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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 Father, Giver of every good gift for our growth as Your people, we acknowledge our utter dependence on You. All that we have we received from You. You sustain us day by day, moment by moment. We deliberately empty our minds and hearts of anything that does not glorify You. We release to you any pride, self-serving attitude, or willfulness that we may have harbored in our hearts. We ask You to take from us anything that makes it difficult not only to love but to like certain people. May our relationships reflect Your initiative love and forgiveness.

We commit to You the work of this day. Fill this Chamber with Your presence and each Senator with Your power that whatever is planned or proposed may bring our Nation closer to Your righteousness in every aspect of our society. You are our Lord and Savior. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHUCK HAGEL, a Senator from the State of Nebraska, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. HAGEL). The acting majority leader.

SCHEDULE

Mr. CAMPBELL. Mr. President, today the Senate will be in a period for

morning business until 11 a.m. By previous consent, the Senate will proceed to a vote on the Wellstone amendment No. 2888 at 11 a.m. with 2 minutes equally divided prior to the vote. Following that vote, the Senate will immediately vote on final passage of the bill. Therefore, Senators may expect the first votes of the day at approximately 11 a.m. This afternoon, the Senate may begin consideration of any other Legislative or Executive Calendar items cleared for action.

MEASURES PLACED ON THE CALENDAR—H.R. 3081 AND S. 2267

Mr. CAMPBELL. Mr. President, I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report the bills by title.

The legislative clerk read as follows:

A bill (H.R. 3081) to amend the Internal Revenue Code of 1986 to provide tax benefits for small businesses, to amend the Fair Labor Standards Act of 1938 to increase the minimum wage, and for other purposes.

A bill (S. 2267) to direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing substances by athletes, and for other purposes.

Mr. CAMPBELL. Mr. President, I object to further proceedings on these bills at this time.

The PRESIDING OFFICER. Under the rules, the bills will be placed on the calendar.

Mr. CAMPBELL. Mr. President, I had reserved 10 minutes for morning business. My friend from Nevada has a comment he wants to make.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I express my appreciation to the Senator. I want to speak now and use some of the leader's time.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I appreciate the courtesy of my friend from Colorado. He and I

have worked together on many different issues.

EXPORT ADMINISTRATION ACT

Mr. REID. Mr. President, this morning I want to talk about export controls. We all brag and are enthused about what is going on in the high-tech industry in America. There are stories we can tell of friends who have made huge amounts of money in the new economy.

It is truly unbelievable and remarkable what we can do today. This little thing I carry in my pocket has all my addresses and phone numbers. It has in it a dictionary. It has in it a calculator. It has in it the Old and New Testaments. It is unbelievable what is in this little, tiny thing I carry around in my pocket. With the flick of my hand, I can get anything I want out of this.

While we are talking a good game in Washington, we are not doing a good job to support this strong economy and to make sure the high-tech industry is allowed to continue.

We need to pass the Export Administration Act. We have not passed it. As a result—and it will happen if we do not pass a law—this industry is going to go someplace else with the jobs. The Bureau of Export Administration and the Defense Department are still conducting their business as if we were in the cold war. The cold war is over, and we have to really understand the economic and political world has changed dramatically.

Last year, Senators GRAMM, ENZI, and JOHNSON, together with the leader, Senator LOTT, agreed to move forward the Export Administration Act before the end of 1999. Each one of those Senators has lived up to what they said they would do. They have tried to move the bill forward. The chairman of the Banking Committee, Senator GRAMM, has worked very hard to move this legislation forward. Senators ENZI and JOHNSON have worked hard. The

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



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majority leader has tried to move this legislation forward.

Frankly, the majority is unable to join together to allow us to move this bill forward. It was on the floor for an hour or so 2 weeks ago. I repeat, it is not for lack of trying by Senators GRAMM, ENZI, and JOHNSON. They all worked in good faith and have tried to accommodate everyone.

When the bill passed out of the Banking Committee, it had the full support of the committee, while still protecting our national security. I am afraid, due to the serious disagreements within the majority, this bill will not come to the floor anytime soon. That is really too bad.

I have the greatest respect and admiration for the ability of Senator GRAMM of Texas to legislate. He has done many things from the time he was in the House to his time in the Senate. I hope he can use some of the experience and wisdom he has to move this forward. The majority must move this bill. I do not believe we are living up to what is necessary for this burgeoning economy if we do not move this legislation.

A couple days ago, I met with members of the high-tech industry. They voiced concerns about the need to update our export policies. They said it was one of their two or three top concerns and, frankly, a few Members of the majority are stopping our Nation's progress in this area.

As with many issues, I often hear Congress will best serve the public and industry by doing nothing at all. That is simply not true. This is one of the areas in which we can be of great help to the high-tech community, in export controls. It is essential. There are currently a number of U.S. products that cannot compete with our foreign competitors due to export control limitations, not because of national security interests but because of the slow review process in Congress. We are trying to change that. That is what I am talking about.

