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

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 886.—Foreign Relations Authorization Act, Fiscal Years 2000 and 2001—As reported by the Senate Committee on Foreign Relations on April 27, 1999

Summary: The bill would authorize appropriations for the Department of State and related agencies for 2000 and 2001. CBO estimates that appropriation of the authorized amounts would result in additional discretionary spending of $13.6 billion over the 2000–2004 period. Because the legislation would affect direct spending and revenues, pay-as-you-go procedures would apply; the net impact would generally be less than $500,000 a year.

Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any provisions that are necessary for the national security or the ratification or implementation of international treaty obligations. CBO has determined that the provisions in title VI of S. 886 either fall within that exclusion or contain no intergovernmental or private-sector mandates. All other titles of the bill contain no private-sector or intergovernmental mandates and would have no significant effects on the budgets of state, local, or tribal governments.

Estimated Cost to the Federal Government: The estimated budgetary impact of S. 886 is shown in the following table. The costs of this legislation fall within budget functions 150 (international affairs) and 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	1999	2000	2001	2002	2003	2004
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law[1]:						
Budget Authority[2]	7,488	0	0	0	0	0
Estimated Outlays	5,747	1,296	1,177	468	145	74
Proposed Changes:						
Administration of Foreign Affairs:						
Authorization Level	0	4,041	4,041	600	600	600
Estimated Outlays	0	2,701	3,224	844	662	617
International Organizations and Conferences:						
Authorization Level	0	1,506	1,155	0	0	0
Estimated Outlays	0	1,230	1,052	375	2	0
Refugee Assistance and Other Programs:						
Authorization Level	0	665	665	0	0	0
Estimated Outlays	0	459	648	193	7	3
International Broadcasting and Exchange:						
Authorization Level	0	723	723	0	0	0
Estimated Outlays	0	512	680	197	39	12
International Commissions:						
Authorization Level	0	50	50	0	0	0
Estimated Outlays	0	39	46	9	5	2
Subtotal of Proposed Changes:						
Authorization Level	0	6,986	6,635	600	600	600

	By fiscal year, in millions of dollars—					
	1999	2000	2001	2002	2003	2004
Estimated Outlays	0	4,941	5,650	1,618	715	634
Spending Under S. 886 [1]:						
Authorization Level [2]	7,488	6,986	6,635	600	600	600
Estimated Outlays	5,747	6,237	6,827	2,086	860	708
DIRECT SPENDING AND REVENUES						
Proposed Changes to Direct Spending:						
Estimated Budget Authority	0	[3]	[3]	[3]	[3]	[3]
Estimated Outlays	0	[3]	[3]	[3]	[3]	[3]
Proposed Changes to Revenues	0	[3]	[3]	[3]	[3]	[3]

[1] The program covered here include the conduct of foreign affairs, information and exchange activities, and arrears to the United Nations.
[2] The 1999 level is the amount appropriated for that year.
[3] Less than $500,000.

Spending Subject to Appropriation. The bill specifies authorizations of appropriations that total $15.4 billion over the 2000–2004 period. In addition, it contains a number of other provisions with potential budgetary impacts. CBO estimates that the bill would result in outlays totaling $13.6 billion over the five-year period, assuming appropriation of the authorized amounts. CBO assumes that outlays would follow historical spending patterns except for payments of arrears to the United Nations (U.N.).

Arrears to the United Nations. Title IX would authorize the appropriation of funds to pay amounts owed by the United States under various treaties to the U.N. and related agencies. Specifically, the bill would authorize new appropriations totaling $244 million for fiscal year 2000 and obligation of previously appropriated amounts for 1998 and 1999—$100 million and $475 million, respectively. In addition, subject to appropriation action, the bill would authorize the President to forgo $107 million that the United Nations owes the Department of Defense (DOD), in return for a corresponding reduction in U.S. payments owed to the United Nations.

Appropriations for the 1998 and 1999 installments have not been obligated pending an authorization. CBO estimates that enactment of S. 886 would permit the $100 million provided for 1998 to be obligated and disbursed in 2000. S. 886 would retain the conditions that were enacted in the 1999 appropriations act that are likely to delay obligation of the $475 million until 2001. Based on information from the Department of State, CBO estimates that the conditions attached to the funding for 2000 are likely to delay their obligation and expenditure until at least 2002.

Fees for Affidavits of Support. Subject to approval in advance in an appropriation act, section 212 would authorize the State Department to charge a fee for helping to prepare certain affidavits as part of an immigrant visa application. Proceeds from the fees would be deposited as offsetting collections and would be available for spending, subject to appropraiton. Based on information from the department, CBO estimates that it would charge a $50 fee and collect roughly $17 million a year. Because spending would initially lag behind collections, this provision would lower net outlays by $3 million in 2000 and $1 million each year in 2001 and 2002 before spending would completely offset collections.

Currency Fluctuations. In addition to the bill's specific authorizations for contributions to international organizations and programs, section 801(f) would authorize such sums as may be necessary in 2000 and 2001 to compensate for adverse fluctuations in exchange rates that might affect those contributions. Any funds appropriated for this purpose would be obligated and expended subject to certification by the Office of Management and Budget. Currency fluctuations are extremely difficult to estimate in advance, and they could result in spending either higher or lower than the amounts specifically authorized in the bill for contributions to international organizations and programs. Therefore, CBO estimates no change in spending from this provision.

Miscellaneous Provisions. The bill includes several provisions that would combine to cost about $1 million annually, but each provision would probably cost less than $500,000 a year. The individual budgetary impacts are insignificant because they would involve small payments to a few people.

Section 312 would allow U.S. citizens hired abroad to receive a different (usually higher) amount of compensation than a foreign national employed in the same position.

Section 331 would grant employees living in the United States and working in Canada or Mexico adjustments for locality pay equal to what they would receive if they worked nearby in the United States.

Section 332 would allow federal employees who transfer to an international organization to make retroactive contributions to the Thrift Savings Plan (TSP) upon their return to the federal government and to receive matching government contributions and lost earnings on their retroactive contributions. (See the following section for the revenue effects of this provision.)

Section 333 would authorize allowances to compensate dependents of a deceased employee who are returning to the United States.

Section 334 would allow employees working abroad who send a dependent to school away from their post to use an education allowance to pay for room, board, and periodic travel between the post and the school.

Section 335 would authorize advances of pay for employees with medical emergencies.

Direct Spending and Revenues. The bill contains other provisions that would affect direct spending or revenues by less than $500,000 in most years.

Machine Readable Visa. S. 886 would extend, through 2001, the Secretary of State's authority to charge a fee for machine readable visas and border crossing cards and to spend the collections on consular activities. CBO estimates the State Department would collect and spend over $300 million in 2001 under this authority.

Deaths and Estates of U.S. Citizens Overseas. Section 214 would expand the authority of the State Department to oversee and liquidate the estates of U.S. citizens who lived overseas but died intestate. Under current law, the department is authorized to take possession of and dispose of estates. After a certain period, if no claims have been made against the estate, the proceeds from the sale are transferred to the U.S. state in which the deceased citizen last lived. If the state is unknown, the proceeds are deposited into the Treasury as miscellaneous receipts (revenues).

The bill would make three substantive changes that would increase miscellaneous receipts. First, if the country in which the citizen died is unable to issue a death certificate, the State Department would issue a report of death (or presumptive death), which would allow for the disposition of the estate. The $10 fee charged for the report would be deposited in the Treasury. (The fee and other expenses associated with disposition of the estate are paid by the estate.) Second, instead of transferring the proceeds of the sale to the U.S. state, these proceeds would be deposited directly into the Treasury. Finally, the bill would allow the State Department to take title to any real property. The department would have the option to retain the property for its own use or sell it and deposit the proceeds in the Treasury. CBO estimates that these changes would raise miscellaneous receipts by less than $500,000 in most years; however, sales of real property could net over $500,000 in rare instances

Thrift Savings Plan. CBO estimates that section 332, discussed above, would reduce income tax receipts by less than $100,000 annually. Under current law, federal employees can count service with an international organization towards their retirement annuity, but they cannot participate in TSP during this period. Under S. 886, employees who are covered by the Foreign Service Pension System or the Federal Employees' Retirement System would be eligible to make retroactive contributions to TSP. Like all TSP contributions, these retroactive contributions would not be subject to income tax until distributed. According to information from the State Department, approximately 90 federal employees are serving with international organizations at any one time.

Reimbursement from the United Nations. Section 813 would require the President to seek reimbursement for goods and services provided to the United Nations for peacekeeping operations and other emergencies. The President has authority to provide goods and services on a reimbursable basis and to credit reimbursements to current appropriations if the funds are received within 180 days after the close of the fiscal year in which the services were provided. This section would credit the funds to current appropriations regardless of when the reimbursement is received or allow them to be used to offset peacekeeping assessments if the funds cannot be applied to any appropriation. The section could reduce offsetting receipts, though CBO estimates that the loss of receipts would not be significant.

During the mid-1990s, DoD provided $175 million in goods and services on a reimbursable basis to support U.N. peacekeeping activities. Most of the reimbursements were deposited into the Treasury. In recent years, however, the DoD has provided less than $1 million a year in goods and services to the United Nations. CBO expects this more recent pattern to continue for the next five years.

Lockerbie Trial. Section 727 would authorize the President to seize and liquidate blocked Libyan assets to pay the reasonable costs of travel for certain individuals to attend the trial of those suspected of bombing Pan American flight 103. The bill would authorize payment of travel expenses to the Netherlands for the immediate family members of U.S. victims, and the authorized amount would be whatever is necessary to cover those expenses. According to information from the Office of Foreign Assets Control, there are currently $400 million in blocked Libyan assets and roughly $600 million in claims against them.

Although CBO does not expect that this provision would have a significant net budgetary impact over the next five years, liquidating Libyan assets could create a claim against the U.S. government. Should the United States and Libyan governments return to normal relations, the United States might be required to repay the funds or reduce the amount of compensation to other claimants. CBO estimates that transportation and per diem for two weeks would cost $3,000 per person. Depending on the number of family members that choose to attend the trial and on the length of their stay, costs could approach $500,000.

Reimbursements From a State. Section 824 would authorize the commissioner of the International Boundary and Water Commission to accept and spend funds from state and local governments. Upon request, those contributions would be used to provide technical tests, surveys, or similar services. CBO estimates that collections and spending would not be significant in any year.

Pay-as-you-go Considerations: The bill contains several provisions that affect direct spending and revenues; however, the net impact is estimated to be less than $500,000 a year.

Intergovernmental and Private-Sector Impact: Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any provisions that are necessary for the national security or the ratification or implementation of international treaty obligations. CBO has determined that the provisions in title VI of S. 886 either fall within that exclusion or contain no intergovernmental or private-sector mandates. All other titles of the bill contain no private-sector or intergovernmental mandates and would have no significant effects on the budgets of state, local, or tribal governments.

Estimate Prepared by: Federal Costs: Sunita D'Monte and Joseph C. Whitehill (226–2840) for the Department of State; Gary Brown (226–2860) for the International Boundary and Water Commission; Eric Rollins (226–2820) for retirement benefits; and Jennifer Winkler (226–2880) for employee compensation.

Impact on State, Local, and Tribal Governments: Leo Lex (225–3220).

Impact on the Private Sector: Keith Mattrick (226–2940).

Estimate Approved by: Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

Mr. HELMS. Mr. President, I have ascertained that none of the Senators on the other side will be available this afternoon to offer their amendments or to discuss them. Since there is no Member here, or no amendment pending by anybody on this side, I think it would be an exercise in futility to continue to suggest quorum calls.

MORNING BUSINESS

Mr. HELMS. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, June 17, 1999, the federal debt stood at $5,585,233,665,272.21 (Five trillion, five hundred eighty-five billion, two hundred thirty-three million, six hundred sixty-five thousand, two hundred seventy-two dollars and twenty-one cents).

One year ago, June 17, 1998, the federal debt stood at $5,491,718,000,000 (Five trillion, four hundred ninety-one billion, seven hundred eighteen million dollars).

Five years ago, June 17, 1994, the federal debt stood at $4,491,908,000,000 (Four trillion, four hundred ninety-one billion, nine hundred eight million dollars) which reflects a debt increase of 1,093,325,665,272.21 (One trillion, ninety-three billion, three hundred twenty five million, six hundred sixty-five thousand, two hundred seventy dollars and twenty-one cents) during the past 5 years.

RECYCLING PROVISION OF SUPERFUND

Mr. LOTT. Mr. President, 1 year ago the distinguished minority leader, Mr. DASCHLE, and I introduced S. 2180, the Superfund Recycling Equity Act, to overcome the unintended consequences of Superfund which continue to have major negative impacts on recycling. There is widespread recognition of the need for relief in this area, as evidenced by the number of Superfund bills that have been introduced since the 103d Congress, as well as the measures being considered in this Congress, all of which include nearly identical recycling relief provisions.

I am grateful for the decision by Senators CHAFEE and SMITH to include a strong recycling provision in their Superfund reform bill currently pending before the Environment and Public Works Committee. This inclusion was an important contributing reason to my decision to be an original cosponsor of the Superfund Program Completion Act of 1999 (S. 1090). As the committee approaches a markup of its legislation, I understand that the committee chairman and subcommittee chairman are negotiating with their minority counterparts and the Environmental Protection Agency in an effort to reach a bipartisan consensus. In the spirit of the last year's Superfund Recycling Equity Act, which collected 63 cosponsors from both sides of the aisle, I endorse such an approach and look forward to debating the bill on the Senate floor.

Today, I am pleased to join the minority leader in bringing to the attention of the Senate the need to move expeditiously in this regard, recognizing that another year has passed without needed relief for recyclers.

Mr. DASCHLE. The distinguished majority leader is correct in noting the attention of many bills directed at Superfund relief for recyclers in this session, the bipartisan interest in this subject, and the broad based, bicameral commitment directed to correcting these unintended consequences. The Superfund Litigation Reduction and Brownfields Cleanup Act of 1999 (S. 1105), introduced by Senators BAUCUS, LAUTENBERG, LINCOLN, and me, contains a provision similar to the distinguished majority leader's and my bill, S. 2180, introduced in this body 1 year ago.

Mr. LOTT. I have worked for years with my colleagues to reform Superfund. We must put this important program back on track to get the environment cleaned up effectively and efficiently, with polluters paying the bills, not innocent parties. There was clear tangible evidence of how Superfund is off track in a recent GAO report which was requested by House Commerce Committee Chairman BLILEY. The GAO report revealed that a majority of the funds go for activities other than clean up, and this is clearly wrong. I hope the Senate will act soon because America deserves a viable Superfund program.

While there are different bills being considered in the Senate at this time, both the minority leader and I stand committed to Superfund relief for recyclables and we assure all Senators that the differences between the bills in their recycling language will be addressed in the interest of moving forward with this needed legislation. With the bipartisan support of this needed relief in place, Mr. President, it is essential to stress that relief for recycling, an issue of fundamental fairness, must be accomplished in this session.

Mr. DASCHLE. Along with my Senate colleagues, I have worked for years to reform Superfund, and by all accounts the program has been vastly improved over the past 6 years. Today, I reaffirm my commitment to work with the majority leader to ensure passage of needed Superfund relief for recyclables in this session and urge passage of a recycling bill.

Mr. LOTT. In this regard, I applaud the efforts of Chairman SHUSTER and BOEHLERT, who have worked tirelessly with their very competent staffs to help resolve the one significant remaining issue in contention.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a recently negotiated and signed agreement dealing with paper scrap by all the affected parties.

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

INSTITUTE OF SCRAP
RECYCLING INDUSTRIES, INC.,
Washington, DC, June 15, 1999.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate.
Hon. TOM DASCHLE,
Minority Leader, U.S. Senate.
Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works.
Hon. MAX S. BAUCUS,
Ranking Minority Member, Committee on Environment and Public Works.
Hon. ROBERT C. SMITH,
Chairman, Superfund, Waste Control, and Risk Assessment Subcommittee.
Hon. FRANK R. LAUTENBERG,
Ranking Minority Member, Superfund, Waste Control, and Risk Assessment Subcommittee.
Hon. TED STEVENS.
Hon. BLANCHE LINCOLN.

DEAR SENATORS LOTT, DASCHLE, CHAFEE, BAUCUS, SMITH, LAUTENBERG, STEVENS, AND LINCOLN: We, the undersigned representatives of our respective entities, are writing to express our agreement with the attached consensus recycling amendment to the ''Superfund Program Completion Act of 1999'' (S. 1090), and the ''Superfund Litigation Reduction and Brownfield Cleanup Act of 1999'' (S. 1105). This amendment has been negotiated over the last two months and reflects a compromise that we find to be both reasonable and functional. None of us will seek, or encourage others to seek, amendments that would undermine the compromise we have reached. We are satisfied with the legislative language we have labored so long to craft and intend that this language be used in any legislative vehicle that addresses recycling issues in either House of Congress.

In closing, we would like to thank you for your patience as we worked to remove one of the longstanding obstacles to meaningful

Superfund reform. We are committed to working with you to make Superfund reform a reality in the 106th Congress.

Sincerely yours,

Institute of Scrap Recycling Industries; Fort James Corporation; P.H. Glatfelter Company; Wisconsin Tissue Mills, Inc.; NCR Corporation; AT&T; Appleton Papers Inc.; Printing Industries of America; Lucent Technologies.

AMENDMENT TO S. 1090

On page 52, strike line 12 and all that follows down through line 6 on Page 53 and insert in lieu thereof the following:

''(1) LIABILITY CLARIFICATION.—As provided in paragraphs (2), (3), (4), and (5) of this subsection, a person who arranged for the recycling of recyclable material or transported such material shall not be liable under paragraphs (3) or (4) of subsection (a) with respect to such material. A determination whether or not any person shall be liable under paragraph (3) or (4) of subsection (a) for any transaction not covered by paragraphs (2) and (3), (4), or (5) of this subsection shall be made, without regard to paragraphs (2), (3), (4), and (5) of this subsection, on a case-by-case basis, based on the individual facts and circumstances of such transaction.

''(2) RECYCLABLE MATERIAL DEFINED.—For purposes of this subsection, the term 'recyclable material' means—

''(A) scrap paper, scrap plastic, scrap glass, scrap textiles, scrap rubber (other than whole tires), scrap metal, or spent lead-acid, spent nickel-cadmium, and other spent batteries, as well as minor amounts of material incident to or adhering to the scrap materials as a result of its normal and customary use prior to becoming scrap; except that such term shall not include—

''(i) shipping containers with a capacity from 30 liters to 3,000 liters, whether intact or not, having any hazardous substance (but not metal bits and pieces or hazardous substance that form an integral part of the container contained in or adhering thereto; or

''(ii) any item of material containing polychlorinated biphenyls (PCBs) in excess of 50 parts per million (ppm) or any new standard promulgated pursuant to applicable Federal laws.

On page 61, line 9, strike ''; or'' and insert in lieu thereof, a period (''.'').

On Page 61, strike lines 10 down through line 15.

On page 62, after line 11, insert the following new sub-paragraph:

''(7) LIMITATIONS ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to—

''(A) affect any rights, defenses, or liabilities under section 107(a) of any person with respect to any transaction involving any material other than a recyclable material subject to paragraph (1) of this subsection; or

''(B) relieve a plaintiff of the burden of proof that the elements of liability under section 107(a) are met under the particular circumstances of any transaction for which liability is alleged.''

AMENDMENT TO S. 1105

On Page 51, strike line 2 and all that follows down through line 21 and insert in lieu thereof the following:

''(a) LIABILITY CLARIFICATION.—As provided in subsection (b), (c), (d), and (e), a person who arranged for the recycling of recyclable material or transported such material shall not be liable under sections 107(a)(3) and 107(a)(4) with respect to such material. A determination whether or not any person shall be liable under section 107(a)(3) or section 107(a)(4) for any transaction not covered by subsections (b) and (c), (d) or (e) of this section shall be made, without regard to subsections (b), (c), (d), and (e) of this section, on a case-by-case basis, based on the individual facts and circumstances of such transaction.

''(b) RECYCLABLE MATERIAL DEFINED.—For purposes of this section, the term 'recyclable material' means—

''(1) scrap paper, scrap plastic, scrap glass, scrap textiles, scrap rubber (other than whole tires), scrap metal, or spent lead-acid, spent nickel-cadmium, and other spent batteries, as well as minor amounts of material incident to or adhering to the scrap material as a result of its normal and customary use prior to becoming scrap; except that such term shall not include—

''(A) shipping containers with a capacity from 30 liters to 3,000 liters, whether intact or not, having any hazardous substance (but not metal bits and pieces or hazardous substance that form an integral part of the container) contained in or adhering thereto; or

''(B) any item of material containing polychlorinated biphenyls (PCBs) in excess of 50 parts per million (ppm) or any new standard promulgated pursuant to applicable Federal laws.