In June of 1999 and January of this year, with the urging of the minority leader, Senator DASCHLE, myself, and others, the administration agreed to ease the level of controls which are referred to as MTOPS—million theoretical operations per second. MTOPS. We, as well as those in the computer industry, were elated by the news.

However, as it stands now, there is a 6-month congressional review period for raising the level of MTOPS. The Banking Committee bill reduces the time from 180 days to 60 days. This is a step in the right direction. But I, along with Senator BENNETT of Utah, Senator DASCHLE, Senator KERRY of Massachusetts, Senator MURRAY, Senator BINGAMAN, Senator KENNEDY, and Senator BOXER, believe a further reduction is necessary; that is, to 30 days. There is an amendment pending, if this bill ever comes back up, to change it to 30 days. I am confident it will be adopted overwhelmingly.

The reality of the situation is, by limiting American companies to this degree, we are not only losing short-term market share but we are allowing foreign companies to make more money and, in turn, create better products in the future, to which we will never catch up. This could lead to the eventual loss of our Nation's lead, and it is an absolute lead in computer technology, which has propelled the United States to the good economic standing we are experiencing today. The issue of updating our export controls is critical to our Nation's economy and the success of our high-tech industry.

I urge the majority to move this bill forward, to allow the amendment process, and let's get on with it. The cold war is over. People must understand the cold war is over. If American companies can make more money overseas, they will simply invest more money into research and development there, and that is wrong.

I extend my appreciation to my friend from Colorado for allowing me to proceed.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 11 a.m. with time to be equally divided between the Senator from Idaho, Mr. CRAIG, or his designee, and the Senator from Illinois, Mr. DURBIN, or his designee.

Under the previous order, the Senator from Idaho, Mr. CRAIG, shall be in control of the first half of time.

The Senator from Colorado.

THE OIL CRISIS

Mr. CAMPBELL. Mr. President, I would like to proceed in morning business for about 10 minutes. I would like to add my comments to those of my colleagues who spoke yesterday who were concerned about the rising cost of fuel. Many of my friends and colleagues have spoken to the issue of our rising dependency on foreign oil. This morning, I would like to take a little different perspective and talk a little bit about how the crisis affects the backbone of American commerce, which is the backbone of the American trucking industry.

Over 95 percent of all commercial manufactured goods and agricultural products are shipped by truck at some point. Mr. President, 9.6 million people have jobs directly or indirectly related to trucking. In addition, trucking contributes over 5 percent of America's gross domestic product which is the equivalent of \$272 billion in the econ-

omy every single year. Over 6.7 billion tons of goods are shipped in this Nation every year. Those are staggering numbers. I use them to emphasize the impact that trucks have in America.

I know the trucking life myself. I started driving when I was 21, when I got out of the service. I put myself through college by driving an 18-wheeler. Last year, I decided to renew my commercial driver's license in the State of Colorado and I attended a truck-driving school to do that. I have a small tractor trailer so I know firsthand the impact of the increase of fuel. Paying the bill for 200 gallons of fuel in a truck is not like filling up the family car, and these long-line trucks, by the way, fill up every day.

Last week, while the Senate was in recess, I spent the week making deliveries in a truck along Colorado's Front Range. I did it so I could see and hear firsthand what truckers, as well as shippers and other related businesses, are going through. At diners, gas stations, and delivery points, they told me from their perspective it is much worse than anyone in Washington may imagine.

While I was driving, I met a man named Wesley White from Oregon who said he was on his last run. He couldn't afford to continue fueling his truck. He had been a policeman for over 20 years and at the end of his police service he retired, took his pension, and bought a truck with the intent of going into business for himself. But, this time around when he gets home he is going to park the truck for good. Without the income from delivering goods, he is not going to be able to make his truck payments. He will lose the business of the truck and he will also lose his pension which he used to buy the truck.

Wesley is not alone. Three times in the last 2 months, hundreds of truckers from all over the United States have come to Washington to ask for help. I attended the first rally in February, and I went to another one yesterday. One thing I did learn, when these people come to Washington, they are not here to complain about profit margins or stock prices. They are here because their very livelihood is on the line.

I have to tell you, Mr. President, I never met a trucker who wanted a handout. They want a job, a fair shake, and fairness from Congress. One trucker I met at the last rally I went to had a wife and two small children. The four of them were actually living in the sleeper of the truck because the increased price of diesel fuel did not leave them enough money at the end of the month to even pay house rent.

Unfortunately, this administration has ignored the plight of these hard-working Americans. The administration has got us into this mess by the total lack of any energy policy. They stand in the way of domestic oil production, they refuse to release Federal fuel stockpiles to drive the cost of fuel down, and they continually lock up public lands so we cannot explore for

new resources. Now faced with skyrocketing diesel prices, they still do nothing of substance, instead they are hoping the OPEC oil ministers will reverse their strategy to limit production and increase fuel prices.

We fought the gulf war, as you and I know, and this is how we get repaid. In fact, in a rather strange twist of fate we are now also dependent on Iraqi oil.