On Page 58, line 10, delete (''or'') and insert in lieu thereof a period (''.''), and strike lines 11 through 15.

On Page 59, delete lines 15 through 18 and insert in lieu thereof the following:

''(g) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) affect any rights, defenses, or liabilities under section 107(a) of any person with respect to any transaction involving any material other than a recyclable material subject to subsection (a) of this section; or

''(2) relieve a plaintiff of the burden of proof that the elements of liability under section 107(a) are met under the particular circumstances of any transaction for which liability is alleged.''

Mr. LOTT. The successful efforts of Congressmen SHUSTER and BOEHLERT demonstrate again that the recycling issue can proceed on a bipartisan basis and that no serious opposition to its adoption exists.

Mr. DASCHLE. I am pleased to join majority leader in documenting that a compromise has been reached on the paper scrap issue. This compromise is especially important in light of the fact that during her recent testimony before the House Water Resources and Environment Subcommittee, the EPA Administrator repeated her support for the recycling provision, a version of which collected 310 House cosponsors. The Administrator stated that should identical language to S. 2180 show up again this year, the administration ''would continue to support it.''

And, in answer to a question, Administrator Browner stated at the hearing that EPA would oppose an exemption for PCB-contaminated paper or materials in excess of 50 parts per million. This issue is important not only to EPA, but also the Department of Justice and the environmental community. For that reason, I am delighted that a compromise was found.

Mr. LOTT. Finally, I would like to thank Mr. Phil Morris of New Albany, MS, a long time friend and fellow Mississippian, who, as a traditional recycler, has struggled with the negative aspects of Superfund. Phil first brought this subject to my attention and, though our inability to pass Superfund reform last year led to sharp increases in his unintended Superfund liability, I commit to him and his fellow recyclers that Congress will act this year to ensure that such unreasonable, unfair and unintended actions under Superfund will cease. I again thank all supporters of this provision, especially the distinguished minority leader for supporting this attempt to restore equity and fairness where it has long been missing.

Mr. DASCHLE. As is the case with Senator LOTT, my constituents have suffered because Superfund has been inappropriately directed at them. On this first anniversary of the introduction of S. 2180, it is an appropriate time for all Senators to commit to act on this issue.

Mr. WARNER. As the original Senate sponsor of legislation designated to remove unintended Superfund hindrances to recycling, which I proposed for correction in the 103rd Congress, I applaud the majority and minority leaders for their continuing joint efforts. There is no more telling statement of need than to see partisan politics put aside in the greater public interest. Both Senators LOTT and DASCHLE have demonstrated outstanding leadership in helping to assure increased recycling that will occur when the Superfund burden, so inappropriately assessed, will finally be removed.

Mrs. LINCOLN. It was my privilege as a Member of the other body to introduce a bill in the 103rd Congress that would have eliminated much of the unintended Superfund hindrance that is limiting legitimate recycling.

Now as a Senator, I am proud to stand with the majority and minority leaders and the distinguished senior Senator from Virginia on this first anniversary of the introduction of S. 2180 to ensure Superfund relief for recycling will be addressed in this session of the 106th Congress.

THE FEDERAL ERRONEOUS RETIREMENT COVERAGE CORRECTIONS ACT

Mr. AKAKA. Mr. President, I am pleased to join the Senator from Mississippi, Mr. COCHRAN, in introducing S. 1232, the Federal Erroneous Retirement Coverage Corrections Act. This legislation provides relief to those federal employees who were placed in an incorrect retirement system during the transition to the Federal Employees Retirement System from the Civil Service Retirement System in the mid-1980s.

As the ranking Democrat on the International Security, Proliferation, and Federal Services Subcommittee, I am committed to correcting the erroneous pension problems facing anywhere from 10,000 to 20,000 individuals. S. 1232 provides a reasonable solution in affording misclassified federal workers, former employees, retirees, and survivors with equitable relief from

these retirement coverage errors. Moreover, the measure gives those affected a choice between corrected retirement coverage and the coverage the employee expected to receive, without disturbing Social Security coverage law.

Similar legislation was offered in 1998, and my colleague, the chairman of the Subcommittee on International Security, Proliferation, and Federal Services, held a hearing on the measure at which officials from the Office of Personnel Management and the Federal Retirement Thrift Investment Board testified in support of the bill.

I believe this measure addresses the concerns of federal workers who have been placed in the wrong retirement system. It offers a workable and reasonable solution, and I ask my colleagues to support this legislation. I also wish to note that S. 1232 enjoys the support of the Office of Personnel Management and the two largest federal employee unions, the American Federation of Government Employees and the National Treasury Employees Union, that are encouraged by the bipartisan effort that went into crafting this bill.

GUN CRIME COMMITTED BY 18 TO 20 YEAR OLDS

Mr. LEVIN. Mr. President, this week, Vice President GORE released a new study focusing on the connection between young adults and gun crimes. This report, jointly prepared by the Departments of Treasury and Justice, documents an alarmingly high rate of gun violence among 18 to 20 year olds.

The report shows that while 18, 19, and 20 years olds make up only 4 percent of the U.S. population, they commit an astounding 24 percent of gun murders in our country. In addition, the report shows that 18 year olds commit 35 percent more gun murders than 21 year olds; double the gun murders of 24 year olds; triple the gun murders of 28 year olds; and four times the gun murders of 30 year olds.

There are several loopholes in our current firearms laws that permit young people access to handguns and other deadly weapons. We must close those loopholes, especially for the 18 to 20 year olds, who contribute to such a high percentage of gun crimes. One of those loopholes allows 18 to 20 year olds, minors, to purchase handguns from unlicensed dealers, private collectors or friends, even though it would be illegal for them to purchase the same handgun from a federally licensed dealer.

There are also additional loopholes in federal law that permit 18 to 20 year olds to purchase semiautomatic weapons and large capacity ammunition feeding devices from anyone willing to sell them. These weapons, such as AK–47s and Uzis, and the 50 rounds per minute clips that accompany them, are not the type of weapons needed for hunting, they are the type needed for killing, and that is what they are too often used for.

There is strong precedent for imposing minimum age requirements for engaging in dangerous activities. Congress and the states worked together in the past to minimize public safety concerns by ensuring that states raised their legal drinking ages to 21. This was in response to evidence that young adults were involved in proportionately far more driving accidents while intoxicated. Increasing the age requirement for drinking alcohol, reduced automobile accidents dramatically. And, in the first year after Michigan raised its drinking age from 18 to 21, there was a 21 percent decline in alcohol related deaths among drivers age 18 to 20.

Most recently, a report to be released today by a national commission studying the impact of gambling will apparently recommend that the minimum age for all forms of gambling be raised to 21. Although currently most casinos require gamblers to be 21, other forms of gambling, such as state lotteries have an age requirement of 18. The National Gambling Impact Study Commission contends that there should be tighter restrictions on state lotteries and other forms of betting because of the dangers and risks of excessive gambling.

Surely if there are clear and compelling reasons to prevent young people from drinking and gambling, there are even better reasons, as documented by the Gore report, to prevent 18, 19 and 20 year olds from owning an assault weapon or a handgun. I am a cosponsor of legislation introduced by Senator SCHUMER, S. 891, that would prohibit the sale or transfer of these weapons to young adults as well as prohibit possession of these weapons by those under 21, while maintaining exemptions under current law. In my judgment, it is critical that Congress act quickly to close these loopholes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–3781. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Matching Credit Card and Debit Card Contributions in Presidential Campaigns'', received June 11, 1999; to the Committee on Rules and Administration.

EC–3782. A communication from the Acting Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''17 CFR Part 10 Rules of Practice''; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3783. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''1999 Amendment to Cotton Board Rules and Regulations Adjusting Supplemental Assessment on Imports—Final Rule'' (Docket Number: CN–99–002), received June 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3784. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins produced from Grapes Grown in California; Final Free and Reserve Percentages for 1998–99 Zante Currant Raisins'' (Docket Number: FV–99–989–3 FIR), received June 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3785. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tart Cherries Grown in the States of Michigan, et al.; Revision of the Sampling Techniques for Whole Block and Partial Block Diversions and Increasing the Number of Partial Block Diversions Per Season for Tart Cherries'' (Docket Number: FV–99–930–2 FIR), received June 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3786. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Horses from Australia and New Zealand; Quarantine Requirements'' (Docket Number: 98–069–2), received June 15, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3787. A communication from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Schedule for Rating Disabilities; Fibromyalgia'' (RIN2900–AH05), received June 16, 1999; to the Committee on Veterans' Affairs.

EC–3788. A communication from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Veterans Education: Increase in Educational Assistance Rates'' (RIN2900–AJ37), received June 16, 1999; to the Committee on Veterans' Affairs.

EC–3789. A communication from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Single Family Mortgage Insurance; Informed Consumer Choice Disclosure Notice'' (FR–4411) (RIN2502–AH30), received June 15, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–3790. A communication from the Executive Director, Federal Labor Relations Authority, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Equal Access to Justice Act Attorney Fees Regulations'', received June 16, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–3791. A communication from the Acting Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Effective Date of Application for Supplemental Security Income (SSI) Benefits'' (RIN0960–AE71), received June 16, 1999; to the Committee on Finance.

EC–3792. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 99–36, Charitable Split-Dollar Transactions'' (Notice 99–36), received June 14, 1999; to the Committee on Finance.

EC–3793. A communication from the Rules Administrator, Federal Bureau of Prisons,

Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Correspondence: Return Address'' (RIN1120–AA69), received June 16, 1999; to the Committee on the Judiciary.

EC–3794. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Federal Prison Industries (FPI) Inmate Work Programs: Eligibility'' (RIN1120–AA57), received June 16, 1999; to the Committee on the Judiciary.

EC–3795. A communication from the Military Personnel Management Specialist, Headquarters Air Force Personnel Center, Department of the Air Force, transmitting, pursuant to law, the report of a rule entitled ''Rule 32-National Defense-Part 881-Determination of Active Military Service for Civilians or Contractual Groups,'' received June 16, 1999; to the Committee on Armed Services.

EC–3796. A communication from the Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Congressional Medal of Honor'' (DFARS Case 98–D304), received June 16, 1999; to the Committee on Armed Services.

EC–3797. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule entitled ''Additions to and Deletions from the Procurement List,'' received June 16, 1999; to the Committee on Governmental Affairs.

EC–3798. A communication from the General Services Administration, the Department of Defense, and the National Aeronautics and Space Administration, transmitting jointly, pursuant to law, the report of a rule entitled ''Federal Acquisition Circular 97–12'' (FAC 97–12), received June 11, 1999; to the Committee on Governmental Affairs.

EC–3799. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Allied Signal Inc. VN411B Very High Frequency (VHF) Navigation Receivers; Docket No. 95–CE–91 (6–11/6–14)'' (RIN2120–AA64) (1999–0246), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3800. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Flight Crewmember Flight Time Limitations and Rest Requirements; Notice of Enforcement Policy'' (RIN2120–ZZ19), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3801. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Aircraft Company Beech Models 45 (YT–34), 45 (T–34A, B–45), and D45 (T–34B) Airplanes; Request for Comments; July 9, 1999 (6–14/6–14)'' (RIN2120–AA64) (1999–0242), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3802. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Aircraft Company Model 1900D Airplanes; Docket No. 98–CE–127 (6–11/6–14)'' (RIN2120–AA64) (1999–0244), received June 14, 1999; Committee on Commerce, Science, and Transportation.

EC–3803. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–200C Series Airplanes; Docket No. 98–NM–273'' (RIN2120–AA64) (1999–0245), received June 14, 1999; Committee on Commerce, Science, and Transportation.

EC–3804. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: The New Piper Aircraft Inc. Models PA–31, PA–31–300, PA–31–325, PA–31–350, and PA–31P–350 Airplanes; Docket No. 97–CE–32 (6–14/6–14)'' (RIN2120–AA64) (1999–0243), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3805. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: International Aero Engines AG V2500–A1 and V2500–A5 Series Turbofan Engines; Request for Comments; Docket No. 99–NE–37 (6–15/6–14)'' (RIN2120–AA64) (1999–0241), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3806. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Incorporations by Reference for Alternate Compliance Program (ACP) (USCG–1999–5004)'' (RIN2115–AF74), received June 14, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3807. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; New York Super Bowl Race, Hudson River, New York (CGD01–98–175)'' (RIN2115–AA97) (1999–0029), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3808. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; 4th of July Fireworks, Charles River Esplanade, Boston, MA (CGD01–99–057)'' (RIN2115–AA97) (1999–0028), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3809. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Fort Point Channel, MA (CGD01–98–173)'' (RIN2115–AE47) (1999–0021), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3810. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Riverbend Festival, Tennessee River Mile 463.5 to 464.5, Chattanooga, TN (CGD08–99–037)'' (RIN2115–AE46) (1999–0023), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3811. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Riverfest '99, Tennessee River Mile Marker 140.0 to 141.0, Parsons, TN (CGD08–99–038)'' (RIN2115–AE46) (1999–0022), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3812. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Hampton Offshore Challenge, Chesapeake Bay, Hampton, Virginia (CGD05–99–038)'' (RIN2115–AE46) (1999–0019), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3813. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SPL; Independence Day Celebration, Cumberland River Mile 190.0–191.0, Nashville, TN (CGD08–99–036)'' (RIN2115–AE46) (1999–0020), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3814. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Sharptown Outboard Regatta, Nanticoke River, Sharptown, Maryland (CGD05–99–037)'' (RIN2115–AE46) (1999–0021), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3815. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Anaktuvuk Pass, AK; Correction; Docket No. 99–AAL–42 (6–16/6–17)'' (RIN2120–AA66) (1999–0202), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3816. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Shawnee, OK; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–07 (6–17/6–17)'' (RIN2120–AA66) (1999–0201), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3817. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Lake Charles, LA; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–04 (6–17/6–17)'' (RIN2120–AA66) (1999–0199), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3818. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Guthrie, OK; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–06 (6–17/6–17)'' (RIN2120–AA66) (1999–0198), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3819. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopter

Textron Canada (BHTC) Model 206L–4 Helicopters; Request for Comments; Docket No. 98–SW–66 (6–17/6–17)'' (RIN2120–AA64) (1999–0247), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3820. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Eurocopter France Model AS 32C, L, L1, and L2 Helicopters; Request for Comments; Docket No. 99–SW–17 (6–17/6–17)'' (RIN2120–AA64) (1999–0248), received June 17, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3821. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Gulf of Alaska to Directed Fishing for Pollock in Statistical Area 610,'' received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3822. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of Statistical Area 620, Gulf of Alaska, to Directed Fishing for Pollock,'' received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3823. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure to Directed Fishing for Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Western Regulatory Area in the Gulf of Alaska,'' received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3824. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Bering Sea and Aleutian Islands,'' received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3825. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Regulations Regarding the Taking of Marine Mammals Incidental to Power Plant Operations'' (RIN0648–AK00), received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3826. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States-Final Rule to Implement Framework Adjustment 29 to the Northeast Multispecies Fishery Management Plan and Framework Adjustment 11 to the Atlantic Sea Scallop Fishery Management Plan'' (RIN0648–AM24), received June 16, 1999; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. AKAKA (for himself, Mr. BURNS, Mr. COCHRAN, Mr. GRAHAM, and Mr. INOUYE):

S. 1242. A bill to amend the Immigration and Nationality Act to make permanent the visa waiver program for certain visitors to the United States; to the Committee on the Judiciary.

By Mr. FRIST:

S. 1243. A bill to amend the Public Health Service Act to revise and extend the prostate cancer preventive health program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THOMPSON (for himself, Mrs. LINCOLN, Mr. VOINOVICH, Mr. KERREY, and Mr. BREAUX):

S. 1244. A bill to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LIEBERMAN (for himself, Mr. GREGG, Mr. BAYH, Mr. BROWNBACK, Mr. MACK, Mr. DODD, Mr. DOMENICI, Mr. JEFFORDS, Mr. ALLARD, Mr. COCHRAN, Ms. LANDRIEU, Mr. BUNNING, Mr. ROBB, Mr. DORGAN, Mr. DASCHLE, Mr. AKAKA, Mr. GORTON, Mr. SMITH of Oregon, Mr. ENZI, Mr. BENNETT, Mr. HUTCHINSON, Mr. SESSIONS, Mr. DEWINE, Mr. CAMPBELL, and Mr. THURMOND:

S. Res. 125. A resolution encouraging and promoting greater involvement of fathers in their children's lives and designating June 20, 1999, as ''National Father's Return Day''; considered and agreed to.

By Mr. SCHUMER:

S. Con. Res. 41. A concurrent resolution expressing the sense of Congress regarding the treatment of religious minorities in the Islamic Republic of Iran, and particularly the recent arrests of members of that country's Jewish community; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. BURNS, Mr. COCHRAN, Mr. GRAHAM, and Mr. INOUYE):

S. 1242. A bill to amend the Immigration and Nationality Act to make permanent the visa waiver program for certain visitors to the United States; to the Committee on the Judiciary.

THE VISA WAIVER PROGRAM

Mr. AKAKA. Mr. President, today I am introducing a bill to amend the Immigration and Nationality Act to make permanent the visa waiver program for certain visitors to the United States.

The visa waiver program has been an unprecedented success in reducing barriers to travel and tourism to and from the United States. The program allows a citizen of a participating country to forego visa application at a U.S. consulate abroad, and allows them to travel to the U.S. for business or pleasure and make application for entry directly to the INS at a port of entry. To use this privilege, an applicant agrees to waive rights to challenge the decision of the INS inspector, and agrees to depart the U.S. within 90 days. More than 10 million visitors used the visa waiver program in fiscal year 1995. This represents 76 percent of the total number of non-immigrant entries by citizens of visa waiver countries. Visitors entering under the visa waiver program accounted for just under 50 percent of all temporary business and tourist entries.

In the ten years since the implementation of the visa waiver program, international visitors have become accustomed to the program's requirements, and use it routinely. The program has effectively served the purpose for which it was designed, to facilitate the efficient flow of low-risk foreign tourists and business travelers. Simultaneously, the program has afforded Department of State consular officers more time to focus efforts on individuals who visit the U.S. for other purposes, such as employment or study, or those who intend to remain in the U.S. for extended periods. Further, it has allowed the Department of State to drastically reduce its consular staff at low-risk locations, and strengthen efforts in high risk locations. Yet, all this pales in comparison to the real benefit of the visa waiver program, that of expanded foreign travel and tourism to the U.S. Put simply, the U.S. needs this program to remain competitive with the many other nations around the globe who are competing for the finite pool of business travelers and tourists.

In 1996, the World Tourism Organization reported that the United States was the second most popular international tourist destination and the number one location for tourism expenditures. Of the 44.8 million arrivals that year, 12.4 million entered under the visa waiver program. International tourism in the U.S. is a $65 billion enterprise which boosts the economies of many local communities.

In my home state of Hawaii, tourism is an $11 billion indusry which generates about one-quarter of the state's tax revenue and one-third of its jobs. It is estimated that 80 percent of all international visitors arriving at Honolulu International Airport arrive under the visa waiver program. We know that the visa waiver program has been very successful because it provides a big boost for Japanese visitors to travel to Hawaii. Our long-term goal for a permanent visa waiver program would be to expand participation of the program in the Asia-Pacific region. Currently, most of the 26 eligible countries are in Europe. Only four of these countries are in the Asia-Pacific region—Australia, Japan, Brunei, and New Zealand. We hope that South Korea and China will be future participants in an expanded program.

While the pilot program has been extended periodically since its inception,

its unqualified success justifies a permanent program. Further, because the program's life has at times been uncertain and somewhat unpredictable, particularly at times when an authorization is about to expire, any real or perceived lapse in the program causes needless turmoil and uncertainty among the industry and government both here and abroad and, most important, the traveling public. In the ten years since it commenced, the benefit of the program has been clearly proven, and the need for it to remain a pilot program has ceased. To sunset the program in April 2000 or in the future would require a reinvestment of significant capital, both human and otherwise. In addition, because the visa waiver program is based on reciprocity, any termination or restriction of the program would likely result in a substantial backlash by other participating nations against U.S. citizens traveling abroad, resulting in more entry burdens for U.S. citizens when they attempt to enter other visa waiver countries.

Visa waiver participants, by their very definition, are low-risk travelers. There is no data which indicates that visa waiver travelers stay longer than permitted otherwise violate the terms of their admission in any greater numbers than any other population of the traveling public. Another important benefit of the visa waiver program is the standardization of passports and machine readable documentation, which is used as an inducement for acceptance of a country into the program. The ability to read a document by machine has greatly increased the efficiency of the Federal inspection service process.