Instead of increasing our own resources, the Secretary recently went to the Middle East, hat in hand, to beg for fuel. Now administration officials are coming before Congress to propose we study alternative energy resources. I have news for them. Trucks don't run on solar and they don't run on wind; they run on diesel. Everything we buy, eat or wear is delivered on a truck. If they stop rolling, very simply this Nation also comes to a stop.

Even if OPEC increases production, the effect on the American consumers will be months away, we need immediate relief. In that context, I recently introduced S. 2161 entitled "The American Transportation Recovery and Highway Trust Fund Protection Act of 2000." This bill would temporarily suspend the Federal excise tax on diesel fuel for 1 year, or until the price of crude oil is reduced to the December 31, 1999, level. It would replace lost revenues with moneys from the budget surplus in the general fund while protecting the highway trust fund. The bill has bipartisan support, with 12 cosponsors. Even at that, we know it is only a short-term solution.

The real problem is our dependency on foreign oil. All the negotiations this administration is doing to get OPEC to open its spigots is not more than a Band-Aid approach to the problem that will continually revisit us as long as we are dependent on foreign oil. The administration has known this and the danger to our national security since 1994. Senator MURKOWSKI spoke to that yesterday.

It is unfortunate we, as a global superpower, are reduced to begging. More forceful actions are needed and must be taken to expose the severity of the problem and to address it now and in months to come. We cannot simply stand by and do nothing.

We can do better. We should be opening new oil fields. We should be doing better incentive work to keep the stripper wells from closing, and certainly we should renew our efforts in oil shale and other renewable fuels that can be turned into gasoline oil. Most of all, we have to untether ourselves from Mideast oil.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, a number of my Republican colleagues have spoken on the floor about the absence of an energy policy on the part of the Clinton-Gore administration. I believe that description is only half right. It is true the Clinton-Gore administration has no express energy policy that

would lead or even contribute to U.S. energy independence. But the Clinton-Gore administration, on the other hand, does have a very significant implicit energy policy. Under that policy, it discourages or prohibits exploration for either oil or natural gas over extensive and increasingly large areas of our country.

Under that implicit energy policy, it proposes to reduce the amount of hydroelectric power we have and, in fact, to treat hydroelectric power as though it were not renewable.

Under that implicit energy policy, it has given us an increasing dependence each year on foreign sources for petroleum products, now at 55 or 56 percent, and inevitably directed at 65 percent or two-thirds of that oil. Implicitly, it has given us an energy policy that resulted last month in the largest single trade deficit in the history of the United States, due, in major part, to imports of petroleum products and a trade deficit that will inevitably continue to increase.

So suddenly we do have a short-term explicit energy policy. It is to send the Secretary of Energy of the United States of America, hat in hand, to countries in Latin America, in Southwest Asia, and now most recently into Nigeria, to plead with these countries to lower the cost of the oil they send to us. This is a total abdication of the appropriate policy of an administration interested in the trade balance of the United States and in energy independence for the United States.

Mr. President, what is the answer to this question? Obviously, in the short term our hands are relatively tied. We do, however, have one option in front of us which we can engage immediately that will provide at least modest relief to the American people during the course of this energy crisis, and that is the elimination—whether permanent or temporary—of the 4.3-cent motor vehicle fuel tax that was imposed by the President and the Congress in 1993. I am convinced we should follow that course of action. It is urgent for everyone. It is overwhelmingly urgent for the airlines of the United States that operate in a highly competitive atmosphere. They are being brutally punished, along with their passengers, with the increased airfare caused by that tax.

This is an option the Congress could and should take up and pass with extreme promptness. However, in the long run, the more important solution is a longer-term solution. That solution lies on two sides: the supply of energy for the people of the United States to use and the way in which we use that energy with appropriate conservation measures.

From the point of view of supply, when we deal with petroleum alone, we should change policies which have discouraged production in the United States—policies of regulation and taxation and hostility that have closed down existing sources of supply in various parts of the United States.

We should very seriously consider and move toward the creation of new sources of supply rather than cutting them off and prohibiting them, whether they are in the North Slope of Alaska or in various parts of the lower 48 States of the United States. We need to do this in order to have any leverage with the rest of the world with respect to the prices it charges us for petroleum supplies. This policy should apply not only to petroleum but to natural gas as well.

Second, I am convinced we should continue to encourage and should encourage even more the production of at least supplements to our petroleum supply that are totally within the control of the United States and that are renewable in nature. Ethanol perhaps ranks as No. 1 on this particular list. It can be produced by American grain. It adds to our supply, and it is, of course, completely within our own control, and it enriches the people who provide these agricultural commodities.

Next, from the point of view of conservation, I point out the utter and insane folly of proposing to remove dams from the Snake River that produce renewable and environmentally benign electric power. If those dams are removed, as many in the administration wish to do, we will end up putting 700,000 trucks on the roads of the northwestern part of the United States each and every year more than are on those roads at the present time—major trucks that carry grain and other products for export. The idea that we should be using all of that additional amount of diesel and gasoline fuel is simply, in my view, beyond reasonable consideration.

Finally, I believe we have to aim at the way in which we as Americans use power, and particularly motor vehicle fuels. Last July, for the first time in several years, this body was asked once again by me and by other Senators to go back to the successes of the 1970s and to reestablish a Government program to improve the energy efficiency of our automobiles and small trucks, the so-called CAFE standards. In the 1970s, this was one of the most successful programs—the single most successful governmental program—in history. We came close to doubling the average mileage of our passenger automobiles during that period of time. This crisis would not be a crisis; it would be an unmitigated disaster had those who perceived it not established and implemented those policies of the 1970s. But in the early 1980s, we abandoned that policy, and we have abandoned it ever since.

We have even gone so far in this body and in the other body to prohibit any study of increasing CAFE standards, as far as small trucks are concerned, and even automobiles at any time in the immediate future. When we voted on that proposition last July, 40 Members of this body—not a majority but a very substantial minority—voted in favor of it before there was a crisis. Now the

crisis is upon us. Now we have people wondering why it is our small trucks and SUVs are so energy inefficient. People are being punished by the lack of foresight of this administration and having the cost of operating those vehicles increase exponentially, and it is often not affordable.

I am convinced that in addition to providing a greater degree of supply from sources within the United States we must, once again, focus on making our use of that energy and particularly making petroleum energy more efficient. The best way we can do that is by going back to the CAFE standard regime we had a generation ago in the United States and doing what is technologically quite feasible to do by increasing anywhere from 20 to 50 percent the efficiency of the engines that use petroleum products. That would be a true energy policy—an energy policy both for the short term and the long term, a policy which is totally and completely lacking in the Clinton-Gore administration at the present time.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Senator from Maine.

Ms. SNOWE. Mr. President, I rise today to join many of my colleagues in expressing my deepest concern about the problem concerning energy and the cost of energy to many working Americans, and certainly to my constituents in the State of Maine.

We have been plagued by a significant surge in increases at the pump—certainly during the wintertime in the State of Maine concerning oil prices, home heating oil prices that more than doubled within a 1-month period, not to mention the gasoline prices we are seeing and the tremendous spike in those prices, as well. And, even according to the Department of Energy's own information, we will not expect an abatement of those prices by the end of the year. In fact, we can expect to have continuously high prices in terms of gasoline.

We know that the OPEC countries are going to be meeting on Monday, 4 days from now. We hope the administration and the Congress sends an unequivocal message that they rethink their unconscionable policy of keeping a very low level of production when it comes to petroleum products.

We know that a year ago in October they made a decision to limit production when it came to oil. The administration was well aware of the fact that the OPEC cartel had made a deliberate and concerted decision to limit the production of oil. Even last fall, the Department of Energy's own report indicated that we could expect a 40-per-

cent rise in home heating oil prices, and if it was a severe winter, a 30-percent rise in home heating oil prices. That was more than a 70-percent increase projected by the Department of Energy with respect to home heating oil prices. That was anticipated by our own Department of Energy last October.

In fact, my constituents in the State of Maine faced a 100-percent increase in home heating oil prices—a 100-percent increase. Yet we had silence from the administration—silence when the OPEC cartel made this decision to limit the production of oil without any apparent reason, and without any rationale.

Then the Department of Energy anticipated we could have up toward a 70-percent increase in home heating oil prices. In fact, we face a 100-percent increase. Yet there was a deafening silence from the administration when it came to the types of policies that could mitigate the burden the surging prices imposed on working Americans.

Here we are today anticipating what might or might not happen on Monday, the kinds of decisions made by the OPEC cartel. I hope the administration is working very hard to send a strong message that the OPEC cartel should reconsider its policy. Its policy is all the more shocking when we consider the men and women all across this country who defended the freedom of democracy for countries such as Kuwait and Saudi Arabia, that the United States lost 147 American lives, 458 were wounded, and 23 were taken prisoner in the struggle during the Persian Gulf war.

I think it is entirely appropriate for Congress and the administration to press OPEC in terms of the kind of decision they should be making on Monday. The administration also should consider predicating foreign assistance to some of these foreign countries that are part of the decisionmaking of the OPEC cartel, such as Mexico, whom we bailed out 5 years ago when it came to the peso crisis to the tune of \$13.5 billion. We were prepared to bail them out up to the tune of \$20 billion to ease the economic hardship imposed on their people. It is no different now.

Or Indonesia and Nigeria, for whom the President is proposing \$256 million in economic assistance because these are countries in transition. Again, our assistance should be predicated on their cooperation.

Those are the kinds of issues we must confront. In the short term, we have to deal with the reality of what is happening at the gas pump. I hope Congress will give consideration to recommendations that will be made by many who have been working on this issue to suspend the 4.3-cent gas tax which many Members opposed back in 1993 because we didn't think this was a hardship we should impose on the American people.