I can say without reservation that this program is a resounding success. It has bolstered the U.S. economy through the expedited admission of millions of legitimate short-term visitors for business, allowing for the negotiation of contracts for the provision of American goods and services to the world. It has provided a welcome boost to the U.S. tourism industry, which employs thousands of American citizens, through the visa-free admission of millions of foreign tourists. We must support permanent reauthorization of this highly effective program. The visa waiver program is not just a win-win situation, it is a win for business, a win for tourism, and a win for effective management of the Department of State.

Thank you, Mr. President. I ask unanimous consent that a copy 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. 1242

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

SECTION 1. PERMANENT VISA WAIVER PROGRAM FOR CERTAIN VISITORS.

Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) is amended—

(1) in the section heading, by striking ''PILOT'';

(2) in the caption for subsection (a)(2), by striking ''PILOT'' and inserting ''VISA WAIVER'';

(3) in the caption for subsection (c) by striking ''PILOT'' and inserting ''VISA WAIVER'';

(4) by striking ''pilot'' each place it appears and inserting ''visa waiver'';

(5) in subsection (a)(1), by striking ''during the pilot program period (as defined in subsection (e))'';

(6) in subsection (b)(3), by striking ''(within the pilot program period)'';

(7) by striking subsection (f); and

(8) by redesignating subsection (g) as subsection (f).

By Mr. FRIST:

S. 1243. A bill to amend the Public Health Service Act to revise and extend the prostate cancer preventive health program; to the Committee on Health, Education, Labor, and Pensions.

PROSTATE CANCER RESEARCH AND PREVENTION ACT

Mr. FRIST. Mr. President, this year 37,000 American men will die, and 179,300 will be diagnosed with prostate cancer, the second leading cause of cancer-related deaths in American men. Cancer of the prostate grows slowly, without symptoms, and thus is often undetected until in its most advanced and incurable stage. It is critical that men are aware of the risk of prostate cancer and take steps to ensure early detection.

While the average age of a man diagnosed with prostate cancer is 66, the chance of developing prostate cancer rises dramatically with age—which makes it important for men to be screened or consult their healthcare professional. The American Cancer Society and the American Urological Association recommend that men over 50 receive both an annual physical exam and a PSA (prostate-specific antigen) blood test. African-American men, who are at higher risk, and men with a family history of prostate cancer should begin yearly screening at age 40.

Even if the blood test is positive, however, it does not mean that a man definitely has prostate cancer. In fact, only 25 percent of men with positive PSAs do. Further testing is needed to determine if cancer is actually present. Once the cancer is diagnosed, treatment options vary according to the individual. In elderly men, for example, the cancer may be especially slow growing and may not spread to other parts of the body. In those cases, treatment of the prostate may not be necessary, and physicians often monitor the cancer with follow-up examinations.

Unfortunately, preventive risk factors for prostate cancer are currently unknown and the effective measures to prevent this disease have not been determined. In addition, scientific evidence is insufficient to determine if screening for prostate cancer reduces deaths or if treatment of disease at an early stage is more effective than no treatment in prolonging a person's life. Currently, health practitioners cannot accurately determine which cancer will progress to become clinically significant and which will not. Thus, screening and testing for early detection of prostate cancer should be discussed between a man and his healthcare practitioners.

In an effort to help address the serious issues of prostate cancer screening, to increase awareness and surveillance of prostate cancer, and to unlock the current mysteries of prostate cancer through research, I rise to introduce the ''Prostate Cancer Research and Prevention Act.''

The ''Prostate Cancer Research and Prevention Act'' expands the authority of the Centers for Disease Control and Prevention (CDC) to carry-out activities related to prostate cancer screening and overall awareness and surveillance of the disease and extends the authority of the National Institutes of Health to conduct basic and clinical research in combating prostate cancer.

The bill directs the CDC to make grants to States and local health departments to increase awareness, surveillance, information dissemination regarding prostate cancer, and to examine the scientific evidence regarding screening for prostate cancer. The main focus is to comprehensively evaluate of the effectiveness of various screening strategies for prostate cancer and the establishment of a public information and education program about the issues regarding prostate cancer. The CDC will also strengthen and improve surveillance on the incidence and prevalence of prostate cancer with a major focus on increasing the understanding of the greater risk of this disease in African-American men.

The bill also reauthorizes the authority of the CDC to conduct a prostate screening program upon consultation with the U.S. Preventive Services Task Force and professional organizations regarding the scientific issues regarding prostate cancer screening. The screening program, when implemented, will provide grants to States and local health departments to screen men for prostate cancer with priority given to low income men and African-American men. In addition the screening program will provide referrals for medical treatment of those screened and ensure appropriate follow up services including case management.

Finally, to continue the investment in medical research, the bill extends the authority of the National Cancer Institute at the National Institutes of Health to conduct and support research to expand the understanding of the cause of, and find a cure for, prostate cancer. Activities authorized include basic research concerning the etiology and causes of prostate cancer, and clinical research concerning the causes, prevention, detection and treatment of prostate cancer.

Mr. President, as we celebrate Father's Day this weekend, I hope that we

take time to reflect on the serious health threat of prostate cancer. It is my hope that my colleagues will join me in supporting the ''Prostate Cancer Research and Prevention Act,'' so that we can further understand the issues surrounding this disease and continue to move forward on developing effective treatment and finding a cure.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AMERICAN CANCER SOCIETY,
Washington, DC, June 15, 1999.

Hon. BILL FRIST,
U.S. Senate, Washington, DC.

DEAR SENATOR FRIST: On behalf of the more than 2 million volunteers of the American Cancer Society, I am writing to offer our support for the Prostate Cancer Research and Prevention Act. Thank you for introducing this important legislation that reauthorizes important programs, with respect to prostate cancer research and prevention activities at the National Institutes of Health (NIH), the Agency for Health Care Policy (AHCPR), the Health Resources and Services Administration (HRSA) and the Centers for Disease Control and Prevention (CDC).

Prostate cancer represents one of the most significant medical and social challenges facing our country today. In 1999, approximately 179,300 new cases of prostate cancer will be diagnosed in the United States and it is estimated that this disease will cause more than 37,000 deaths this year. While aggressive detection and treatment programs have begun to show some promise of reducing the mortality rate for this disease, we still have a long way to go.

The Society support the continuation of prostate cancer research programs at the NIH, APCPR, HRSA and CDC. These programs may yield better tests to detect prostate cancer at an early stage, new treatments to cure prostate cancer, and improved knowledge of the psychosocial and quality-of-life impacts of men diagnosed with prostate cancer.

Your legislation also recognizes the need for more information on how best to tackle the many challenges this disease brings. Specifically, the bill addresses the need for: additional research on the effectiveness of prostate cancer screening strategies; more data on how best to improve training, education, and skills of health practitioners with regards to prostate cancer; and more information about how men seek medical attention, make decisions about treatment, and follow-up on treatment recommendations.

All of this information would support the development and communication of messages by public and private health professionals about prostate cancer early detection and treatment for men and their families, as well as provide for the establishment of a prostate cancer screening program. The American Cancer Society believes that prostate cancer education, awareness and screening programs should give priority to those populations at high risk of developing this disease—specifically, African American and older men.

Lastly, your legislation takes a crucial first step at addressing several critical issues related to increasing access to prostate cancer screening and appropriate follow-up care. While the American Cancer Society recognizes that often an incremental approach to complex health care issues is preferable than attempting comprehensive reform or crafting multifaceted policy solutions, the Society asks that you and your colleagues take this opportunity to consider some of the larger health care quality and access challenges to our health care delivery system. We urge you to explore other legislative provisions that would help to assure access to quality care—for all patients—especially those disproportionately affected by cancer.

Again, the American Cancer Society applauds your leadership and support for the reauthorization of these valuable programs. Thank you for your continued dedication to cancer control and prevention.

Sincerely,

CHARLES J. MCDONALD, MD,
President of the Board of Directors.

AMERICAN UROLOGICAL ASSOCIATION, INC.,
Baltimore, MD, June 17, 1999.

Hon. BILL FRIST,
The U.S. Senate, Washington, DC.

DEAR SENATOR FRIST: As President of the American Urological Association (AUA), representing 9,200 urologists in this country, I would like to thank you for introducing the ''Prostate Cancer Research and Prevention Act.'' The AUA supports this legislation, which recognizes that prostate cancer early detection and education are vital tools in the fight against prostate cancer. As you know, the American Cancer Society (ACS) estimates that 179,300 new cases of prostate cancer will be diagnosed in 1999, and that 37,000 men will die from this disease this year.

In a recent paper by Roberts et al (Journal of Urology 161:529, 1999), U.S. prostate cancer deaths per 100,000 men from the years 1989 to 1992 were compared to the years 1993 to 1997. The authors found that prostate cancer deaths have fallen significantly, and conclude that early detection may have led to a decline in prostate cancer deaths.

We would only point out a concern we have about the bill's reliance on the United States Preventive Services Task Force (USPSTF), which currently does not recommend prostate cancer early detection. This varies from the AUA and ACS policy positions (see attachment), and we believe this could send a confusing message to patients. Moreover, Congress enacted prostate cancer early detection coverage for Medicare beneficiaries aged 50 and older in 1997. We believe reliance on USPSTF could engender confusion about the value of prostate cancer early detection.

Again, thank you for introducing this important legislation, and we look forward to working with you to advance this effort. To coordinate any future efforts, please contact Scott Reid, AUA Government Relations Manager.

Sincerely,

LLOYD H. HARRISON, M.D.,
President.

MEN'S HEALTH NETWORK,
Washington, DC, June 16, 1999.

Hon. BILL FRIST, M.D.,
Chairman, Subcommittee on Public Health, Senate Committee on Health, Education, Labor and Pensions, U.S. Senate, Washington, DC.

DEAR SENATOR FRIST: I am writing on behalf of the Men's Health Network (MHN) in support of legislation which will revise and extend the prostate cancer prevention health program at the Centers for Disease Control. We thank you for proposing this important legislation. As you know, educating the public as to the prevalence and risks of prostate cancer is of great importance in fighting this deadly disease.

As the baby boom generation ages, the risk of prostate cancer, if unchecked, will continue to increase. Prostate cancer is the most commonly occurring cancer in America, affecting about 200,000 men in 1999. Nearly 40,000 men will lose their lives to the disease this year. A man has a one in six chance of getting prostate cancer in his lifetime. If he has a close relative with prostate cancer, his risk doubles. With two close relatives, his risk increases five-fold. With three close relatives, his risk is nearly 97%. Today, African-American men have the highest prostate cancer incidence rate in the world. The African-American mortality rate from the disease is more than twice that of the rate for Caucasian Americans.

With the right investment in education and research, prostate cancer is preventable, controllable and curable. There is no better time than National Men's Health Week for all of us to focus on prostate cancer and men's health. It is vitally important to educate not only men but their families as to the risk factors associated with this disease and the need for annual screenings.

Thank you for addressing this critical public health issue. If there is anything we can do in the future to assist in the passage of your bill, please do not hesitate to let us know.

Sincerely,

TRACIE SNITKER,
Government Relations.

By Mr. THOMPSON (for himself, Mrs. LINCOLN, Mr. VOINOVICH, Mr. KERREY, and Mr. BREAUX):

S. 1244. A bill to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes; to the Committee on Governmental Affairs.

TRUTH IN REGULATING ACT OF 1999

Mr. THOMPSON. Mr. President, I rise to introduce the ''Truth in Regulating Act.'' This legislation would establish a 3-year pilot project to support Congressional oversight to ensure that important regulatory decisions are efficient, effective, and fair.

The foundation of the ''Truth in Regulating Act'' is the right of Congress and the people we serve to know about important regulatory decisions. Through the General Accounting Office, which serves as Congress' eyes and ears, this legislation will help us get access to the important information that Federal agencies use to make regulatory decisions before the horse gets out of the barn. So, in a real sense, this legislation not only gives people the right to know; it gives them the right to see—to see how the government works, or doesn't. And by providing us with information that agencies use to make regulations, it will enable Congress to ensure that agency regulations are consistent with Congress' intent and the authority that Congress has delegated to the agencies by statute. This will make the regulatory process more transparent, more accountable, and more democratic. It will help improve the quality and fairness of important regulations. This will contribute to the success of programs the public values and improve public confidence in the Federal Government, which is a real concern today.

Under the 3-year pilot project established by this legislation, a Committee

of either House of Congress may request the Comptroller General to review an economically significant rule as it is being developed. The Comptroller General shall submit a report no later than 180 calendar days after a committee request is received. This should allow Congress ample time to decide whether it wants to disapprove the rule under the Congressional Review Act. The Comptroller General's independent analysis of the rule shall include: an analysis of the potential benefits of the rule, the potential costs of the rule, any alternative approaches that could achieve the goal in a more cost-effective manner or that could produce greater net benefits, the extent to which the rule would affect State or local governments, and a summary of how the results of the analysis of the Comptroller General differ, if at all, from the results of agency analyses. The Comptroller General will have the discretion to develop the procedures for determining the priority of requests.

Mr. President, it is my hope that the ''Truth in Regulating Act'' will encourage Federal agencies to make better use of modern decisionmaking tools, such as risk assessment and benefit-cost analysis. Currently, these important tools often are viewed simply as options—options that aren't used as much or as well as they should be. The Governmental Affairs Committee has reviewed and developed a voluminous record showing that our regulatory process is not working as well as intended and is missing important opportunities to achieve greater benefits at less cost. On April 22, I chaired a hearing in which we heard testimony on the need for this proposal. The General Accounting Office has done important studies for Governmental Affairs and other committees showing that agency practices—in cost-benefit analysis, risk assessment, and in meeting transparency and disclosure requirements of laws and executive orders—need significant improvement. Many other authorities support these findings.

All of us benefit when government performs well and meets the needs of the people it serves. I want to thank BLANCHE LINCOLN, GEORGE VOINOVICH, BOB KERREY, and JOHN BREAUX for joining me as original cosponsors of this bill. All of us on both sides of the aisle should pull together to improve the quality of our government. I urge by colleagues to support this important legislation.

I ask unanimous consent that the ''Truth in Regulating Act'' be printed in the RECORD.

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

S. 1244

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 ''Truth in Regulating Act of 1999''.

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) increase the transparency of important regulatory decisions;

(2) promote effective congressional oversight to ensure that agency rules fulfill statutory requirements in an efficient, effective, and fair manner; and

(3) increase the accountability of Congress and the agencies to the people they serve.

SEC. 3. DEFINITIONS.

In this Act, the term—

(1) ''agency'' has the meaning given such term under section 551(1) of title 5, United States Code;

(2) ''economically significant rule'' means any proposed or final rule, including an interim or direct final rule, that may have an annual effect on the economy of $100,000,000 or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; and

(3) ''independent analysis'' means a substantive review of the agency's underlying assessments and assumptions used in developing the regulatory action and whatever additional analysis the Comptroller General determines to be necessary.

SEC. 4. PILOT PROJECT FOR REPORT ON RULES.

(a) IN GENERAL.—

(1) REQUEST OF REVIEW.—When an agency develops or issues an economically significant rule, the Comptroller General of the United States may review the rule at the request of a committee of either House of Congress.

(2) REPORT.—The Comptroller General shall submit a report on each economically significant rule selected under paragraph (4) to the committees of jurisdiction in each House of Congress not later than 180 calendar days after a committee request is received. The report shall include an independent analysis of the economically significant rule by the Comptroller General using any relevant data or analyses available to or generated by the General Accounting Office.

(3) INDEPENDENT ANALYSIS.—The independent analysis of the economically significant rule by the Comptroller General under paragraph (2) shall include—

(A) an analysis of the potential benefits of the rule, including any beneficial effects that cannot be quantified in monetary terms and the identification of the persons or entities likely to receive the benefits;

(B) an analysis of the potential costs of the rule, including any adverse effects that cannot be quantified in monetary terms and the identification of the persons or entities likely to bear the costs;

(C) an analysis of alternative approaches that could achieve the statutory goal in a more cost-effective manner or that could provide greater net benefits, and, if applicable, a brief explanation of any reason why such alternatives could not be adopted;

(D) an analysis of the extent to which the rule would affect State or local governments; and

(E) a summary of how the results of the analysis of the Comptroller General differ, if at all, from the results of the analyses of the agency in promulgating the rule.

(4) PROCEDURES FOR PRIORITIES OF REQUESTS.—The Comptroller General shall have discretion to develop procedures for determining the priority and number of requests for review under paragraph (1) for which a report will be submitted under paragraph (2).

(b) COOPERATION WITH COMPTROLLER GENERAL.—Each agency shall cooperate with the Comptroller General by promptly providing the Comptroller General with such records and information that the Comptroller General determines necessary to carry out this Act.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the General Accounting Office to carry out this Act $5,200,000 for each of fiscal years 2000 through 2002.

SEC. 6. EFFECTIVE DATE AND DURATION OF PILOT PROJECT.

(a) EFFECTIVE DATE.—This Act and the amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

(b) DURATION OF PILOT PROJECT.—The pilot project under this Act shall continue for a period of 3 years, if in each fiscal year, or portion thereof included in that period, a specific annual appropriation not less than $5,200,000 or the pro-rated equivalent thereof shall have been made for the pilot project.

(c) REPORT.—Before the conclusion of the 3-year period, the Comptroller General shall submit to Congress a report reviewing the effectiveness of the pilot project and recommending whether or not Congress should permanently authorize the pilot project.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. BIDEN, the names of the Senator from Florida (Mr. GRAHAM) and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. 51, a bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

S. 61

At the request of Mr. DEWINE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 61, a bill to amend the Tariff Act of 1930 to eliminate disincentives to fair trade conditions.

S. 285

At the request of Mr. MCCAIN, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 495

At the request of Mr. BOND, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 495, a bill to amend the Clean Air Act to repeal the highway sanctions.

S. 632

At the request of Mr. DEWINE, the name of the Senator from Hawaii (Mr.

INOUYE) was added as a cosponsor of S. 632, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 660

At the request of Mr. BINGAMAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 660, a bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the medicare program of medical nutrition therapy services furnished by registered dietitians and nutrition professionals.

S. 801

At the request of Mr. SANTORUM, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 801, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 892

At the request of Mr. ROBB, his name was added as a cosponsor of S. 892, a bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing income.

S. 894

At the request of Mr. CLELAND, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 894, a bill to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees and annuitants, and for other purposes.

S. 1010

At the request of Mr. ROBB, his name was added as a cosponsor of S. 1010, a bill to amend the Internal Revenue Code of 1986 to provide for a medical innovation tax credit for clinical testing research expenses attributable to academic medical centers and other qualified hospital research organizations.

S. 1132

At the request of Mr. ROBB, his name was added as a cosponsor of S. 1132, a bill to amend the Internal Revenue Code of 1986 to allow the reinvestment of employee stock ownership plan dividends without the loss of any dividend reduction.

S. 1145

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1145, a bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes.

S. 1209

At the request of Mr. ROBB, his name was added as a cosponsor of S. 1209, a bill to amend the Internal Revenue Code of 1986 to restore pension limits to equitable levels, and for other purposes.

S. 1212

At the request of Mr. CAMPBELL, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1212, a bill to restrict United States assistance for certain reconstruction efforts in the Balkans region of Europe to United States-produced articles and services.

SENATE RESOLUTION 117

At the request of Mr. CAMPBELL, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of Senate Resolution 117, a resolution expressing the sense of the Senate regarding the United States share of any reconstruction measures undertaken in the Balkans region of Europe on account of the armed conflict and atrocities that have occurred in the Federal Republic of Yugoslavia since March 24, 1999.

SENATE RESOLUTION 118

At the request of Mr. REID, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of Senate Resolution 118, a resolution designating December 12, 1999, as ''National Children's Memorial Day.''

SENATE CONCURRENT RESOLUTION 41—EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE TREATMENT OF RELIGIOUS MINORITIES IN THE ISLAMIC REPUBLIC OF IRAN, AND PARTICULARLY THE RECENT ARRESTS OF MEMBERS OF THAT COUNTRY'S JEWISH COMMUNITY

Mr. SCHUMER submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 41

Whereas 10 percent of the citizens of the Islamic Republic of Iran are members of religious minority groups;

Whereas, according to the State Department and internationally recognized human rights organizations, such as Human Rights Watch and Amnesty International, religious minorities in the Islamic Republic of Iran—including Sunni Muslims, Baha'is, Christians, and Jews—have been the victims of human rights violations solely because of their status as religious minorities;

Whereas the 55th session of the United Nations Commission on Human Rights passed Resolution 1999/13, which expresses the concern of the international community over ''continued discrimination against religious minorities'' in the Islamic Republic of Iran, and calls on that country to moderate its policy on religious minorities until they are ''completely emancipated'';

Whereas more than half the Jews in Iran have been forced to flee that country since the Islamic Revolution of 1979 because of religious persecution, and many of them now reside in the United States;

Whereas the Iranian Jewish community, with a 2,500-year history and currently numbering some 30,000 people, is the oldest Jewish community living in the Diaspora;

Whereas five Jews have been executed by the Iranian government in the past five years without having been tried;

Whereas there has been a noticeable increase recently in anti-Semitic propaganda in the government-controlled Iranian press;

Whereas, on the eve of the Jewish holiday of Passover 1999, thirteen or more Jews, including community and religious leaders in the city of Shiraz, were arrested by the authorities of the Islamic Republic of Iran; and

Whereas, in keeping with its dismal record on providing accused prisoners with due process and fair treatment, the Islamic Republic of Iran failed to charge the detained Jews with any specific crime or allow visitation by relatives of the detained for more than two months: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Clinton administration should—

(1) be commended for supporting Resolution 1999/13, and should continue to work through the United Nations to assure that the Islamic Republic of Iran implements that resolution's recommendations;

(2) condemn, in the strongest possible terms, the recent arrest of members of Iran's Jewish minority and urge their immediate release;

(3) urge all nations having relations with the Islamic Republic of Iran to condemn the treatment of religious minorities in Iran and call for the release of all prisoners held on the basis of their religious beliefs; and

(4) maintain the current United States policy toward the Islamic Republic of Iran unless and until that country moderates its treatment of religious minorities.

SENATE RESOLUTION 125—ENCOURAGING AND PROMOTING GREATER INVOLVEMENT OF FATHERS IN THEIR CHILDREN'S LIVES AND DESIGNATING JUNE 20, 1999, AS ''NATIONAL FATHER'S RETURN DAY''

Mr. LIEBERMAN (for himself, Mr. GREGG, Mr. BAYH, Mr. BROWNBACK, Mr. MACK, Mr. DODD, Mr. DOMENICI, Mr. JEFFORDS, Mr. ALLARD, Mr. COCHRAN, Ms. LANDRIEU, Mr. BUNNING, Mr. ROBB, Mr. DORGAN, Mr. DASCHLE, Mr. AKAKA, Mr. GORTON, Mr. SMITH of Oregon, Mr. ENZI, Mr. BENNETT, Mr. HUTCHINSON, Mr. SESSIONS, Mr. DEWINE, Mr. CAMPBELL, and Mr. THURMOND) submitted the following resolution; which was considered and agreed to:

S. RES. 125

Whereas more than 1 out of every 3 children currently live in a household where the child's father does not reside;

Whereas approximately half of all the children born in the United States will spend at least half of their childhood in a family without a father figure;

Whereas approximately 40 to 50 percent of all marriages are predicted to end in divorce;

Whereas approximately 3 out of every 5 divorcing couples have at least 1 child;

Whereas almost half of all children aged 11 through 16 that live in mother-headed homes have not seen their father in the last 12 months;

Whereas 79 percent of people in the United States believe that the most significant family or social problem facing the country is the physical absence of fathers from the home, resulting in a lack of involvement of fathers in the rearing and development of children;

Whereas the likelihood that a young male will engage in criminal activity doubles if he is reared without a father and triples if he lives in a neighborhood comprised largely of single-parent families;

Whereas studies reveal that even in high-crime, inner city neighborhoods, over 90 percent of children from safe, stable, 2-parent homes do not become delinquents;

Whereas compared to children reared in 2-parent families, children reared in single-parent families are less likely to complete high school and thus, more likely as adults to obtain low paying, unstable jobs;

Whereas researchers have linked the presence of fathers with improved fetal and infant development, and father-child interaction has been shown to promote a child's physical well-being, perceptual abilities, and competency for interpersonal relations;

Whereas researchers have also found that both boys and girls demonstrate a greater ability to take initiative and exercise self-control when they are reared by fathers who are actively involved in their upbringing;

Whereas the general involvement of parents in the lives of their children has decreased significantly over the last generation;

Whereas a Gallup Poll indicated that over 50 percent of all adults agree that fathers today spend less time with their children than their fathers spent with them;

Whereas nearly 20 percent of children in grades 6 through 12 report that they have not had a meaningful conversation with even 1 parent in over a month;

Whereas in a broad survey of 100,000 children in grades 6 through 12, less than half of the children ''feel they have family boundaries or high expectations from parents or teachers'';

Whereas 3 out of 4 adolescents report that ''they do not have adults in their lives that model positive behaviors'';

Whereas in a widely cited study of the health risks to the young people in the United States, University of Minnesota researchers found that ''independent of race, ethnicity, family structure and poverty status, adolescents who are connected to their parents, their schools, and to their school community are healthier than those who are not'', and that ''when teens feel connected to their families, and when parents are involved in their children's lives, teens are protected'';

Whereas millions of single mothers in the United States are heroically struggling to raise their children in safe and loving environments;

Whereas promoting responsible fatherhood is not meant to diminish the parenting efforts of single mothers, but rather to increase the chances that children will have 2 caring parents to help them grow up healthy and secure;

Whereas many of this country's leading experts on family and child development agree that it is in the best interest of both children and the United States to encourage more 2-parent, father-involved families to form and endure;

Whereas in 1994, the National Fatherhood Initiative was formed to further the goal of raising societal awareness about the ramifications of father absence and father disengagement by mobilizing a national response to father absence;

Whereas the Congressional Task Force on Fatherhood Promotion and the Senate Task Force on Fatherhood Promotion that were formed in 1997, the Governors' Task Force on Fatherhood Promotion of 1998, and the Mayor's Task Force on Fatherhood Promotion of 1999 were created to work in partnership with the National Fatherhood Initiative;

Whereas on June 14, 1999, the National Fatherhood Initiative is holding a national summit on supporting urban fathers in Washington, D.C., to mobilize a response to father absence by many powerful sectors of society, including public policy, social services, educational, religious, entertainment, media, and civic groups; and

Whereas those groups are working across party, ideological, racial, and gender lines in order to reverse the trend of father absence and disengagement by encouraging and supporting responsible fatherhood and greater father involvement in children's lives: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that the creation of a better United States requires the active involvement of fathers in the rearing and development of their children;

(2) urges each father in the United States to accept his full share of responsibility for the lives of his children, to be actively involved in rearing his children, and to encourage the emotional, academic, moral, and spiritual development of his children;

(3) urges the States to hold fathers who ignore their legal responsibilities accountable for their actions and to pursue more aggressive enforcement of child support obligations;

(4) encourages each father to devote time, energy, and resources to his children, recognizing that children need not only material support, but also, more importantly, a secure, affectionate, family environment;

(5) urges governments and institutions at every level to remove barriers to father involvement and enact public policies that encourage and support the efforts of fathers who do want to become more engaged in the lives of their children;

(6) to demonstrate the commitment of the Senate to those critically important goals, designates June 20, 1999, as ''National Father's Return Day'';

(7) calls on fathers around the country to use the day to reconnect and rededicate themselves to their children's lives, to spend National Father's Return Day with their children, and to express their love and support for them; and

(8) requests that the President issue a proclamation calling on the people of the United States to observe ''National Father's Return Day'' with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED

FOREIGN RELATIONS AUTHORIZATION ACT

THOMAS AMENDMENT NO. 688

(Ordered to lie on the table.)

Mr. THOMAS submitted an amendment intended to be proposed by him to the bill, S. 886, to authorize appropriations for the Department of State for fiscal year 2000 and 2001; to provide for enhanced security at United States diplomatic facilities; to provide for certain arms control, nonproliferation, and other national security measures; to provide for the reform of the United Nations; and for other purposes; as follows:

At the appropriate place in the bill, insert the following new section and renumber the remaining sections accordingly:

''SEC. . PROHIBITION OF THE RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN NATIONS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) PROHIBITION.—Notwithstanding section 2572 of title 10, United States Code, or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term ''entity controlled by a foreign government'' has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term ''veterans memorial object'' means any object, including a physical structure or portion thereof, that—

(A) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad.''

SARBANES AMENDMENT NO. 689

Mr. SARBANES proposed an amendment to the bill, S. 688, supra; as follows:

On page 39, strike lines 14 and 15 and insert the following: ''for a period commensurate with the seriousness of the offense, as determined by Director General of the Foreign Service, except that the personnel records shall retain any record with respect to a reprimand for not less than one year and any record with respect to a suspension for not less than two years.'.''.

On page 41, line 15, strike ''one year'' and all that follows through the end of line 22 an insert the following: ''two years after the occurrence giving rise to the grievance or, in the case of a grievance with respect to the grievant's rater or reviewer, one year after the date on which the grievant ceased to be subject to rating or review by that person, but in no case less than two years after the occurrence giving rise to the grievance.'.''.

DODD AMENDMENT NO. 690

(Ordered to lie on the table.)

Mr. DODD submitted an amendment intended to be proposed by him to the bill, S. 886, supra; as follows:

At the appropriate place in the bill, insert the following new section—

SEC. . TRANSFER OF AUTHORITY FOR CRIMINAL INVESTIGATIONS FROM STATE DEPARTMENT INSPECTOR GENERAL TO DIPLOMATIC SECURITY SERVICE.

(a) Section 37(a)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)(1)) is amended to read as follows:

''(1) conduct investigations—

(A) concerning illegal passport or visa issuance or use; and

(B) concerning potential violations of Federal criminal law by employees of the Department of State or the Broadcasting Board of Governors.

(b) Section 209(c)(3) of the Foreign Service Act of 1980 (22 U.S.C. 3929(c)(3)) is amended by adding the following—

''In such cases, the Inspector General shall immediately notify the Director of the Diplomatic Security Service, who, unless otherwise directed by the Attorney General, shall assume the responsibility for the investigation.''

(b) The amendment made by this section shall take effect October 1, 2000.

(c) Not later than February 1, 2000, the Secretary of State and the State Department Inspector General shall report to the appropriate congressional committees on—

(1) the budget transfer required from the Inspector General to the Diplomatic Security Service to carry out the provisions of this section;

(2) other budgetary resources necessary to carry out the provisions of this section;

(3) any other matters relevant to the implementation of this section.

FEINGOLD AMENDMENTS NOS. 691–692

(Ordered to lie on the table.)

Mr. FEINGOLD submitted two amendments intended to be proposed by him to the bill, S. 886, supra; as follows:

AMENDMENT NO. 691

At the appropriate place, insert:

SEC. .

(a) FINDINGS.—The Congress finds as follows:

(1) The International Criminal Tribunal for Rwanda (ICTR) was established to prosecute individuals responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda;

(2) A separate tribunal, the International Criminal Tribunal for the former Yugoslavia (ICTY), was created with a similar purpose for crimes committed in the territory of the former Yugoslavia;

(3) The acts of genocide and crimes against humanity that have been perpetrated against civilians in the Great Lakes region of Africa equal in horror the acts committed in the former Yugoslavia;

(4) The ICTR has succeeded in issuing at least 28 indictments against 48 individuals, and currently has in custody 38 individuals presumed to have led and directed the 1994 genocide;

(5) The ICTR issued the first conviction ever by an international court for the crime of genocide against Jean-Paul Akayesu, the former mayor of Taba, who was sentenced to life in prison;

(6) The mandate of the ICTR is limited to acts committed only during calendar year 1994, yet the mandate of the ICTY covers serious violations of international humanitarian law since 1991 through the present;

(7) There have been well substantiated allegations of major crimes against humanity and war crimes that have taken place in the Great Lakes region of Africa that fall outside of the current mandate of the tribunal in terms of either the dates when, or geographical areas where, such crimes took place;

(8) The attention accorded the ICTY and the indictments that have been made as a result of the ICTY's broad mandate continue to play an important role in current U.S. policy in the Balkans;

(9) The international community must send an unmistakable signal that genocide and other crimes against humanity cannot be committed with impunity;

(b) POLICY.—The President should instruct the U.S. representative to the United Nations to advocate to the Security Council an expansion of the mandate of the International Criminal Tribunal for Rwanda to include crimes committed outside calendar year 1994 and in a broader geographical area.

AMENDMENT NO. 692

On page 13, after line 10, add the following new section:

SEC. 106. LIMITATIONS ON NONCOMPETITIVELY AWARDED NED GRANTS.

(a) LIMITATIONS.—Of the total amount of grants made by the National Endowment for Democracy in each of the following fiscal years, not more than the following percentage for each such fiscal year shall be grants that are awarded on a noncompetitive basis to the core grantees of the National Endowment for democracy:

(1) For fiscal year 2000, 52 percent.
(2) For fiscal year 2001, 39 percent.
(3) For fiscal year 2002, 36 percent.
(4) For fiscal year 2003, 13 percent.
(5) For fiscal year 2004, zero percent.

(b) CORE GRANTEES OF THE NATIONAL ENDOWMENT FOR DEMOCRACY DEFINED.—In this section, the term ''core grantees of the National endowment for Democracy'' means the following:

(1) The International Republican Institute (IRI).

(2) The National Democratic Institute (NDI).

(3) The Center for International Private Enterprise (CIPE).

(4) The American Center for International Solidarity (also known as the ''Solidarity Center'').

FEINSTEIN (AND OTHERS) AMENDMENT NO. 693

(Ordered to lie on the table.)

Mrs. FEINSTEIN (for herself, Mr. FEINGOLD, and Mr. LEVIN) submitted an amendment intended to be proposed by them to the bill, S. 886, supra; as follows:

On page 115, after line 18, add the following new section:

SEC. ___. REPORTING REQUIREMENT ON WORLDWIDE CIRCULATION OF SMALL ARMS AND LIGHT WEAPONS.

(a) FINDINGS.—Congress makes the following findings:

(1) In numerous regional conflicts, the presence of vast numbers of small arms and light weapons has prolonged and exacerbated conflict and frustrated attempts by the international community to secure lasting peace. The sheer volume of available weaponry has been a major factor in the devastation witnessed in recent conflicts in Angola, Cambodia, Liberia, Mozambique, Rwanda, Sierra Leone, Somalia, Sri Lanka, and Afghanistan, among others, and has contributed to the violence endemic to narcotrafficking in Colombia and Mexico.

(2) Increased access by terrorists, guerrilla groups, criminals, and others to small arms and light weapons poses a real threat to United States participants in peacekeeping operations and United States forces based overseas, as well as to United States citizens traveling overseas.

(3) In accordance with the reorganization of the Department of State made by the Foreign Affairs Reform and Restructuring Act of 1998, effective March 28, 1999, all functions and authorities of the Arms Control and Disarmament Agency were transferred to the Secretary of State. One of the stated goals of that Act is to integrate the Arms Control and Disarmament Agency into the Department of State ''to give new emphasis to a broad range of efforts to curb proliferation of dangerous weapons and delivery systems''.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report containing—

(1) an assessment of whether the export of small arms poses any proliferation problems including—

(A) estimates of the numbers and sources of licit and illicit small arms and light arms in circulation and their origins;

(B) the challenges associated with monitoring small arms; and

(C) the political, economic, and security dimensions of this issue, and the threats posed, if any, by these weapons to United States interests, including national security interests;

(2) an assessment of whether the export of small arms of the type sold commercially in the United States should be considered a foreign policy or proliferation issue;

(3) a description of current Department of State activities to monitor and, to the extent possible ensure adequate control of, both the licit and illicit manufacture, transfer, and proliferation of small arms and light weapons, including efforts to survey and assess this matter with respect to Africa and to survey and assess the scope and scale of the issue, including stockpile security and destruction of excess inventory, in NATO and Partnership for Peace countries;

(4) a description of the impact of the reorganization of the Department of State made by the Foreign Affairs Reform and Restructuring Act of 1998 on the transfer of functions relating to monitoring, licensing, analysis, and policy on small arms and light weapons, including—

(A) the integration of and the functions relating to small arms and light weapons of the United States Arms Control and Disarmament Agency with those of the Department of State;

(B) the functions of the Bureau of Arms Control, the Bureau of Nonproliferation, the Bureau of Political-Military Affairs, the Bureau of International Narcotics and Law Enforcement, regional bureaus, and any other relevant bureau or office of the Department of State, including the allocation of personnel and funds, as they pertain to small arms and light weapons;

(C) the functions of the regional bureaus of the Department of State in providing information and policy coordination in bilateral and multilateral settings on small arms and light weapons;

(D) the functions of the Under Secretary of State for Arms Control and International Security pertaining to small arms and light weapons; and

(E) the functions of the scientific and policy advisory board on arms control, nonproliferation, and disarmament pertaining to small arms and light weapons; and

(5) an assessment of whether foreign governments are enforcing their own laws concerning small arms and light weapons import and sale, including commitments under the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials or other relevant international agreements.

LEAHY (AND OTHERS) AMENDMENT NO. 694

(Ordered to lie on the table.)

Mr. LEAHY (for himself, Mr. FEINGOLD, and Mr. REED, Mr. HARKIN, Mr. MCCONNELL, Mr. MOYNIHAN, Mr. KOHL, Mr. CHAFEE, Mr. KENNEDY, Mr. JEFFORDS, Mr. KERRY, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. SCHUMER, Mrs. BOXER, Mr. DURBIN, and Mr. WELLSTONE) submitted an amendment intended to be proposed by them to the bill, S. 886, supra; as follows:

At the appropriate place in the bil, insert the following:

SELF-DETERMINATION FOR EAST TIMOR

SEC. . (a) FINDINGS.—The Congress finds as follows:

(1) On May 5, 1999 the Governments of Indonesia and Portugal signed an agreement that provides for an August 8, 1999 ballot organized by the United Nations on East Timor's political status;

(2) On January 27, 1999, President Habibie expressed a willingness to consider independence for East Timor if a majority of the East Timorese reject autonomy in the August 8th ballot;

(3) Under the May 5th agreement the Government of Indonesia is responsible for ensuring that the August 8th ballot is carried out in a fair and peaceful way in an atmosphere free of intimidation, violence or interference;

(4) The inclusion of anti-independence militia members in Indonesian forces responsible for establishing security in East Timor violates the May 5th agreement which states that the absolute neutrality of the military and police is essential for holding a free and fair ballot;

(5) The arming of anti-independence militias by members of the Indonesian military for the purpose of sabotaging the August 8th ballot has resulted in hundreds of civilians killed, injured or disappeared in separate attacks by these militias who continue to act without restraint;

(6) The United Nations Secretary General has received credible reports of political violence, including intimidation and killings, by armed anti-independence militias against unarmed pro-independence civilians;

(7) There have been killings of opponents of independence, including civilians and militia members;

(8) The killings in East Timor hsould be fully investigated and the individuals responsible brought to justice;

(9) Access to East Timor by international human rights monitors and humanitarian organizations is limited, and members of the press have been threatened;

(10) The presence of members of the United Nations Assistance Mission in East Timor has already resulted in an improved security environment in the East Timorese capital of Dili;

(11) A robust international observer mission and police force throughout East Timor is critical to creating a stable and secure environment necessary for a free and fair ballot;

(12) The Administration should be commended for its support for the United Nations Assistance Mission in East Timor which will provide monitoring and support for the ballot and include international civilian police, military liaison officers and election monitors;

(b) POLICY.—The President, Secretary of State, Secretary of Defense, and the Secretary of the Treasury (acting through the United States executive directors to internaional financial institutions) should immediately intensify their efforts to prevail upon the Indonesian Government and military to—

(A) disarm and disband anti-independence militias;

(B) grant full access to East Timor by international human rights monitors, humanitarian organizations, and the press;

(C) allow Timorese who have been living in exile to return to East Timor to participate in the ballot; and

(2) the President should submit a report to the Congress, not later than 21 days after passage of this Act, containing a description of the Administration's efforts and his assessment of steps taken by the Indonesian Government and military to ensure a stable and secure environment in East Timor, including those steps described in paragraph (1).

SARBANES AMENDMENT NO. 695

(Ordered to lie on the table.)

Mr. SARBANES submitted an amendment intended to be proposed by him to the bill, S. 886, supra; as follows:

On page 116, strike ''$94,000,000 for the fiscal year 2000 and $940,000,000'' and insert ''$963,308,000 for the fiscal year 2000 and $963,308,000''.

On page 121, line 6, strike ''$215,000,000 for the fiscal year 2000 and $215,000,000'' and insert ''$235,000,000 for the fiscal year 2000 and $235,000,000''.

WELLSTONE (AND OTHERS) AMENDMENT NO. 696

(Ordered to lie on the table.)

Mr. WELLSTONE (for himself, Mr. HARKIN, Mr. KOHL, Mr. LAUTENBERG, Mr. KENNEDY, and Mr. TORRICELLI) submitted an amendment intended to be proposed by them to the bill S. 886, supra; as follows:

On page 115, after line 18, insert the following new section:

SEC. 730. SENSE OF SENATE REGARDING CHILD LABOR.

(a) FINDINGS.—The Senate makes the following findings:

(1) The International Labor Organization (in this resolution referred to as the ''ILO'') estimates that at least 250,000,000 children under the age of 15 are working around the world, many of them in dangerous jobs that prevent them from pursuing an education and damage their physical and moral well-being.