Beyond that, if the price of gasoline is going to surge upwards of \$2—which

it is already doing in California—we should clearly suspend all of the taxes on diesel and gasoline because it is that important to our economy and to Americans in all parts of the country, not just in one region; it will be in all regions.

When the Department of Energy says it would undoubtedly be too late to deflect domestic gasoline prices on their way to record nominal levels and may be too little to reduce prices much by the end of the year 2000, clearly we have something to be concerned about.

No one really knows even if OPEC will make a positive decision on Monday. I am concerned about the decision they will make on Monday or if they decide to have other meetings.

What does that all mean if this does not translate into lower prices at the gas pump this summer? We clearly will have problems. I know my State will have problems. It is a tourist State. We rely on tourism. It is the second biggest industry in the State of Maine.

I think we have to be prepared. I hope we do fashion a policy that is contingent upon what the price might be, irrespective of the decision made by OPEC. That is a decision the administration is not prepared to make, and they are not even prepared to take a step forward in any direction. The President announced last week: We will do a reserve in the Northeast but we need to do an environmental impact study; it needs legislation from Congress.

Senator DODD introduced legislation in which many joined because we think it is a prudent policy to set up a reserve in the Northeast to mitigate the impact of high price increases or an interruption in oil supply. What is so difficult about that? The President can't even take that step. He says there are a lot of contingencies involved. In effect, we don't have anything from this administration to address this problem. We don't have an energy policy.

Congress is going to have to take the concerted steps necessary to address these problems in the short term to be sure these are short-term solutions. We also have to look at the long term. I did support the CAFE standard issue that Senator GORTON addressed today as well. Obviously, the costs have been significant to this country in terms of transportation. We need to get better fuel efficiency with respect to automobiles and minivans.

We also should look at providing some incentives for the marginal producers in this country, the small producers, about which Senator HUTCHISON has also talked, as well. Congress will have to take the lead because it is clear that this administration is not intending to in any respect. Beyond anticipating we will have this problem this year, the administration has been virtually silent. I hope they make the message very clear to the OPEC countries about how important their decision will be on Monday.

Beyond that, we also have to be prepared for any contingencies in the future that these prices might not decline in the short term or for the remainder of this year. Frankly, it is not just my word, it is the word of the Department of Energy.

Again, I hope we will be taking actions in the next few days irrespective of what the decision might be from the OPEC nations.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Idaho.

Mr. CRAIG. Mr. President, I have come to the floor today, as has the Senator from Maine, to speak about the energy crisis our country finds itself in. Let me use those words again: energy crisis.

A week and a half ago, Senator SNOWE was before my subcommittee testifying on some key legislation she has introduced. The Senator from Maine recognizes the phenomenal impact high energy costs have on her State. Whether it is home heating or the transportation systems that drive her industries, she has recognized it clearly and early on announced to this administration there was a problem coming and encouraged them to change their policy. Yet they have done nothing.

As I listened to the Senator from Maine this morning, she spoke very clearly about what this country needs to do. I strongly support the words she has stated for the RECORD.

When the Clinton-Gore administration came to town in 1993, it announced its intent to drastically alter the way the Nation used energy, especially fossil fuels. Remember, briefly, the President and the Vice President determined that through the use of a broad-based Btu tax, they would drive us away from our most abundant and economical fuels to a renewable solar wind or biomass system. The objective has remained a hallmark of this administration's energy policy. That is all they have wanted to talk about until now.

Their policy now is to send the Secretary of Energy abroad with a tin cup, begging at the wells of foreign energy producers, asking them to please turn on their tap. We will know next Monday whether the begging of Bill Richardson and the energy policy of this administration has worked.

President Clinton promised early when he came to town that the tax he proposed, \$72 billion over 5 years, was going to be fair, it was going to be healthful, it was going to force down dependency on foreign oil, and do the right things for consumers. In fact, it would have unfairly punished energy-intensive States such as mine, Western States where transportation needs and movements spread across broad expanses in agricultural States such as mine. The American Petroleum Insurance Institute and the National Association of Manufacturers predicted the tax would hurt exports, reduce GDP in this country by \$38 billion, and destroy

some 700,000 jobs. Yet the administration wouldn't listen. They drove on, pushing the tax issue.

Clinton and Gore claimed the tax was needed to balance the budget and fund large new spending programs to offset the negative impact of the tax. They also claimed the use of crude oil imports would fall dramatically, by 400,000 barrels a day.

At that time, DOE's own projections predicted the tax would shave oil import growth by less than one-tenth after 10 years. DOE predicted by the year 2000, Americans would depend on foreign oil for three-fifths of their total crude oil requirements.

The American Petroleum Institute testified before the Energy Committee on which I sit. It said:

... even if imports were to fall by the full 400,000 barrels a day claimed by the administration, the cost of \$34 billion in lost GDP is excessive relative to other alternatives for improving energy security. Using the administration's optimistic predictions, the cost of the Btu tax works out to be about \$230 a barrel.

That is right, \$230 a barrel. In the end, Congress refused. Thank goodness we listened to the experts. We didn't listen to the politics of the Clinton-Gore administration, and we said no. Hopefully, in the next few days we will also reverse something that was largely a Clinton-Gore initiative and that was the 4.3-cent-per-gallon gas tax that our consumers are now paying.

The Clinton-Gore administration's obsession with the use of fossil fuel reduction has actually put us in the position we find ourselves today. What does our President say? On March 7 of this year, he said:

Americans should not want them [oil prices] to drop to \$10 or \$12 again because that ... takes our mind off the business of ... alternative fuels, energy conservation, reducing the impact of all of this on global warming.

Mr. President, we should not take our minds off energy conservation. That is good policy. We should not take our minds off alternative fuels, that is also good policy. But saying you are going to tax hydrocarbons out of existence and now finding this Nation pushing itself into an inflationary mode, finding our costs going up dramatically because of your policies, it was wrongheaded then and it is wrongheaded now. And we know it.

What has happened since 1993? Domestic oil production is down 17 percent. Domestic crude oil consumption is up 14 percent. Dependence on foreign oil sources of crude oil has risen to 56 percent of our total crude requirements.

In 1973, during the Arab oil embargo, our dependence on foreign crude was 36 percent of our crude oil requirement.

Iraq is our fastest growing source for U.S. crude imports, about 700,000 barrels a day. I have one thing to say to the President: Shame on you. Shame on you for the absence of policy and the clear knowledge that you had, that all of us had, that this kind of depend-

ency would ultimately result if we did not push and we did not drive toward a more effective domestic policy to increase production and find all the other effective conservation uses we could find.

The Clinton-Gore administration, while making much of the increase in efficiency, greater use of renewables from biomass, and other things, ignores the very fundamental fact that a large part of our energy use cannot be addressed by these measures. Sure, it is an important part of the blend but a very small percentage of what is absolutely and necessarily needed.

Of course, those of us who come from agriculture recognize the importance of crude oil feed stocks to the chemical industry and the products they produce, which results in the high quality of agriculture production in our country. The administration fails to encourage domestic oil production and the production of coal and natural gas that now leads us to this point.

The administration has refused to acknowledge the vast reserves of oil and gas offshore, in Alaska and the Rocky Mountain overthrust area. Of course, we, the consumers, are now paying the price.

The Clinton-Gore administration recently announced a ban on future exploration on most of the Federal Outer Continental Shelf until the year 2012. Can you imagine that? Here we are, increasingly dependent on foreign sources, and the President turns his back on some of the largest reserves left in this country to be explored by some of the finest technology in environmentally sensitive ways that we now know, to bring oil into production in the Outer Continental Shelf.

In 1996, the administration resorted to the use of the Antiquities Act to lock up 23 billion tons of mineable low-sulfur, high-quality coal in Utah. The story goes on and on.

I would argue the Clinton-Gore administration has acted in other ways designed to force us away from the use of all of these resources that are so abundant and so available to us and wise for us to use. At the present rate, we are now demonstrating our unwillingness to produce at the local, national level. We will be 56-percent dependent, moving into 60-percent dependent in very short order.

The U.S. Forest Service has issued road construction policies that are designed to restrict the energy industry's ability to explore for oil and gas on Forest Service lands.

The Clinton-Gore administration has vetoed legislation that would have opened the coastal plain of the remote Alaska National Wildlife Reserve denying the Nation access to an estimated 16 billion barrels of domestic crude oil.

The administration has ignored a report prepared by the National Petroleum Council, requested by the Energy Secretary, explaining how the Nation can increase production and use of domestic natural gas resources from

about 22 trillion cubic feet per year to more than 30 trillion cubic feet per year over the next 10 to 12 years.

The Clinton-Gore administration has shown little interest in solving our domestic energy problems until now as foreign oil producers have forced crude oil prices to over \$30 per barrel and gasoline prices to almost \$2 per gallon—double prices of only little more than a year ago.

I would argue that the Clinton-Gore administration has acted in other ways designed to force us away from the use of readily available, relatively inexpensive fossil fuels. It has chosen especially to vilify and deny the use of our most abundant national energy resource—coal. My distinguished friend from West Virginia, Senator ROBERT BYRD spoke eloquently yesterday on this subject and I want to add a few thoughts to his.

The U.S. has the world's largest demonstrated coal reserve base and accounts for more than 90 percent of our total fossil energy reserves.

At present rates of recovery and use, U.S. reserves will last more than 270 years.

Coal is used to generate over 56 percent of our electricity supply—and about 88 percent of the Midwest's electricity needs.

Coal use for electric power has risen more than 250 percent since 1970 while sulfur dioxide emissions have decreased to 21 percent below 1970 levels and introduction of new cleaner coal combustion technologies will continue to push emissions of all types down.

Electricity from hydro represents about 10 to 12 percent of our electricity needs.

Nuclear powerplants meet about 20 percent of our total electricity demand.