(2) Children are the most vulnerable element of society and are often abused physically and mentally in the work place.

(3) Making children work endangers their education, health, and normal development.

(4) UNICEF estimates that by the year 2000, over 1,000,000,000 adults will be unable to read or write on even a basic level because they had to work as children and were not educated.

(5) Nearly 41 percent of the children in Africa, 22 percent in Asia, and 17 percent in Latin America go to work without ever having seen the inside of a classroom.

(6) The President, in his State of the Union address, called abusive child labor ''the most intolerable labor practice of all,'' and called upon other countries to join in the fight against abusive and exploitative child labor.

(7) The Department of Labor has conducted 5 detailed studies that document the growing trend of child labor in the global economy, including a study that shows children as young as 4 are making assorted products that are traded in the global marketplace.

(8) The prevalence of child labor in many developing countries is rooted in widespread poverty that is attributable to unemployment and underemployment among adults, low living standards, and insufficient education and training opportunities among adult workers and children.

(9) The ILO has unanimously reported a new Convention on the Worst Forms of Child Labor.

(10) The United States negotiators played a leading role in the negotiations leading up to the successful conclusion of the new ILO Convention on the Worst Forms of Child Labor.

(11) On September 23, 1993, the United States Senate unanimously adopted a resolution stating its opposition to the importation of products made by abusive and exploitative child labor and the exploitation of children for commercial gain.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) abusive and exploitative child labor should not be tolerated anywhere it occurs;

(2) ILO member States should be commended for their efforts in negotiating this historic convention;

(3) the Senate should consider the new ILO Convention on the Worst Forms of Child Labor as soon as practical after submission by the President;

(4) it should be the policy of the United States to continue to work with all foreign nations and international organizations to promote an end to abusive and exploitative child labor; and

(5) ILO member States should take necessary steps to meet the standards and objectives of the new ILO Convention.

WELLSTONE AMENDMENT NO. 697

(Ordered to lie on the table.)

Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill, S. 886, supra; as follows:

At the appropriate place, insert the following—

SEC. .

Expressing the sense of Senate that the global use of child soldiers is unacceptable and that the International Community must find remedies to end this practice:

(a) FINDINGS.—The Senate makes the following findings:

(1) There are at least 300,000 children below the age of 18 who are involved in armed conflict in at least 25 countries around the world. This is an escalating international humanitarian crisis which must be addressed promptly;

(2) Children are uniquely vulnerable to military recruitment because of their emotional and physical immaturity, are easily manipulated and can be drawn into violence that they are too young to resist or understand;

(3) Children are most likely to become child soldiers if they are orphans, refugees, poor, separated from their families, displaced from their homes, living in a combat zone, or have limited access to education;

(4) Child soldiers, besides being exposed to the normal hazards of combat, are also afflicted with other injuries due to their lives in the military. Young children may have sexually related illnesses, suffer from malnutrition, have deformed backs and shoulders which are the result of carrying loads too heavy for them, as well as respiratory and skin infections;

(5) One of the most egregious examples of the use of child soldiers in the abduction of thousands of children, some as young as 8 years of age, by the Lord's Resistance Army (in this resolution referred to as the ''LRA'') in northern Uganda;

(6) The Department of State's Country Reports on Human Rights Practice for 1999 reports that in Uganda the LRA abducted children ''to be guerrillas and tortured them by beating them, raping them, forcing them to march until collapse, and denying them adequate food, water, or shelter.'';

(7) Children who manage to escape from LRA captivity have little access to trauma care and rehabilitation programs, and many find their families displaced, missing, dead, or fearful of having their children return home;

(8) A large number of children have participated and been killed in the armed conflict in Sri Lanka and the use of children as soldiers has led to a breakdown in law and order in Sierra Leone;

(9) Graca Machel, the former United Nations expert on the impact of armed conflict on children, identified the immediate demobilization of all child soldiers as an urgent priority, and recommended the establishment through an optional protocol to the Convention on the Rights of the Child of 18 as the minimum age for recruitment and participation in armed conflict; and

(10) The international community is trying to reach a consensus on how to most effectively deal with this grave problem and

among these options is the raising of the international legal age of recruitment to 18 years old;

(11) The International Committee of the Red Cross, the United Nations Children's Fund (UNICEF), the United Nations High Commission on Refugee, and the United Nations High Commissioner on Human Rights also support the establishment of 18 as the minimum age for military recruitment and participation in armed conflict;

(12) The United Nations has decided to make 18 the minimum age for its own peacekeeping forces;

(13) International organizations such as the European Parliament and the 8th Assembly of the World Council of Churches have condemned the use of child soldiers;

(14) Religious leaders such as Pope John Paul II and Nobel Peace Prize winner Arch Bishop Desmond Tutu have urged that children no longer be used as soldiers;

(15) US civic organizations drawn from the religious, peace and justice and human rights communities such as the 36 member organizations of the Washington Coalition on Child Soldiers seek US support for alleviating this crisis;

(16) The United Nations created a Working Group to negotiate language that would formulate an Optional Protocol to the Convention on the Rights of the Child, which would raise the age of recruitment of children.

(17) For the past four years the international community has been negotiating language for an Optional Protocol without reaching a consensus agreement: Now, therefore, be it *Resolved*, That the Senate hereby—

1) Joins the international community in condemning the use of children as soldiers and combatants by governmental and nongovernmental armed forces;

2) Expresses the sense of Congress that US policy should be one of permitting consensus on the language of an Optional Protocol.

3) Directs the State Department to address positively and expediently this issue in the next session of the Working Group, before this process is abandoned, resulting therefore in the protection of hundreds of thousands of children from the life of a soldier and the horrors of war;

4) Directs the State Department to study the issue of the rehabilitation of former child soldiers, the manner in which their suffering can be alleviated and the positive role that the US can play in such an effort, and to submit a report to Congress on the issue of rehabilitation of child soldiers and their families.

WELLSTONE AMENDMENT NO. 698.

(Ordered to lie on the table.)

Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill, S. 886, supra; as follows:

On page 115, after line 18, add the following new subtitle:

Subtitle C—International Trafficking of Women and Children Victim Protection

SEC. ___01. SHORT TITLE.

This subtitle may be cited as the ''International Trafficking of Women and Children Victim Protection Act of 1999''.

SEC. ___02. FINDINGS.

Congress makes the following findings:

(1) The worldwide trafficking of persons has a disproportionate impact on women and girls and has been and continues to be condemned by the international community as a violation of fundamental human rights.

(2) The fastest growing international trafficking business is the trade in women, whereby women and girls seeking a better life, a good marriage, or a lucrative job abroad, unexpectedly find themselves in situations of forced prostitution, sweatshop labor, exploitative domestic servitude, or battering and extreme cruelty.

(3) Trafficked women and children, girls and boys, are often subjected to rape and other forms of sexual abuse by their traffickers and often held as virtual prisoners by their exploiters, made to work in slavery-like conditions, in debt bondage without pay and against their will.

(4) The President, the First Lady, the Secretary of State, the President's Interagency Council on Women, and the Agency for International Development have all identified trafficking in women as a significant problem.

(5) The Fourth World Conference on Women (Beijing Conference) called on all governments to take measures, including legislative measures, to provide better protection of the rights of women and girls in trafficking, to address the root factors that put women and girls at risk to traffickers, and to take measures to dismantle the national, regional, and international networks on trafficking.

(6) The United Nations General Assembly, noting its concern about the increasing number of women and girls who are being victimized by traffickers, passed a resolution in 1998 calling upon all governments to criminalize trafficking in women and girls in all its forms and to penalize all those offenders involved, while ensuring that the victims of these practices are not penalized.

(7) Numerous treaties to which the United States is a party address government obligations to combat trafficking, including such treaties as the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, which calls for the complete abolition of debt bondage and servile forms of marriage, and the 1957 Abolition of Forced Labor Convention, which undertakes to suppress and requires signatories not to make use of any forced or compulsory labor.

SEC. ___03. PURPOSES.

The purposes of this subtitle are to condemn and combat the international crime of trafficking in women and children and to assist the victims of this crime by—

(1) setting a standard by which governments are evaluated for their response to trafficking and their treatment of victims;

(2) authorizing and funding an interagency task force to carry out such evaluations and to issue an annual report of its findings to include the identification of foreign governments that tolerate or participate in trafficking and fail to cooperate with international efforts to prosecute perpetrators;

(3) assisting trafficking victims in the United States by providing humanitarian assistance and by providing them temporary nonimmigrant status in the United States;

(4) assisting trafficking victims abroad by providing humanitarian assistance; and

(5) denying certain forms of United States foreign assistance to those governments which tolerate or participate in trafficking, abuse victims, and fail to cooperate with international efforts to prosecute perpetrators.

SEC. ___04. DEFINITIONS.

In this subtitle:

(1) POLICE ASSISTANCE.—The term ''police assistance''—

(A) means—

(i) assistance of any kind, whether in the form of grant, loan, training, or otherwise, provided to or for foreign law enforcement officials, foreign customs officials, or foreign immigration officials;

(ii) government-to-government sales of any item to or for foreign law enforcement officials, foreign customs officials, or foreign immigration officials; and

(iii) any license for the export of an item sold under contract to or for the officials described in clause (i); and

(B) does not include assistance furnished under section 534 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346c; relating to the administration of justice) or any other assistance under that Act to promote respect for internationally recognized human rights.

(2) TRAFFICKING.—The term ''trafficking'' means the use of deception, coercion, debt bondage, the threat of force, or the abuse of authority to recruit, transport within or across borders, purchase, sell, transfer, receive, or harbor a person for the purpose of placing or holding such person, whether for pay or not, in involuntary servitude, or slavery or slavery-like conditions, or in forced, bonded, or coerced labor.

(3) VICTIM OF TRAFFICKING.—The term ''victim of trafficking'' means any person subjected to the treatment described in paragraph (2).

SEC. ___05. INTER-AGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the Department of State in the Office of the Secretary of State an Inter-Agency Task Force to Monitor and Combat Trafficking (in this section referred to as the ''Task Force''). The Task Force shall be co-chaired by the Assistant Secretary of State for Democracy, Human Rights, and Labor Affairs and the Senior Coordinator on International Women's Issues, President's Interagency Council on Women.

(2) APPOINTMENT OF MEMBERS.—The members of the Task Force shall be appointed by the Secretary of State. The Task Force shall consist of no more than twelve members.

(3) COMPOSITION.—The Task Force shall include representatives from the—

(A) Violence Against Women Office, Office of Justice Programs, Department of Justice;

(B) Office of Women in Development, United States Agency for International Development; and

(C) Bureau of International Narcotics and Law Enforcement Affairs, Department of State.

(4) STAFF.—The Task Force shall be authorized to retain up to five staff members within the Bureau of Democracy, Human Rights, and Labor Affairs, and the President's Interagency Council on Women to prepare the annual report described in subsection (b) and to carry out additional tasks which the Task Force may require. The Task Force shall regularly hold meetings on its activities with nongovernmental organizations.

(b) ANNUAL REPORT TO CONGRESS.—Not later than March 1 of each year, the Secretary of State, with the assistance of the Task Force, shall submit a report to Congress describing the status of international trafficking, including—

(1) a list of foreign states where trafficking originates, passes through, or is a destination; and

(2) an assessment of the efforts by the governments described in paragraph (1) to combat trafficking. Such an assessment shall address—

(A) whether any governmental authorities tolerate or are involved in trafficking activities;

(B) which governmental authorities are involved in anti-trafficking activities;

(C) what steps the government has taken toward ending the participation of its officials in trafficking;

(D) what steps the government has taken to prosecute and investigate those officials found to be involved in trafficking;

(E) what steps the government has taken to prohibit other individuals from participating in trafficking, including the investigation, prosecution, and conviction of individuals involved in trafficking, the criminal and civil penalties for trafficking, and the efficacy of those penalties on reducing or ending trafficking;

(F) what steps the government has taken to assist trafficking victims, including efforts to prevent victims from being further victimized by police, traffickers, or others, grants of stays of deportation, and provision of humanitarian relief, including provision of mental and physical health care and shelter;

(G) whether the government is cooperating with governments of other countries to extradite traffickers when requested;

(H) whether the government is assisting in international investigations of transnational trafficking networks; and

(I) whether the government—

(i) refrains from prosecuting trafficking victims or refrains from other discriminatory treatment towards trafficking victims due to such victims having been trafficked, or the nature of their work, or their having left the country illegally; and

(ii) recognizes the rights of victims and ensures their access to justice.

(c) REPORTING STANDARDS AND INVESTIGATIONS.—

(1) RESPONSIBILITY OF THE SECRETARY OF STATE.—The Secretary of State shall ensure that United States missions abroad maintain a consistent reporting standard and thoroughly investigate reports of trafficking.

(2) CONTACTS WITH NONGOVERNMENTAL ORGANIZATIONS.—In compiling data and assessing trafficking for the Human Rights Report and the Inter-Agency Task Force to Monitor and Combat Trafficking Annual Report, United States mission personnel shall seek out and maintain contacts with human rights and other nongovernmental organizations, including receiving reports and updates from such organizations, and, when appropriate, investigating such reports.

SEC. ___06. INELIGIBILITY FOR POLICE ASSISTANCE.

(a) INELIGIBILITY.—Except as provided in subsection (b), any foreign government identified in the latest report submitted under section ___05 as a government that—

(1) has failed to take effective action towards ending the participation of its officials in trafficking; and

(2) has failed to investigate and prosecute meaningfully those officials found to be involved in trafficking,

shall not be eligible for police assistance.

(b) WAIVER OF INELIGIBILITY.—The President may waive the application of subsection (a) to a foreign country if the President determines and certifies to Congress that the provision of police assistance to the country is in the national interest of the United States.

SEC. ___07. PROTECTION OF TRAFFICKING VICTIMS.

(a) NONIMMIGRANT CLASSIFICATION FOR TRAFFICKING VICTIMS.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(1) by striking ''or'' at the end of subparagraph (R);

(2) by striking the period at the end of subparagraph (S) and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(T) an alien who the Attorney General determines—

''(i) is physically present in the United States, and

''(ii) is or has been a trafficking victim (as defined in section ___04 of the International Trafficking of Women and Children Victim Protection Act of 1999),

for a stay of not to exceed 3 months in the United States, except that any such alien who has filed a petition seeking asylum or who is pursuing civil or criminal action against traffickers shall have the alien's status extended until the petition or litigation reaches its conclusion.''.

(b) WAIVER OF GROUNDS FOR INELIGIBILITY FOR ADMISSION.—Section 212(d) of the Immigration and Nationality Act (8 U.S.C. 1182(d)) is amended—

(1) by inserting ''(1)'' after ''(d)''; and

(2) by adding at the end the following:

''(2) The Attorney General shall, in the Attorney General's discretion, waive the application of subsection (a) (other than paragraph (3)(E)) in the case of a nonimmigrant described in section 101(a)(15)(T), if the Attorney General considers it to be in the national interest to do so.''.

(c) INVOLUNTARY SERVITUDE.—Section 1584 of title 18, United States Code, is amended—

(1) inserting ''(a)'' before ''Whoever'';

(2) by striking ''or'' after ''servitude'';

(3) by inserting ''transfers, receives or harbors any person into involuntary servitude, or'' after ''servitude,''; and

(4) by adding at the end the following:

''(b) In this section, the term 'involuntary servitude' includes trafficking, slavery-like practices in which persons are forced into labor through non-physical means, such as debt bondage, blackmail, fraud, deceit, isolation, and psychological pressure.''.

(d) TRAFFICKING VICTIM REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Attorney General and the Secretary of State shall jointly promulgate regulations for law enforcement personnel, immigration officials, and Foreign Service officers requiring that—

(1) Federal, State and local law enforcement, immigration officials, and Foreign Service officers shall be trained in identifying and responding to trafficking victims;

(2) trafficking victims shall not be jailed, fined, or otherwise penalized due to having been trafficked, or nature of work;

(3) trafficking victims shall have access to legal assistance, information about their rights, and translation services;

(4) trafficking victims shall be provided protection if, after an assessment of security risk, it is determined the trafficking victim is susceptible to further victimization; and

(5) prosecutors shall take into consideration the safety and integrity of trafficked persons in investigating and prosecuting traffickers.

SEC. ___08. ASSISTANCE TO TRAFFICKING VICTIMS.

(a) IN THE UNITED STATES.—The Secretary of Health and Human Services is authorized and encouraged to provide, through the Office of Refugee Resettlement, assistance to trafficking victims and their children in the United States, including mental and physical health services, and shelter.

(b) IN OTHER COUNTRIES.—The President, acting through the Administrator of the United States Agency for International Development, is authorized and encouraged to provide programs and activities to assist trafficking victims and their children abroad, including provision of mental and physical health services, and shelter. Such assistance should give special priority to programs by nongovernmental organizations which provide direct services and resources for trafficking victims.

SEC. ___09. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR THE INTER-AGENCY TASK FORCE.—To carry out the purposes of section ___05, there are authorized to be appropriated to the Secretary of State $2,000,000 for fiscal year 2000 and $2,000,000 for fiscal year 2001.

(b) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF HHS.—To carry out the purposes of section ___08(a), there are authorized to be appropriated to the Secretary of Health and Human Services $20,000,000 for fiscal year 2000 and $20,000,000 for fiscal year 2001.

(c) AUTHORIZATION OF APPROPRIATIONS TO THE PRESIDENT.—To carry out the purposes of section ___08(b), there are authorized to be appropriated to the President $20,000,000 for fiscal year 2000 and $20,000,000 for fiscal year 2001.

(d) PROHIBITION.—Funds made available to carry out this subtitle shall not be available for the procurement of weapons or ammunition.

MCCAIN AMENDMENT NO. 699

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, S. 886, supra; as follows:

At the end of the bill, add the following new section:

Notwithstanding any other provision of law, the Inspector General of the Department of State shall serve as the Inspector General of the Inter-American Foundation and shall have all the authorities and responsibilities with respect to the Inter-American Foundation as the Inspector General has with respect to the Department of State.

ADDITIONAL STATEMENTS

SEAPLANE CREW'S BATTLE FOR RECOGNITION

• Mr. MOYNIHAN. Mr. President, I bring to the Senate's attention an excellent article written by Alan Emory, the Senior Washington Correspondent for the Watertown Daily Times, entitled ''WWII Seaplane Crew Still Battling With Navy Red Tape Over Medals.'' Mr. Emory tells the incredible story of the rescue of a U.S. Airman by the crew of the Patrol Bomber Martin from the waters off Japan in World War II. Remarkably, the crew was denied the proper recognition for this act, and they have battled over the years to right that wrong.

At the time the rescue took place, the Navy, according to those involved, promised the pilot the Navy Cross and his crew the Silver Star. When the medals were actually awarded, however, all were awarded lesser medals. The disappointed crew accepted the medals without complaint. Years later when an appeal was filed, the Navy rejected the claim on the grounds that the deadline for such appeals had passed. But, a 1997 law waived the time limitation on appeals for such heroic acts.

The Navy has denied that any promise was made to the pilot or the crew. However, a newly declassified document from six months after the rescue showed that in fact the Navy had promised the pilot, Robert H. Macgill, the Navy Cross. The crew had signed affidavits that they were promised the

Silver Star. Unfortunately no document has been found to back up their claim, but this in no way decreases the gravity of this oversight.

To date, the Department of the Navy has refused to upgrade the medal status of those involved, though the case is still under review. I thank Mr. Emory for bringing this important act of bravery and incredible oversight to our attention.

I ask that the article be printed into the RECORD.

The article follows:

[From the Watertown Daily Times, Apr. 4, 1999]

WWII SEAPLANE CREW STILL BATTLING WITH NAVY RED TAPE OVER MEDALS

(By Alan Emory)

WASHINGTON—One of the most daring exploits of World War II took place in the water off Kobe, Japan, on July 24, 1945.

The war itself ended about a month later.

For the pilot, copilot and crew of the huge Patrol Bomber Martin (PBM) seaplane that plucked a U.S. airman out of the water as Japanese boats headed for him, however, a post-war battle with Navy bureaucracy is still going on, nearly 54 years later.

The men, now all in their 70s, were promised certain medals—a Navy Cross for pilot Robert H. Macgill of Miami, Fla., and Silver Stars for the others. All agree the pilot regularly receives the highest honor because he makes the key decisions.

When medals were awarded however, Mr. Macgill received a Silver Star and the others Air Medals, which are given to any service personnel performing five flights in a combat area.

Though disappointed, the fliers accepted their downgraded decorations without complaint, but a Korean War fighter pilot heard about the situation and launched an appeal to the Navy Department with the help of the PBM copilot, David C. Quinn.

The Navy rejected the appeal, saying the deadline for such awards had expired. Last year, however, the ''Mariner/Marlin Association Newsletter'' reported that a 1997 law had waived the time limitation, and many war heroes had medal eligibility restored.

The Navy stood its ground, however, so Mr. Quinn, a North Salem, N.Y., lawyer and husband of syndicated columnist Jane Bryant Quinn, took his case to Rep. Sue W. Kelly, R-Katonah, and Sen. Daniel Patrick Moynihan D–N.Y. The evidence was reviewed, and they agreed the higher-level medals should be awarded.

Their case took on added political clout when one of the crewmen, Jerrold A. Watson, now a peach grower in Monetta, S.C., turned out to be a constituent of both Chairman Floyd Spence, R-S.C., of the House Armed Services Committee, and Sen. J. Strom Thurmond, R-S.C., former chairman of the Senate Armed Services Committee.

Sen. Moynihan called the rescue of the downed Corsair fighter pilot, Ensign Edwin A. Heck, 22, of Barrackville, W.Va., ''an act of bravery deserving of high recognition.''

Rep. Kelly said the ''extraordinary rescue,'' in the water off Japan's fourth largest city, merited ''something more than an Air Medal.''

She rejected the finding by Karen S. Heath, principal deputy to the Navy's chief of manpower and reserve affairs, that the awards were appropriate, countering that they resulted from ''errors in Navy records.''

Last September, then-Navy Secretary John H. Dalton told Sen. Moynihan that upgrading the Quinn medal was ''not warranted,'' and the Air Medal was ''appropriate and consistent'' with those awarded at the time.

The Navy argued steadily that there was no documentary proof that a Navy Cross for Mr. Macgill and Silver Stars for his crew had actually been recommended, although all involved signed affidavits that they had been promised those medals.

A declassified Navy memorandum six months after the rescue shows that Mr. Macgill had been recommended for a Navy Cross, though it does not affirm the oral recommendation for the Silver Stars for Mr. Quinn and the others.

Mr. Quinn says that, instead of a trio of ''antique, disjointed medal-beggars,'' they were bolstered by the discovery that Mr. Macgill was alive in Miami.

His address was found by a computer search, with a phone number that gave only a recorded response, but he received a forwarded letter and, last Oct. 30, phoned Mr. Quinn and confirmed the original medal recommendations.

The PBM seaplane, known in Navy slang as a Dumbo because of its size, was part of a rescue squadron stationed at Okinawa on the seaplane tender *Pine Island.* Their mission was to rescue airmen shot down while raiding Japanese installations.

Their aircraft was enormous, with a wingspread equal to the height of a 12-story building, and was very slow.

On July 24, 1945, Mr. Heck was shot down and floated in a life jacket for about five hours in Kobe harbor. A radio call asked, ''Is there a Dumbo in the area?'' and the Macgill crew answered affirmatively. Sixteen Corsair fighters formed an escort and strafed Japanese boats trying to reach Mr. Heck.

The PBM flew over the docks of Kobe at an altitude of about 400 feet, with people standing there watching, according to the Nov. 16, 1998, deposition of Mr. Macgill. The fighter escort, getting low on fuel, had to leave.

A Japanese fighter made a run at the PMB, and shore batteries opened antiaircraft fire, but, Mr. Macgill says, it was ''amazing'' that they were not shot down. More than 14 hours after they had left Okinawa, they returned, hugging the Japanese coast, with the rescued fighter pilot.

The official Navy report said, ''The Dumbo, sweating out the remaining fuel, returned to Okinawa at 300 feet altitude and approximately 10 miles offshore.''

Mr. Macgill, quoting Navy officers there, said they believed it was ''impossible'' to achieve an air-sea rescue on Japan's mainland.

''I distinctly recall,'' he said, that Squadron Commanding Officer Lt. Cmdr. William Bonvillian and Capt. William L. Erdmann, Greenburg, Ind., the officer in charge of rescue missions, had both said they were urging the Navy Cross for Mr. Macgill and Silver Stars for the others.

''My original memory was correct,'' he said, and the confusion over his own medal was never carried over to the ''unquestioned recommendation'' that the others in the crew receive Silver Stars.

Mr. Quinn maintains that an official Navy account, marked ''Secret,'' disputes the finding that his rescue occurred ''seven miles southwest of Kobe'' and therefore, should be lumped in with other missions.

A Smithsonian Institution Press book about the exploits of 28 World War II combat pilots in their own words includes the Quinn story because of the uniqueness of air-sea rescues and the high-risk Kobe flight.

One war correspondent wrote that it was ''perhaps the most daring and the most spectacular of all Pacific air-sea rescues,'' the first into the Inland Sea, with the downed pilot within the sight of people walking the streets of Kobe.

Judi Briner of St. Louis, daughter of PBM crewman Robert Briner, who has terminal cancer, told Mr. Quinn she would like to see Rep. Ike Shelton, D-Mo., an influential member of the House Armed Services Committee, brought into the case.

Ironically, Mr. Quinn found out that another St. Louis resident, whose plea for a Bronze Star for his great-uncle had been ignored for more than a year, received the medal two weeks after Rep. Jim Talent, R-Mo., got in touch with the Army. It came along with a letter entitled, ''Expedite/Congressional Interest.''

The Navy's Awards Branch has never challenged the description of the PMB crew's combat bravery. Instead, Mr. Quinn asserts, its accounts of the medal dispute are ''diametrically opposed'' and, he feels, are ''tainted and (should be) disallowed.''

A former assistant state attorney general, he says he flew Navy planes for 26 years, four in World War II, and he holds a Vietnam War Campaign Medal. He says, ''I do not easily throw in towels.''

Richard Danzig, the new Navy secretary, who is scheduled to address the National Press Club on Tuesday, told Sen. Moynihan Jan. 28 that the Navy Awards Branch was reviewing the documents.

At a March 11 Capitol Hill meeting with key lawmakers and their aides, Ms. Heath said the Navy had, since the 50th anniversary of World War II, been ''inundated with requests'' for a new look at the war's awards, and Jeane Kirk, her aide, insisted the Quinn situation was ''not all that unique.''

Congressional staffers raised the possibility of a ''bureaucratic snafu'' leading to the medal downgrades. They stressed that the PBM mission was ''different,'' but the Navy could not explain why it had not been treated that way.

The congressional pressure, however, did have an impact.

The Navy officials promised to ''reboard,'' or review, the case with a panel of four ''senior captains.''

Secretary Danzig had promised a ''careful study.''

Rep. John M. McHugh, R-Pierrepont Manor, the senior New Yorker on the House Armed Services Committee, feels that if the issue were brought before the full New York congressional delegation and, possibly, the committee, it would receive a sympathetic hearing.●

TRIBUTE TO GENERAL CHARLES C. KRULAK

● Mr. LOTT. Mr. President, I'd like to pay a special tribute today to General Charles C. Krulak, the 31st Commandant of the Marine Corps, soon to relinquish command of our nation's Corps of Marines after almost forty years in uniform. With receipt of his final orders, directing him to stand-down and retire from active duty, an evolutionary change will occur—marking the first time in 70 years that a Krulak will be absent from the rolls of the United States Marine Corps. His father, Lieutenant General Brute Krulak, served as the Commanding General, Fleet Marine Forces Pacific.

From the blood stained rice fields of Vietnam, where General Krulak commanded Marines during two tours of duty, to the wind swept sands of Kuwait where General Krulak lead his men to victory, this Marine has distinguished himself time and time again.

For his devoted service to our country and for the brave Marines he led, General Krulak was awarded the Silver Star Medal; Bronze Star Medal with Combat ''V'' and two gold stars; Purple Heart with gold star; Combat Action Ribbon; and the Republic of Vietnam Cross of Gallantry.

While General Krulak's inspirational leadership has always characterized his military service, it is his tenure as the 31st Commandant of the Marine Corps that will resonate long and far into the next millennium, ensuring the Marine Corps remains the world's premier crisis response force—the Nation's 911 force. A professional force that is committed, capable, and reliable to meet any challenge, under any circumstance, anytime and anyplace in the world.

General Krulak had the wisdom and foresight to field an agile and adaptable force—a Corps of Marines who could prevail against the multifaceted threats which would challenge our Nation's security and its interests. General Krulak understood the importance of developing new concepts and techniques that would ensure decisive victory in the ''savage wars of peace.'' He forged his Corps of Marines through unrelenting sacrifice, initiative, and courage.

His many initiatives as Commandant include, the Marine Corps Warfighting Laboratory, the DoD lead in nonlethal weapons technology and the Chemical Biological Incident Response Force. He created and implemented the ''Transformation Process'' of making Marines—a holistic approach to recruiting and developing young men and women to ensure they have the skills and basic character needed to effectively meet the asymmetric 21st century threat.

Today, the Corps is meeting its recruiting requirements, forty-eight months consecutively and achieved its retention goals —a testimony to the wisdom and foresight of General Krulak.

A key contributor to the Marine Corps family and a person General Krulak owes much success to is his wife, Zandi Krulak. She gave dignity and grace to the maturation of the Marine Corps family.

In closing I want to recognize General Krulak for his uncompromising integrity to always do the right thing, for the Nation and his beloved Corps. The Marine Corps is a better institution today then it was four years ago, thanks to the sacrifice and devotion to duty by General Krulak. He has made a significant and lasting contribution to the Corps and to this Nation's security. Through his stewardship there is a renewed sense of esprit de corps.

I call on my colleagues on both sides of the aisle, to wish General Krulak, his wife Zandi and their two sons, David and Todd, fair winds and following seas as he steps down as the 31st Commandant of the Marine Corps. General Krulak's distinguished and faithful service to our country is greatly appreciated. He will be sorely missed, but surely not forgotten. Once a Marine, Always a Marine. *Semper Fi*.●

TRIBUTE TO EVE LUBALIN

● Mr. LAUTENBERG. Mr. President, as you know, this will be my last term in the Senate. My 17 years here have been exciting and challenging. And I'd like to think my work here has made a real difference in giving Americans a healthier, safer country.

But I have not done it alone. I had a lot of help from a very dedicated staff. And one staffer in particular deserves special recognition for her outstanding leadership and her commitment to the causes that have defined my career in the Senate.

That staffer is Eve Lubalin, my chief of staff, who recently announced her retirement after 17 years with my office.

Eve joined my staff as legislative director in 1983, when I was just getting to know my way around the Senate. From the start, she impressed me with her intelligence, her vision and her wit. She never lost sight of the goals that I set, and she never failed to deliver 100 percent of her talent and her energy to accomplish those goals.

In 1986, I promoted her to chief of staff. She has been our team leader ever since. And somehow, even with all the hours she has put in on the job, and there were countless hours, she has managed to maintain a full healthy relationship with her husband, Jim, and their daughter, Kendra. And I know she looks forward to spending more time with them during the years ahead.

Eve's high standards made her a star in the academic world even before she came to work for me. In 1966, she graduated summa cum laude from Syracuse University. From there, she went on to obtain a master's degree from the University of Virginia and a Ph.D. in Political Science from Johns Hopkins. She later worked in several key staff positions for Senator Birch Bayh from Indiana. After her tenure in Senator Bayh's office, she also worked as an advocate for the city of New York on legislative issues.

When she arrived in my office, Eve made my priorities her priorities. And we scored some significant victories together. The laws I authored raising the national drinking age to 21, banning smoking on domestic airplane flights, cleaning up the environment—these were battles we fought together. I could not have asked for a more loyal comrade-in-arms than Eve Lubalin.

Mr. President, I hope my colleagues will join me in wishing Eve the very best as she moves on from the Senate. And I want Eve to always remember how much I and everyone connected with my office appreciates her contributions. She is a model public servant, a spectacular leader and person. I wish her a happy and rewarding retirement.●

NATIONAL MEN'S HEALTH WEEK

● Mr. FRIST. Mr. President, as we honor our fathers, grandfathers and husbands this Fathers' Day, it is important to recognize the crisis that is taking place with regard to men's health. As highlighted by National Men's Health Week, which ends on Fathers' Day, this crisis in the health and well-being of American men is ongoing, increasing, and predominantly silent.

National Men's Health Week, which was established in 1994 under the leadership of former Senate Majority Leader Bob Dole, has helped shed light on some of the primary factors that have lead to this steady deterioration: lack of awareness, inadequate health education, and culturally-induced behavior patterns at work and at home.

Many have rightly argued, that one main cause is the cultural message that men should not react to pain. Men continue to fear the risk of appearing unmanly, or merely mortal, if they change their behavior or their environment. Unfortunately that includes visits to the doctor. On average, women on average make 6.5 visits per year while men average 4.9.

This lack of attention to health is perhaps best demonstrated by male mortality figures. In 1920, the life expectancy of men and women was roughly the same. Since that time, however, the life expectancy of men has steadily dropped when compared to women. In 1990, life expectancy for women was 78.8 years but only 71.8 years for men. Today, the life expectancy of men is a full 10 percent below that of women.

Another indicator: men have a higher death rate for every one of the top 10 leading causes of death. Men are twice as likely to die of heart disease, the nation's leading killer. In fact, one in every five men will suffer a heart attack before age 65.

Male specific cancers, testicular and prostate, and other non-gender specific cancers have also reached epidemic proportions among men. One in six will develop prostate cancer at some point in his life, and African-American men are especially at risk, with a death rate that is twice the rate of white men.

Death by suicide and violence is another predominantly male phenomenon. Men are the victims of approximately three out of four homicides, and account for approximately four out of every five deaths by suicide. Workplace accidents are also a major killer. Ninety-eight percent of all employees in the 10 most dangerous jobs are men, and 94 percent of all those who die in the workplace are men.

As demonstrated by the events this week on Capitol Hill—like the health screenings for prostate and colorectal cancer hosted by the Men's Health Network—National Men's Health Week has done much to end the silence surrounding the real state of health of American men. But much more needs to be done. This Fathers' Day let us all do everything we can to silence as well the cultural mind set that has claimed

the lives of so many of our husbands, fathers, and brothers. Let's show them how much we truly love them by making them aware of the very real—and very preventable—dangers that await them if they fail to pay attention to their health.●

TRIBUTE TO GENERAL CHARLES C. KRULAK

Mr. LOTT. Mr. President, I know a number of Senators are going to want to join me in paying tribute to a great Marine, the Commandant, General Krulak. I hope that others will come to the floor this afternoon, or on Monday, and join me in expressing our appreciation for the work he has done.

Mr. President, Marines do it all—in the air, on the land, and on the sea. With a service like the Marine Corps, sometimes people come in and say: Well, can't they go ahead and just be in charge of it all? I certainly understand that when you get to know an outstanding man like General Krulak. It is especially true when you consider that the Nation's Marines have a tremendous record of pride and history and going out and doing the job when it is the toughest. Their attitude has been exemplified by this feisty, pull-no-punches Commandant. I have really appreciated the fact that when I met with him privately and asked him direct questions, he gave me direct answers. I have appreciated the fact that when he has been before committees of Congress—particularly the Armed Services Committee—he responded in a way he thought was best for our country, as to what the marines really needed, and not necessarily what he was expected to say or even told to say. That is typical of the Marines and typical of this General and his family.

So I want to pay special tribute to General Charles C. Krulak, the 31st Commandant of the Marine Corps, soon to relinquish command of our Nation's Corps of Marines after almost 40 years in uniform. General Krulak's retirement will mark the first time in 70 years that a Krulak will be absent from the rolls of the United States Marine Corps. His father, Lieutenant General Brute Krulak, served as a Commanding General, Fleet Marine Forces Pacific.

General Krulak's illustrious career is replete with achievements from the blood-stained rice fields of Vietnam, where he commanded Marines during two tours of duty, to the wind-swept sands of Kuwait, where he commanded Marines during the Gulf War.

For his devoted service to our country and for the brave Marines he led, General Krulak was awarded the Silver Star Medal; Bronze Star Medal with Combat ''V'' and two gold stars; Purple Heart with gold star; Combat Action Ribbon; and the Republic of Vietnam Cross of Gallantry.

During his tenure as the 31st Commandant of the Marine Corps, the Senate has come to know of many of the virtues of this modern-day warrior. His accomplishments will resonate long into the next millennium, ensuring that the Marine Corps remains the world's premier crisis response force.

I remember that during a 1996 Senate Armed Services Committee hearing on the posture of our military, the service chiefs were asked what they needed most. The other service chiefs rattled off some new weapons systems. Not Chuck Krulak. The Senate always relied on his frank and honest opinion, no matter the issue. He wanted Gore-Tex cold weather gear and boots for his troops. General Krulak has always placed his Marines first. That is why he is loved as Commandant. The people came first; the men and women of the Marine Corps came first.

General Krulak is a visionary, a person who clearly understands the situation at hand. He understood the importance of developing new concepts and techniques that would ensure decisive victory in the ''savage wars of peace.'' He forged his Corps of Marines through unrelenting sacrifice, initiative, and courage.

His foresight resulted in the creation of the Marine Corps Warfighting Lab, taking the DOD lead in nonlethal weapons technology and the creation of the Chemical Biological Incident Response Force. He created and implemented the ''Transformation Process'' of making Marines—a holistic approach to recruiting and developing young men and women to ensure they have the skills and basic character needed to effectively meet the Asymmetric 21st century threat. He labored to institutionalize the Marine Corps core values of honor, courage and commitment, while maintaining, and in many cases elevating, performance standards in every aspect of the Marine Corps recruiting and development processes, be they mental, physical, or moral.

Today, the Corps has met its recruiting requirements forty-eight months consecutively and has achieved its retention goals—a testimony to the wisdom and foresight of General Krulak.

General Krulak not only pursued better Marines and asked for Marines to be capable of winning our Nation's future battles, but he also made better Americans. He promoted a focus on character development and high ethical and moral standards. He stressed the core values of honor, courage, and commitment, which exemplify the Corps. They are attributes that will serve the Marines well long after they have hung up their uniforms. In a way, I don't think Marines ever hang up their uniforms; they wear them the rest of their lives.

I remember, years ago, I had on my staff a man that worked on the Mississippi Gulf Coast, Cecil Dubuisson, a Sergeant Major. A Sergeant Major in the Marine Corps is really super-special. As we traveled around South Mississippi into Louisiana, I would run into people—young men and older men—and they always recognized him as ''Sergeant Major.'' There was a special bond between these men that the rest of us could only hope to achieve.

In closing, I want to recognize General Krulak for his uncompromising integrity to always do the right thing for the Nation and his beloved Corps, and for his unwavering conviction that exemplifies a way of life, not just a motto. It speaks powerfully to the citizens he serves. It has been my good fortune, and the Senate's good fortune, to witness the resolve of a person who believes so strongly about the institution in which he serves. General Krulak, the Marine Corps is a better institution today than it was 4 years ago.

Your sacrifice and devotion to duty have made it so. You have provided a significant and lasting contribution to your Corps and to the Nation's security. Through your leadership, there is a renewed sense of esprit de corps. Those who follow your example will be a testament to the legacy you leave behind.

I wish General Krulak, your wonderful wife Zandi, and your two sons, David and Todd, ''fair winds and following seas'' as you step down as the 31st Commandant of the Marine Corps on June 30, 1999. Your distinguished and faithful service to our country is greatly appreciated. You will be sorely missed but surely not forgotten.

Thank God for the Marines Corps, thank God for General Krulak.

The PRESIDING OFFICER. Acting in my capacity as an individual Senator from Kansas and a former marine, let me thank the majority leader and indicate what all marines would indicate were they present—''oo-yah.''

The distinguished Senator from Montana is recognized.

Mr. BURNS. Mr. President, I am pleased and honored to stand with Senator LOTT today, our majority leader, in honor of the coming change of command of the U.S. Marine Corps and the Commandant and the retirement of Gen. Charles C. Krulak.

We all share one thing, and I think the leader missed one thing the General stands for. It is written out there on the Iwo Jima Memorial. Uncommon valor was a common virtue. Every marine carries that and semper fi. As a former enlisted marine, there is no other comparable military fraternity. In fact, I credit the Marines Corps for saving my life. I remember as a young man I was sort of adrift. The Marine Corps has the habit of setting a person straight.

I share the kindred spirit that is fundamentally the heart and the soul of the Corps. It has been my pleasure to work with General Krulak in my duties as chairman of the Senate Military Construction Appropriations Committee since he assumed his duties as the 31st Commandant in 1995.

His military career extended back almost 40 years to his entry in the U.S. Naval Academy. He graduated in 1964 and went on to The Basic School in Quantico, VA. He continued to distinguish himself in command positions

too numerous to count, including two tours in Vietnam. During the gulf war, General Krulak commanded the 2nd Force Service Support Group for the Atlantic Fleet Marine Forces. If you read through his commendation list, it seems he earned almost every award and decoration possible, including the Defense Distinguished Service Medal, a Silver Star, Bronze Star, two Gold Stars, and a Purple Heart, just to make a few.