Yet the Clinton-Gore administration takes a dim view of these sources and has taken steps to reduce their use.

In November 1999 the Environmental Protection Agency sued several coal burning utilities claiming they made major modifications to their facilities without applying for New Source Review permits. Utilities maintain that the modifications fall within the "routine maintenance" exception to the new source rule, and that EPA had routinely approved such actions in the past.

EPA is discussing the notion that new source review should include "voluntary" regulation of CO₂—which is not a poisonous gas and which is not regulated by any part of the Clean Air Act.

EPA recently changed the toxics release inventory to require electric utilities to report chemical release data. The level at which reporting is required for Mercury was lowered by an order of magnitude. In making these changes EPA presented no studies or supporting rationale for why nearby communities should suddenly be concerned about such releases. Nevertheless, the reports will be widely pub-

lished thereby placing utilities at the top of the list of "dirty" facilities.

In 1993, EPA concluded that coal combustion wastes (fly ash, bottom ash, slag waste, and other combustion products) from electric utility generation do not warrant hazardous waste regulation. EPA appears now to be prepared to reverse an EPA staff decision that coal combustion wastes do not warrant regulation as "hazardous."

In 1998, EPA issued revised Nitrogen Oxides New Source Performance Standards for all new and existing utility and industrial boilers. It based its standard on a single, very expensive control system regardless of boiler and fuel type.

Interior Secretary Bruce Babbitt has talked openly about "tearing down dams" in the West to restore habitat for fish, ignoring the power and transportation benefits they provide. And, the administration is imposing new, often impossible criteria that must be met before federal licenses can be re-issued. Many existing hydro projects will seek relicensing over the next several decades.

Finally, the Clinton-Gore administration continues to threaten veto of legislation designed to create a permanent nuclear waste storage facility and which fulfills a longstanding promise by the federal government to create such a facility. Without a federal storage facility, U.S. nuclear generating stations, which are running out of on-site storage capacity may be forced to shut down their operations.

There are too many more examples of the Clinton-Gore administration's failure to produce a coherent, balanced national energy plan. It almost seems they are trying to create crisis after crisis in the hope that a magical solution will rise from the chaos—fat chance. Solving these problems requires tough choices and I suggest that we begin now by pursuing a number of short to long term objectives.

We should work with our Western Hemisphere neighbors to help them increase their crude oil production.

We should provide relief to consumers by cutting taxes on fuels derived from crude oil, such as the 4.3-cents a gallon tax and the 24-cent a gallon tax on highway diesel fuel and taxes on fuels for air, rail and barge transportation.

We need to step away from punitive, command and control environmental regulations and move toward performance based regulatory concepts that offer the regulated community opportunities to find flexible approaches to reducing emissions of legally regulated contaminants.

Finally, we need to face up to the fact that we are part of the problem. Our unwillingness to develop our own abundant oil, gas and coal resources dooms us to greater dependence on foreign sources, especially for crude oil. We must make the conscious choice to carefully find and develop our resources while protecting our environment.

CROP INSURANCE

Mr. HAGEL. Mr. President, I rise in support of S. 2251, the Risk Management for the 21st Century Act regarding crop insurance reform. I am an original co-sponsor of this important legislation and I thank my colleagues Senators BOB KERREY and PAT ROBERTS for their leadership on this issue.

Crop insurance reform has been a major, bipartisan legislative effort for farm state Senators. Reforming crop insurance is vital to America's agricultural producers and to the rural economies in all of our ag-producing states. We need to pass this legislation today.

The need for crop insurance reform has been a common denominator in my conversations with all of Nebraska's agricultural producers and agribusinesses, as I am sure it has for my colleagues as they have spoken with ag-producers across the country.

Every commodity organization and farm group that I've spoken with has urged Congress to reform and improve America's crop insurance programs.

Why is crop insurance important? By increasing and expanding private crop insurance coverage, ag producers can make long-term market decisions without being devastated by short-term economic downturns.

If we can assist in making crop insurance—an important risk management tool—more affordable and expansive, we will help producers weather the bad times.

S. 2251 makes a number of important changes to the crop insurance system that will benefit America's ag producers.

This bill establishes a new premium assistance formula to encourage producers to increase their crop insurance coverage by making higher levels of coverage more affordable, and increases the level of coverage farmers can purchase.

It will ease actual "production history" rules so that farmer's insurance coverage is less likely to be artificially depressed by successive years of bad weather.

This legislation will reduce the potential for insurance fraud and abuse with strong program compliance provisions.

It includes new pilot projects for livestock insurance, specialty crops, and coverage reinsured through futures markets.

By passing the Risk Management for the 21st Century Act we can help eliminate some of the uncertainty and instability in farm operations, thus allowing farmers to plan for the long-term.

Additionally, this legislation should help Congress and the American taxpayers reduce the need for disaster-assistance packages for our ag producers, and the costs associated with him.

If we can help provide farmers with the management tools they need to plan for their future, there will be less of a need to rely on future emergency supplemental appropriations bills when bad times strike.