I think it goes to show every American how appropriate it was for General Krulak to be nominated for the Commandant's office. He told me the other day that when he leaves the Marines Corps this will be the first time a Krulak has not been in a marine uniform for over 80 years. What a great tradition. He knows the marines. He was raised in the society. He stood up for them and their fundamental beliefs.

In his farewell to the Corps in the June edition of Leatherneck Magazine, General Krulak reminds us of two simple qualities that define all marines. First is the Touchstone of Valor. When marines are called to battle, they suit up and go, and they fight. Winning is mandatory; losing is not an option. This has been true from the earliest days of the Revolutionary War through modern-day battles. The battle list is long and distinguished: Iwo Jima, Inchon, Danang, Kuwait, and now Kosovo. The Commandant reminds us that ''the memory of the marines who fought in these battles lives in us and in the core values of our precious Corps.''

The second quality is the Touchstone of Values. Marines have always held themselves to the highest standards. Words like ''honor,'' ''courage,'' and ''commitment'' are convictions that are embedded within the recruitment and training of all marines. Semper Fidelis is not just a Marine Corps motto; it is a heartfelt passion.

When you hear General Krulak's statement, you understand why the name U.S. Marine brings confidence to America's allies and general respect from all of our potential enemies. He was a leader by example and he will continue to be a leader by example. He stood as an anchor on the Joint Chiefs, paving the way for Congress to make some progress in military readiness. He is widely known for his openness, his honesty, and his cruel truth.

The general has the toughness of the Corps, but he has a sensitive side also, which is the quality of a leader.

I have a shirttail cousin who served in the Marine Corps and was wounded in Vietnam. Last summer, Cpl. Dan Critten and his wife visited this town and attended a dinner and we were honored to have General Krulak attend. Danny is confined to a wheelchair because of his injury sustained in Vietnam. He was at Danang. As it turned out, General Krulak was just a hill away that very day. Dan came home back to Missouri in a wheelchair, and he went right back to farming. He fixed up his tractor. He had all the hydraulic lifts and he could chase his cattle and do his farming. He never whimpered once. He, too earned the Bronze Star and has lived a life that is truly the model of an American and a marine that we all know and notice.

I remember that meeting when we went to that dinner, when the general met the corporal that evening. It was a special moment in the human experience. There was no rank, just a special feeling of two warriors who faced and survived the horrors of war. I will never forget that moment. It reminded me why this Nation, this United States, will lead the world and why the Corps is respected wherever it is assigned. It has dedicated men and women who have a sense of duty, the willingness to win but also a quality of heart.

Every change of command brings happiness and sadness. There is satisfaction and appreciation for a job well done, and there is mourning for departing the fellowship of the Corps. The good news is there is no such thing as an ex-marine. I am convinced that General Krulak will be as effective in his future position as he was a marine.

On behalf of United States, I say thank you, General, for your incredible service and your dedication to your country. We owe you and all marines a debt that can never be repaid. You have lived honorably in extraordinary circumstances and have left the Corps stronger and more capable in your wake. We say, Semper Fi.

Now we welcome a new Commandant, another marine who has stood the test on the field of battle and among his peers. I have no doubt about the future of this Nation's U.S. Marine Corps. The tradition continues.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Washington is recognized.

TECHNICAL REALITIES OF THE Y2K ACT

Mr. GORTON. Mr. President, earlier this week the Senate passed a bill that tries to bring some reason to the legal chaos that could result from Y2K failures and Wednesday evening the Senate appointed conferees to reconcile the differences between the House and Senate bills. I rise today to commend the Senate for doing this, and to read from an excellent memorandum underscoring the need for a quick resolution and final passage of a conference report.

A memorandum prepared by the Year 2000 Technical Information Focus Group of the Institute for Electrical and Electronics Engineers, the ''I triple E,'' provides the best analyses and explanations I have seen of the complexity of Y2K litigation; of why the argument we heard during floor debate that the bill is designed to protect ''bad actors'' and that it fails to provide sufficient incentives for remediation is generally hollow; and of why it is so important that we do what we can to minimize the economically paralyzing effects of a predictable and utterly overwhelming legal snarl.

The memorandum, sent to various members of Congress, is particularly compelling because its authors do not represent businesses that may be sued, but are members of an international non-profit association of engineers and computer scientists.

The memorandum is so good that rather than simply have it printed in the RECORD, I will read it:

TAB YEAR 2000 TECHNICAL,
INFORMATION FOCUS GROUP,
Piscataway, NJ, June 9, 1999.

To: Members, Senate Commerce, Science And Transportation Committee; Members, Special Senate Committee On The Year 2000 Technology Problem; Members, House of Representatives Committee on Science, Subcommittee on Technology; Members, Committee on Government Reform, Subcommittee on Government Management Information, and Technology; Sponsors, House Bill ''Year 2000 Readiness and Responsibility Act of 1999,'' H.R. 775.

Re: Year 2000 Liability Legislation.

From: The Institute of Electrical and Electronics Engineers (IEEE), Technical Activities Board, Year 2000 Technical Information Focus Group.

DEAR HONORABLE SENATORS, CONGRESSMEN AND CONGRESSWOMEN: As leaders of the Y2K effort of the Institute of Electrical and Electronics Engineers (IEEE), the oldest and largest international non-profit association of engineers and computer scientists in the world, we would like to offer some thoughts on the pending legislation involving Y2K liability obtained from our years of work and collective wisdom spent studying Y2K. The IEEE has drafted an Institute position on Y2K Legal Liability regarding United States federal law, to which our committee greatly contributed. We offer these additional thoughts in hopes that they may further assist your understanding as you attempt to reconcile two very valid but conflicting underlying public policy goals in structuring and passing the Year 2000 Liability Legislation currently under consideration.

Minimize Damage to the Economy and Quality of Life: minimize the overall damage to the nation's economy and quality of life by reducing the need of organizations to redirect their limited resources away from the task of maintaining their operations in the face of Y2K in order to defend themselves from lawsuits arising from alleged Y2K failures.

Maximize Incentive for Y2K Failure Prevention: maximize the incentive of every organization to prevent Y2K failures as well as preserve the legal rights and remedies available for those seeking legitimate redress for wrongs they may suffer resulting from Y2K failures.

In addressing public policy issues we have no more expertise than the literate public. However, we do possess expertise in the technical issues underlying the situation that should be considered as you weigh the conflicting public policy goals in formulating appropriate Year 2000 Liability Legislation. In particular, for your consideration we offer the following points pertaining to the technical realities of Y2K.

1. Prevention of all Y2K Failures Was Never Possible: For many large and important organizations, technical prevention of all Y2K failures has never been possible in any practical way for these reasons:

1.1 ''Y2K Compliant'' Does Not Equal ''No Y2K Failures.'' If an organization makes all of its systems ''Y2K compliant'', it does not mean that that same organization will not experience Y2K failures causing harm to itself and other organizations. In fact, efforts to become ''Y2K compliant'' in one place could be the direct cause of such failures in others. If interconnected systems are made compliant in different ways, they will be incompatible with each other. Many systems in government and industry are mistakenly being treated as if they were independent and fixed in the most expedient way for each of them. When this ''Humpty Dumpty'' is put back together again, it will not work as expected without complete testing, which is unlikely (see Complexity Kills below).

1.2 All Problems Are Not Visible or Controllable. In the best case organizations can only address those things they can see and those things they have control over. Given this reality, many Y2K failures are inevitable because some technical problems will not be discernible prior to a failure, and others, while discernible, may not be within an organizations' jurisdictional control to correct. This is especially true in large complex organizations with large amounts of richly interconnected software involved in long and complex information chains and in systems containing a high degree of embedded devices or systems purchased in whole from external parties. (The temporary lifting of certain copyright and reverse engineering restrictions for specific Y2K protection efforts should also be considered as long as copyright holders are not unduly harmed.)

1.3 Incoming Data May Be Bad or Missing. To maintain their operations many organizations require data imported from other organizations over which they have no control. Such data may have unknowingly been corrupted, made incompatible by misguided compliance efforts or simply missing due to the upstream organizations lawful business decisions.

1.4 Complexity Kills. The internal complexity of large systems, the further complexity due to the rich interconnections between systems, the diversity of the technical environments in type and vintage of most large organizations and the need to make even small changes in most systems will overwhelm the testing infrastructure that was never designed to test ''everything at once.'' Hence, much software will have to be put back into use without complete testing, a recipe, almost a commandment, for widespread failures.

2. Determining Legal Liability Will Be Very Difficult. Traditionally the makers of products that underlie customer operations are liable if those products are ''defective'' enough to unreasonably interfere with those operations resulting in damage. Y2K is different in that those customers themselves are also at risk for legal action if they fail to fulfill contractual obligations or fail to maintain their stock values and their failure to ''fix'' their Y2K problems can be shown as the cause. This customer base of technology producers cannot be overlooked in this issue. As it constitutes most of the organizations in the world, its needs and the implications of legislative actions on it considered now should not be overshadowed by undue focus on the much smaller technology producer sector. Nonetheless, even there liability is not as clear as tradition might indicate. Several factors make liability determination difficult, expensive, time consuming and not at all certain.

2.1 There Is a Shared Responsibility Between Buyers, Sellers and Users of Technology. Computer products themselves have only clocks that have dates in them. Application software products usually offer optional ways of handling dates. The customer/user organizations, especially larger, older ones, have created much of their application software in-house. When new products are introduced into the buying organization, the customer/user usually has vast amounts of data already in place that have date formats and meaning already established. These formats and meanings cannot be changed as a practical matter. The majority of, and the longest-lasting, potential system problems lay in application software and the data they process, not in clock functions. (Clock-based failures, those likely to happen early in January 2000, while potentially troublesome, will be for the most part localized and of short duration.) Various service providers can be optionally called in to help plan and apply technology for business purposes. But it is only when these are all merged together and put to actual use that failures can emerge. It is very rare that one of them alone can cause a failure that carries legal consequences.

2.2 Many Things Are Outside the Control of Any Defendant. Incoming data from external sources outside its control may be corrupted, incompatible or missing. Devices and systems embedded in critical purchased equipment may be beyond the defendant's knowledge or legal access. Non-technical goods and services the defendant depends upon may not be available due to Y2K problems within their source organizations or distribution channel.

2.3 There Will Be a Strong Defense of Impracticability. Existing large-scale systems were not made safe from Y2K long ago for good reasons. Many systems resist large-scale modernization (e.g., IRS, FAA Air Traffic Control, Medicare) for the same reasons. Wide-spread, coordinated modifications across entrenched, diverse, interconnected systems is technically difficult if not impossible at the current level of transformational technology. New products must be made to operate within the established environment, especially date data formats. Technology producers will claim, with reason, that the determining factor in any Y2K failures lay in the way the customer chose to integrate their products into its environment. It will be asserted, perhaps successfully, by user organizations that economic impracticability prevented the prevention of Y2K failures. Regardless of the judicial outcome, it will take a long time and many resources to finally resolve. And that resolution may have to come in thousands of separate cases.

3. Complexity and Time Negates Any Legal Liability Incentive. Even if making all of an organization's systems ''Y2K compliant'' would render an organization immune from Y2K failures (it will not), the size and complexity of the undertaking is such that if any but the smallest organization is not already well into the work, there is not enough time for the incentive of legal liability to have any discernible positive effect on the outcome. As an analogy, providing any kind of incentive to land a man on Mars within one year would have no effect on anyone's efforts to achieve that unless they had been already working to that end for many years. A negative effect will result from management diverting resources from prevention into legal protection.

4. The Threat of Legal Action Is a Dangerous Distraction at a Critical Time. There will be system failures, especially in large, old, richly interconnected ''systems of systems'' as exist in the financial services and government sector. The question is how to keep such technical failures from becoming business or organization failures. We should be asking ourselves how we as a society can best keep the flow of goods and services going until the technical problems and failures can be overcome. The following points bear on these questions.

4.1 Y2K Is a Long Term, Not Short Term, Problem. Irrespective of the notion of Y2K being about time, a point in time, or the fixation on the rollover event at midnight December 31, 1999, or even the name 'Year 2000' itself, Y2K computer problems will be causing computer system malfunctions and failures for years into the next decade. Y2K is much more about the dates that can span the century boundary represented in *data* that must be processed by *software* than it is about any calendar time or clock issues. Because of the vast amounts of these, the complex intertwining among them and our less than complete understanding of the whole, it will take years for the infrastructure to ''calm down'' after Y2K impacts themselves AND the impacts of the sometimes frantic and misguided changes we have made to it. The current prevention phase is only the beginning.

4.2 Rapid and Effective Organizational Adaptability Will Be a Prime Necessity. They key to an organization's ability to continue to provide the goods and services other organizations and individuals need to continue their operations will be determined by an organization's ability to adapt its practices and policies quickly and effectively in the face of potentially numerous, rapid and unexpected events.

4.3 Lawsuits, Actual or Threatened, Will Divert Requisite Resources. Preventing and minimizing harm to society from Y2K disruption is different than, and at times opposed to, protecting one's organization from legal liability. Addressing lawsuits, and even the threat of a lawsuit, will divert requisite resources, particularly management attention, from an organization's rapid and effective adaptation. This is already happening regarding technical prevention and will get worse the longer such legal threats remain. Organizational management has much more experience dealing with legal threats than they do addressing something as unique and unprecedented as Y2K. Their tendency is to address the familiar at the expense of the novel. They must be allowed to focus on the greater good.

4.4 Judicial System Overload Is Another Danger. Given the great interactive and interdependent complexity of Y2K's impact on the operations of our institutions on a national and global scale, the effort to determine exactly what happened, why it happened and who is legally responsible for each micro-event is itself a huge undertaking requiring the resolution of many questions. For the legal and judicial system to attempt to resolve the legal rights and remedies of affected parties while Y2K impacts are still unfolding will, in any case, threaten to overwhelm the legal and judicial system's capacity to assure justice in the matter, let alone its ability to continue to do its other necessary work.

For all of the reasons discussed above, we support limitations on Y2K-related legal liability. Minimizing harm and assessing blame are each formidable and important tasks, but they cannot be done simultaneously without sacrificing one for the other. Minimizing harm is more important and there is an increased threat to our welfare if assessing blame adversely interferes with our ability to minimize harm. The value of incentives at this late date is very small. We trust that the collective wisdom of Congress will find ways to reduce these threats. We have additional background material available. Please contact IEEE staff contact Paula Dunne if you are interested in this material. We have other ideas beyond the scope of this legislation of what the U.S. federal government can do to help minimize

harm throughout this crisis. We are ready to help in any way you may deem appropriate.

Respectfully,

THE INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE),
TECHNICAL ACTIVITIES BOARD, YEAR 2000
TECHNICAL INFORMATION FOCUS GROUP.

Mr. President, the bill we passed earlier this week is modest. It may very well not meet all the concerns expressed by the IEEE. The legislation may, however, at least reduce these threats. As a consequence, we must enact meaningful legislation and we must enact it quickly.

USE OF CAPITOL GROUNDS

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 105, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 105) authorizing the law enforcement torch run for the 1999 Special Olympics World Games to be run through the Capitol Grounds.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. GORTON. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 105) was agreed to.

NATIONAL FATHER'S RETURN DAY

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 125, submitted earlier today by Senators LIEBERMAN, GREGG, and others.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 125) encouraging and promoting greater involvement of fathers in their children's lives and designating June 20, 1999, as ''National Father's Return Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. GORTON. Mr. President, I ask unanimous consent that the resolution be agreed, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at the appropriate place in the RECORD.

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

The resolution (S. Res. 125) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 125

Whereas more than 1 out of every 3 children currently live in a household where the child's father does not reside;

Whereas approximately half of all the children born in the United States will spend at least half of their childhood in a family without a father figure;

Whereas approximately 40 to 50 percent of all marriages are predicted to end in divorce;

Whereas approximately 3 out of every 5 divorcing couples have at least 1 child;

Whereas almost half of all children aged 11 through 16 that live in mother-headed homes have not seen their father in the last 12 months;

Whereas 79 percent of people in the United States believe that the most significant family or social problem facing the country is the physical absence of fathers from the home, resulting in a lack of involvement of fathers in the rearing and development of children;

Whereas the likelihood that a young male will engage in criminal activity doubles if he is reared without a father and triples if he lives in a neighborhood comprised largely of single-parent families;

Whereas studies reveal that even in high-crime, inner city neighborhoods, over 90 percent of children from safe, stable, 2-parent homes do not become delinquents;

Whereas compared to children reared in 2-parent families, children reared in single-parent families are less likely to complete high school and thus, more likely as adults to obtain low paying, unstable jobs;

Whereas researchers have linked the presence of fathers with improved fetal and infant development, and father-child interaction has been shown to promote a child's physical well-being, perceptual abilities, and competency for interpersonal relations;

Whereas researchers have also found that both boys and girls demonstrate a greater ability to take initiative and exercise self-control when they are reared by fathers who are actively involved in their upbringing;

Whereas the general involvement of parents in the lives of their children has decreased significantly over the last generation;

Whereas a Gallup Poll indicated that over 50 percent of all adults agree that fathers today spend less time with their children than their fathers spent with them;

Whereas nearly 20 percent of children in grades 6 through 12 report that they have not had a meaningful conversation with even 1 parent in over a month;

Whereas in a broad survey of 100,000 children in grades 6 through 12, less than half of the children ''feel they have family boundaries or high expectations from parents or teachers'';

Whereas 3 out of 4 adolescents report that ''they do not have adults in their lives that model positive behaviors'';

Whereas in a widely cited study of the health risks to the young people in the United States, University of Minnesota researchers found that ''independent of race, ethnicity, family structure and poverty status, adolescents who are connected to their parents, their schools, and to their school community are healthier than those who are not'', and that ''when teens feel connected to their families, and when parents are involved in their children's lives, teens are protected'';

Whereas millions of single mothers in the United States are heroically struggling to raise their children in safe and loving environments;

Whereas promoting responsible fatherhood is not meant to diminish the parenting efforts of single mothers, but rather to increase the chances that children will have 2 caring parents to help them grow up healthy and secure;

Whereas many of this country's leading experts on family and child development agree that it is in the best interest of both children and the United States to encourage more 2-parent, father-involved families to form and endure;

Whereas in 1994, the National Fatherhood Initiative was formed to further the goal of raising societal awareness about the ramifications of father absence and father disengagement by mobilizing a national response to father absence;

Whereas the Congressional Task Force on Fatherhood Promotion and the Senate Task Force on Fatherhood Promotion that were formed in 1997, the Governors' Task Force on Fatherhood Promotion of 1998, and the Mayor's Task Force on Fatherhood Promotion of 1999 were created to work in partnership with the National Fatherhood Initiative;

Whereas on June 14, 1999, the National Fatherhood Initiative is holding a national summit on supporting urban fathers in Washington, D.C., to mobilize a response to father absence by many powerful sectors of society, including public policy, social services, educational, religious, entertainment, media, and civic groups; and

Whereas those groups are working across party, ideological, racial, and gender lines in order to reverse the trend of father absence and disengagement by encouraging and supporting responsible fatherhood and greater father involvement in children's lives: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that the creation of a better United States requires the active involvement of fathers in the rearing and development of their children;

(2) urges each father in the United States to accept his full share of responsibility for the lives of his children, to be actively involved in rearing his children, and to encourage the emotional, academic, moral, and spiritual development of his children;

(3) urges the States to hold fathers who ignore their legal responsibilities accountable for their actions and to pursue more aggressive enforcement of child support obligations;

(4) encourages each father to devote time, energy, and resources to his children, recognizing that children need not only material support, but also, more importantly, a secure, affectionate, family environment;

(5) urges governments and institutions at every level to remove barriers to father involvement and enact public policies that encourage and support the efforts of fathers who do want to become more engaged in the lives of their children;

(6) to demonstrate the commitment of the Senate to those critically important goals, designates June 20, 1999, as ''National Father's Return Day'';

(7) calls on fathers around the country to use the day to reconnect and rededicate themselves to their children's lives, to spend National Father's Return Day with their children, and to express their love and support for them; and

(8) requests that the President issue a proclamation calling on the people of the United States to observe ''National Father's Return Day'' with appropriate ceremonies and activities.

ORDERS FOR MONDAY, JUNE 21, 1999

Mr. GORTON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon on Monday, June 21. I further ask unanimous consent that on Monday, immediately following the prayer, the Journal of proceedings be approved to date,

the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to a period for morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the following exceptions: Senator VOINOVICH, 30 minutes; Senator DURBIN, or his designee, 30 minutes; Senator ROBERTS, 15 minutes.

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

Mr. GORTON. I further ask unanimous consent that following morning business, the Senate begin consideration of S. 1233, the agricultural appropriations bill.

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

PROGRAM

Mr. GORTON. Mr. President, for the information of all Senators, on Monday, the Senate will convene at 12 noon and be in a period for morning business until 1 p.m. Following morning business, the Senate will immediately proceed to the agriculture appropriations bill, with amendments expected to be offered. Also, amendments to the State Department authorization bill could be debated on Monday in an attempt to complete action on that legislation. Therefore, Senators can expect multiple votes on Monday at 5:30 p.m. on amendments to the agriculture appropriations bill and/or the State Department authorization bill.

ORDER FOR ADJOURNMENT

Mr. GORTON. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator DURBIN.

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

Mr. GORTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and that I be recognized in morning business for 15 minutes.

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

The Senator is recognized.

GUN CONTROL

Mr. DURBIN. Mr. President, during the course of this week we have come to the Senate floor many times to discuss pending legislation of great importance to families across America.

Last night—I guess this morning, in the early morning hours—the House of Representatives failed to pass the gun control legislation which the Senate enacted 3 weeks ago.

You may remember that Vice President GORE came to the floor, cast the deciding vote, broke the tie, and we passed a bill which would try to close the loopholes for the sales of firearms at so-called gun shows, trying to find a way—any way we can—to reduce the likelihood that guns will get into the hands of children and criminals.

America's heart was broken by Littleton, CO. Families across America, who may have heard these numbing statistics about 13 children a day dying, finally realized it could happen there—it could happen in Littleton, CO, in Conyers, GA, in Jonesboro, AR, in Pearl, MS, West Paducah, KY, Springfield, OR, or in Springfield, IL, my hometown. It could happen anywhere.

Guns are just too easy to come by in America. Troubled kids, who are always a problem, become tragedies when they take these guns into the classrooms, killing their classmates and teachers.

So we passed legislation, good legislation, bipartisan legislation, and sent it to the House of Representatives. Frankly, they decided, because of the political heat that might be generated, to call for a vote in the middle of the night, at 1:15 in the morning, to ask the House of Representatives to go on the Record, because the leadership in the House thought Americans would not notice it if it happened in the middle of the night. The National Rifle Association did not think Americans would care. They are both wrong.

America understands what happened in the dark of night. There was a shot in the dark, and it hit American families right where they live—families who worry about whether sending their kids to school anymore is a safe thing to do, families who wonder, when they say good-bye to their child in the morning, if those are the last words they will ever share with their child.

That is where we are in America. That is where gun violence has brought us. But this is not a fatal shot on the American families. They have, I guess, the hope and the confidence that this Congress will come to its senses and once and for all say no to these gun lobbies and yes to safety in our schools.

The big debate in the House was whether or not we ought to post the Ten Commandments in schools. Let me go on the Record and say I support values for families. I support strengthening families. I believe that those families who believe, as my family did, that the practice of religion is an important part of values, those families should be encouraged in every way whatsoever. We should make sure our kids grow up with values. But it is so naive to believe that simply posting the Ten Commandments in schools is going to change the climate in America.

Perhaps, though, we could post the Ten Commandments at the gun shows and underline the Commandment that says: Thou shalt not kill, saying to people who want to buy and sell these guns without any background checks, accept your moral responsibility for what is about to occur.

The Illinois State Police did a survey of the crime guns they had confiscated recently and found over 25 percent of them came out of these gun shows, sold to people who, frankly, face no background check whatsoever.

We tried to close that loophole in the Senate; the House has failed. We cannot leave this issue alone.

THE PATIENTS' BILL OF RIGHTS

Mr. DURBIN. But there is another issue that haunts American families beyond the violence in our schools and beyond the question of gun safety. It is the issue of health insurance.

Mr. President, 115 million Americans, when asked, said that either they personally or a member of their family had run into serious problems when it came to health insurance and health insurance companies.

I started speaking on the floor about this issue just this week, and I have started getting letters from my State of Illinois and across the country. People said: Yes, you are right. Let me read you two of these letters to give you an idea.

Here is one that comes from Raymond and Marianne Eberhardt. These are folks who, frankly, could be any of us. They write:

> Enclosed is a picture of Theresa, needless to say she is a very beautiful child. She was hospitalized from September 2, 1998 to February 15, 1999 due to fighting the insurance company for certain provisions we could not do without in our home. Her daddy is a police officer and [her] mommy stays at home.
>
> She most likely would not have had to be vented—
>
> She is on a ventilator.
>
> if she were able to leave when the doctors had said she could go. However, we had to fight and fight with the insurance company for things that the doctors had said were needed. So we fought for 2½ months.

Can you imagine, as parents, fighting to keep this lovely little girl alive, getting up every morning and saying a prayer that she will survive, and then getting on the telephone to fight with the insurance company for the basics that the doctors say she needs to continue living? Their battle went on for 2½ months. She writes:

> We eventually did get everything that we needed, except it was a very long battle. Can you imagine having your family separated that long because the insurance company did not want to help? Seven months is a long time for a family to have to go through something like this. Theresa caught RSV in the hospital—
>
> This is a malady which clearly is very serious.
>
> while we were waiting for the appeals to go through.
>
> That is, with the insurance company.
>
> That is why she is now vented and has a trach. Theresa copes extremely well with what all has been done to her. It does not

fade her in the least. She has Spinal Muscular Atrophy Type 1. She is very strong willed and is a joy to be around. I hope something can be done in regards to insurance companies helping families more and be a little more compassionate. I know in my heart we would have lost her if we did not get the proper equipment. I am thankful to them that they eventually changed their minds. I just wish it did not have to take so long.

As a parent, I have sat in a waiting room at the hospital with my daughter in surgery. My wife and I have been through that several times. You will never in your life feel as helpless as that moment. You will never feel as vulnerable. You pray to God that everything turns out right. You hope those doctors and nurses and technicians who are in that operating room are the best and the brightest that could possibly be there. But you don't want to sit there and have to worry about whether you are going to have to fight with an insurance company over whether or not that surgery will go forward or whether, when that surgery is finished, your child receives the kind of treatment that is essential.

Here is another letter we received:

This letter is to introduce you to our precious angel child Roberto Antonio Cortes. He is 11 months old now and is so special to us. He was diagnosed with Spinal Muscular Atrophy Type I, the Werdnig Hoffman disease. He is currently on a home ventilator.

My husband, Rigo, is self-employed at this time and doing contract work out of our house.

They indicated they would be more than happy to talk to our office about the battles they have faced with insurance companies.

Here is another letter from Addison, IL, Dolores Pavletich:

Dear Senator DURBIN,

Just a note to thank you for taking a stand on Health Care Issues.

Last night when I returned home from work and turned on TV, I caught part of C-Span where you, Senator KENNEDY, Senator SCHUMER, Senator DASCHLE [and Senator BOXER] were asking to negotiate the Health Care Issues. When you spoke, you addressed all the issues so many of us are concerned with. I have recently had such bad experiences with Insurance Companies. I started by choosing a doctor from a book, being treated by him, and half way through treatment was told the doctor was dropped [by the insurance company] and I would have to change doctors or they would not pay [for it.] I did not think it was fair to stop treatment and start over with another doctor. I then chose a doctor only to find out that the hospital he was on staff was not [covered by my insurance company] therefore, any tests or blood workup could not be done at his hospital. Blood tests would have to be sent to a lab, and if I had to be admitted to a hospital, I would have to choose yet another doctor.

I am a 57 year old woman, on my own, and now find that the company I work for is down sizing and my job may be eliminated soon. I cannot retire yet, am not eligible for medicare and with only unemployment cannot afford Cobra [Insurance] because of it being so expensive [and I do not know if I can afford it.]

I am so interested in the Health Care Issue I would do anything to help make life easier for so many people. If there is anything I can contribute towards this issue I would gladly devote as much time as possible to assure everyone the right to choose [their doctor, their insurance company.] I wish I could speak to you in person to tell you what people are being faced with today.

Please continue to speak for the majority of people in this country. We've chosen you to do what you do best and we look forward to you to speak for us.

That is why I am here on this floor. We have a choice. We have a thing that we can do that can make a difference. There is a Patients' Bill of Rights the Democrats have introduced, which has been endorsed by over 200 major health organizations, which will finally step forward and stand up for consumers and stand up for families and say we are going to address the basics. We are going to make sure you can choose the specialist you need. We are going to make sure when you sit down in the office with the doctor that you get straight talk and honest answers. You aren't going to hear a doctor parrot some insurance company line instead of telling you the truth about your medical care and what you need.

We want to make certain that when you go to an emergency room, you go to the one you need for your family because of medical necessity. You don't fumble through the dashboard looking for the health insurance policy to figure out which hospital you can go to without paying for it out of your pocket.

These are the basics, to make sure that the women across America who trust their medical care to an OB/GYN can continue to pick that doctor they trust, the doctor they have confidence in, and not be told by the insurance company to pick up and move; to make certain that doctors, when they say surgery is necessary, won't be overruled by some clerk sitting in an insurance company office in Omaha, NE. The decision should be made by our doctors, not by insurance company clerks.

This debate is central to really giving peace of mind to families across America. Why haven't we debated it for over 2 years? Because the insurance companies do not want this issue to come to the floor of the Senate. They do not want to face the votes which we would call for on the floor of the Senate.

The Patients' Bill of Rights that the Democrats support is a bill which gives to those who are providing health care fair treatment. Right now if something happens that is wrong in medical treatment, who gets sued? The doctors and the hospitals. But what if the insurance company made the wrong decision? Under the law, they are protected. The current law protects them. They can't be held accountable. Is that fair? Is that American? I don't believe it is. We are each held accountable for our actions, as every business is held accountable. There is no reason why health insurance companies should be exempt from that responsibility.

Here is what faces us: Will we, in the closing weeks before we break for the Fourth of July or our August recess, have the political courage to bring this issue to the floor? We spent 5 days debating giving protection to computer companies against being sued for Y2K problems, 5 days. We were worried about computer companies. Well, maybe we should be. But can't we spend 5 hours on this debate to stand up for families across America who want protection when it comes to the health care that means so much?

Look at these photographs. Imagine what life is like battling every single day with the insurance company and then praying to God, as you go to sleep at night, that this beautiful little baby will be alive in the morning. That is the reality of health care in America.

I challenge the Republican leadership, challenge them to bring to the floor of the Senate within the next week the Patients' Bill of Rights. Let us have this debate. Let us face the tough votes. That is what we are here for, for goodness' sake. This is supposed to be a deliberative body where we debate and argue and come to the best conclusion for the people we represent.

I will stand behind the Democratic Patients' Bill of Rights, because I believe it is the best one. I believe it is the only one that is honest and complete and will help American families. The Republican plan, as this chart indicates, would leave over 100 million Americans behind, would not give them the protections which we believe are essential to health insurance.

It is true they protect 48 million Americans, just as we do, but they leave behind 113 million who are protected by the Democratic bill.

I think it is time to have this debate, for the good of families across America, for the Pavletichs in Addison, IL, for the Cortez family from Elk Grove Village, for the Eberhardts, who have written to me and told me their story, from Yorkville, IL.

I promise you this: As long as my voice holds out, I will be on my feet on the Senate floor saying to my colleagues, we have a responsibility. The 105th Congress left town a little over 6 months ago and did nothing. It was a do-nothing Congress. This Congress is not going to leave town without addressing this critical issue, this issue that means so much to Americans across this country and people who continue to write on a daily basis.

I will close by saying this: Keep the letters and photographs coming in. As long as you will send me your stories of your family struggling to provide quality health care, I will continue to stand on this floor and tell these stories, in the hopes that my colleagues in the Senate will address this important issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to be able to continue as in morning business for 15 minutes.

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

PATIENTS' BILL OF RIGHTS

Mr. LEAHY. Mr. President, I wish to commend the distinguished senior Senator from Illinois for his statement. The Senator from Illinois represents one of the greatest States of our country, a significant and very large State, with millions of people, ranging from one of the best known, most dynamic cities not only in this country but in the world, and also with very small rural areas. I, in turn, represent a very small State, where the largest city is 40,000 people. We go down to a town of 40 people. But I couldn't help but think, while listening to the statement of my good friend from Illinois, about some of the letters he read. The names of the towns might be different, but we might have heard similar letters from Vermont. Sometimes the problems are compounded by the fact that we are a rural State. As he knows, in the rural areas of his great State the problems are even worse because of the distances they have to travel and the lack of choices they may have. I hope he will continue to speak because he speaks not just for the people of Illinois, but for the people of Vermont and everywhere else.

THE POWERFUL GUN LOBBY

Mr. LEAHY. Mr. President, while we talk about the actions in the other body, it is fascinating to me what has happened in the dark of night. The members of the other body aren't controlling their destiny; it apparently was controlled by a powerful lobby in this country. For a while, the same thing happened in the U.S. Senate. I asked the question on the floor of the Senate: ''Who will run the Senate, the U.S. Senators or the powerful gun lobby?'' Finally, by the slimmest of margins, they answered the question and said that the U.S. Senate will represent the people of America.

I have watched how posturing and symbolism sometimes wins out over substance. Members of the other body are all sworn to uphold the Constitution of the United States. They have taken the same oath that I and every Member of the Senate have taken. They flew in the face of the Constitution, a Supreme Court decision outlined in the Constitution, and said that we, the Members of the Congress, will say the 10 commandments shall be or may be put on schoolhouse walls.

Why did the House of Representatives do this and turn against the Constitution that they are sworn to uphold? Why? So that the students seeing it would be inspired to uphold the law. That's fascinating. We say that the other body will—the House of Representatives—will turn its back on the Constitution, and in so doing will encourage children who should look to them for leadership to uphold the laws of this country. It is an example that I cannot fathom. This is what they ought to do—work harder and make it possible for the parents of these children to spend more time with them, make it possible to have an educational system that can help teach the difference between right and wrong. Perhaps, if they are going to talk about the 10 commandments, they should remind the gun lobby of the fifth commandment: Thou shalt not kill.

PENDING NOMINATION OF BILL LANN LEE

Mr. LEAHY. Mr. President, on Wednesday of this week, I was fortunate to be present during the ceremony commemorating the presentation of the Congressional Gold Medal to Mrs. Rosa Parks. What an inspiring time. I heard Mrs. Parks, Reverend Jackson, and the President each take the occasion to remind us that the struggle for equality is not over.

I heard Jesse Norman, with that incomparable voice, sing to us both our National Anthem and really the anthem of the civil rights movement. Every one of us—black or white, old or young, man or woman, Republican or Democrat, were inspired by what we saw and heard. How could you not be inspired in the magnificent rotunda of the U.S. Capitol?

But then I went back to my office and I started asking myself, have we listened? I serve as the ranking Member of the Senate Judiciary Committee, and the committee still has pending before it, waiting, the nomination of another who has dedicated his life's work to the rights of others. I asked the Judiciary Committee on Thursday, in the spirit of the Congressional Gold Medal to Rosa Parks, and in the tradition of Rosa Parks, that the committee recognize the quiet dignity and strength of Bill Lann Lee and send his nomination to the full Senate so that the U.S. Senate may, at long last, vote on that nomination and, I hope, confirm this fine American to full rank as the Assistant Attorney General for Civil Rights.

Bill Lann Lee is the first Asian American to be nominated to head the Civil Rights Division in its 42-year history. He is currently serving as Acting Assistant Attorney General for Civil Rights, as he has for almost 18 months. He has done an impressive job in enforcing our Nation's civil rights laws. Mr. Lee was originally nominated in July of 1997, almost exactly 2 years ago. Two years is too long to have to wait for a vote by the Senate on this nomination. I hope the Senate will be allowed the opportunity to vote on his nomination before the Fourth of July recess.

Six former Assistant Attorneys General for Civil Rights, from the Eisenhower administration through the Bush administration, wrote the Judiciary Committee in November of 1997 in support of this outstanding nominee: Harold Tyler, Burke Marshall, Stephen J. Pollak, J. Stanley Pottinger, Drew Days, and John R. Dunne. Nonetheless, the Senate did not vote, and Mr. Lee had to be renominated again in January of 1998 and, again, in March of 1999.

It is past time to do the right thing, the honorable thing, and report this qualified nominee to the Senate so the Senate may fulfill its constitutional duty under the advise and consent clause and vote on this nomination. In deference to the advise and consent power of the Senate, the President has not used his recess appointment power in connection with this nomination.

After consultation with the Senate in late 1997, the President chose to renominate Mr. Lee in January 1998. The Attorney General named him Acting Assistant Attorney General. When the Senate refused all last year to consider the nomination—not to vote him up or down, or not to even vote at all—the President sent that nomination to the Senate for a third time in a third succeeding year, in 1999. Now, no one can fairly contend that the Senate has not been respected. The President has gone the extra mile, and Mr. Lee has shown extraordinary patience during this extended period of Senate indifference to his nomination.

Acting Assistant Attorney General Lee is properly serving while his nomination remains pending. It is the responsibility of the Senate to vote on that nomination. I believe that in a fair and open vote on the merits of this nomination on the Senate floor, the Senate will embrace the opportunity to confirm this fine person, this dedicated public servant. They will confirm him.

If I am wrong, if the Senate were to disappoint me and all those who support this nomination, and if a majority of the Senate were to vote against the nomination, and then he could not continue to serve as Acting Assistant Attorney General—that is a mechanism Congress established by law, but it properly relies on a vote by the U.S. Senate.

Civil rights is about human dignity and opportunity. Bill Lann Lee's nomination ought to have the opportunity for an up-or-down vote on the Senate floor. Twenty-three months and 3 sessions of Congress is too long for this nomination to have to wait. He should no longer be forced to ride in the ''back of the nominations bus,'' but be given the fair vote he deserves.

When Bill Lee appeared before our committee way back in 1997, he testified candidly about his views, his work and his values. He told us why he became a person who has dedicated his life to equal justice for all, specially when he talked about the treatment his parents received as immigrants. He told us how his parents faced prejudice almost every day here in this country. But Mr. Lee told us how, in spite of his father's personal treatment, the experience of prejudice he faced, the names he was called, and the slurs he had to

hear, his father, William Lee, remained a fierce American patriot and volunteered to serve in the U.S. Army Air Corps in World War II.

He never lost his belief in America. His father, William Lee, inspired his son, Bill, just as Bill Lann Lee now inspires his own children and countless others across the land.

This is what he told us:

My father is my hero, but I confess that I found it difficult for many years to appreciate his unflinching patriotism in the face of daily indignities. In my youth, I did not understand how he could remain so deeply grateful to a country where he and my mother faced so much intolerance. But I began to appreciate that the vision he had of being an American was a vision so compelling that he could set aside the momentary ugliness. He know that the basic American tenet of equality of opportunity is the bedrock of our society.

I know that Bill Lann Lee has remained true to all that his father taught him and I hope that the ''momentary ugliness'' of people opposing his nomination based on an ideological litmus test, and of people distorting his achievements and beliefs, and of some succumbing to narrow partisanship, will not be his reward for a career of good works. Such treatment drives good people from public service and distorts the role of the Senate.

Bill Lee's skills, his experience, the compelling personal journey that he and his family have traveled, his commitment to full opportunity for all Americans—these qualities appeal to the best in us. Let us affirm the best in us. Let us confirm—or at least allow the Senate to vote on the confirmation—of this good man. We need Bill Lee's proven problem-solving abilities in these difficult times.

If the Senate is allowed to decide, I believe Bill Lann Lee will be confirmed and will move this country forward to a time when discrimination will subside and affirmative action is no longer needed; a time when each child—girl or boy, black or white, rich or poor, urban or rural, regardless of national or ethnic origin and regardless of sexual orientation or disability—shall have a fair and equal opportunity to live the American dream.

I have often referred to the Senate as acting at its best when it serves as the conscience of the Nation. In my 25 years I have seen it do that. Again I speak to the conscience of this body. I call on the Judiciary Committee of the Senate to bring this nomination to the floor. Let the Senate have an up-or-down vote on Bill Lann Lee without obstruction, without further delays, so the Senate may vote.

If we do, I am convinced that a majority of this body will confirm a fine person to lead the Civil Rights Division into the next century. Racial discrimination and harmful discrimination in all its forms remains one of the most vexing, unsolved problems in all of our society. In a country so blessed as ours, so rich, so powerful, so wonderful, we still have this cancer of discrimination that shows up randomly throughout our society. Let's not perpetuate it here in the Senate. Let the Senate move forward from the ceremony commemorating the Congressional Gold Medal for Rosa Parks by doing what is right, by voting on the nomination of Bill Lann Lee.

I yield the floor.

ADJOURNMENT UNTIL MONDAY, JUNE 21, 1999

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 12 noon, Monday, June 21, 1999.

Thereupon, the Senate, at 12:54 p.m., adjourned until Monday, June 21, 1999, at 12 noon.