I again thank Senators ROBERTS and KERREY and their staffs for their diligence in spearheading crop insurance reform, and acknowledge Senate Agriculture Chairman LUGAR for his leadership in getting this bill out of the Agriculture Committee and onto the floor of the Senate for a vote.

I urge my colleagues to support this important legislation. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Under the previous order, the Senator from Illinois controls the time until 11 a.m., of which the Senator from Montana, Mr. BAUCUS, shall have 10 minutes.

The Senator from Washington.

WHAT REALLY MATTERS IN EDUCATION

Mrs. MURRAY. Mr. President, 2 weeks ago, I sat through several days of discussion on education policy as we marked up the Elementary and Secondary Education Act in the Health, Education, Labor, and Pensions Committee.

Just last week, I went home and visited schools across Washington State and met with administrators, teachers, parents, and students.

The discussions we had here in Congress and the discussions I had in those classrooms could not have been more different. No wonder so many educators and parents are frustrated with Congress. Too often, what they hear from Congress has nothing to do with the real challenges they are facing.

While some of my colleagues were pushing their agenda of block grants and vouchers here in Washington, DC, the teachers I met with in Washington State were concerned about their ability to teach the basics and maintain discipline in their classrooms.

While these same colleagues of mine sought to diminish accountability, the parents I met with want us to insist that we have the highest possible academic standards in safe and modern classrooms.

While these same colleagues of mine were figuring out ways to shift resources away from meeting specific needs, the students I met with were wondering when there would be enough fully qualified teachers in their classrooms to help them get the individual attention they need to succeed.

Those parents, teachers, and students were shocked when I told them that my amendment to guarantee money for smaller class sizes was rejected by members of the Education Committee. It just does not make sense to them.

I wish that when we discussed ESEA, we had a few of those teachers sitting

in the room with us. And whenever the discussion drifted to things that are far from the realities in today's classrooms, I wish those teachers were here to stand up and bring the discussion back to the real challenges our students face, day-in and day-out.

Today, too many teachers see overcrowded classrooms, children who arrive with basic needs unmet, jammed hallways, and tougher curriculum requirements.

Today, too many parents see teachers who are overworked—teachers who spend so much time on discipline it is hard for them to give every child the time and attention they need.

Today, too many students feel their needs are lost and their education is not a priority. All of us want to make sure that schools are safe centers of learning.

To reach their potential, our kids need real help now. They need the common sense solutions that we know can help them succeed.

It is simple. We know what works in education. We know what it takes to help children reach their potential. It is not a great mystery. These are the things that years of research have shown us are effective. They are the things that parents, teachers, and community leaders know make a difference. To show how simple this is, I have listed those ingredients we know work.

I am proud that Democrats are focusing on results with a commonsense agenda. We know that if we want children to succeed in school, they need a highly-motivated, fully-qualified teacher. We know they need a safe and modern classroom. We know they need a small, uncrowded class in which to learn. We know they need a focus on the basics. We know they need high standards and discipline. We know they need support from family and adults. We know they need resources for the classroom.

These are the commonsense policies that serve America's children—the policies that improve education and get results.

But unfortunately, this Congress is ignoring these proven approaches. They are ignoring what works. They do not want money to be targeted to these essential ingredients. They do not want us to focus on making sure that every school has guaranteed resources in each of these areas.

Many of us want to use these key ingredients to make the best schools possible. We want to guarantee that every school has the resources it needs. We want to change our schools—for the better—so we can get the results parents, students, and teachers are demanding.

Some have proposed block grants as the cure-all for education. Today, our nation's education policy guarantees that specific resources will be targeted to meeting specific needs. That is how responsible budgeting is done. That is how we ensure accountability.

But this Congress is working toward eliminating those guarantees. They do not want money to be guaranteed for reducing class sizes or for technology training for teachers or for modernizing schools. They want to eliminate all of those guarantees, create a pot of money, and give it to the States.

One teacher asked me: "Are there any studies that show that giving all the money to States in block grants actually improves education?"

Of course not. In fact, 35 years ago the American people made the national Government a partner in education because they realized that State and local governments cannot do it all on their own.

Public schools are one of the foundations upon which our democracy is built, and we need to do a better job of helping them perform at the highest levels.

Most disconcerting about these proposals for block grants is they are simply a blank check policy that will diminish the guarantee that education resources go to the students who need them most. Money that currently goes to hiring and training teachers and helping students with special needs—under these proposals could be used "for any education purposes"—anything from building a new lockerroom to redecorating office space.

In response to many who want a better education, some have proposed vouchers. What will that do? Without a doubt, it will drain scarce dollars away from public schools where 90 percent of America's children are trying to learn. Vouchers plans shift taxpayer dollars away from public schools to private and religious schools.

One parent in Washington told me last week: "I don't want you to give me a few hundred dollars to send my kid to another school. I want you to make my school work better."

The real question, and the one we are failing to answer, is: How can we work in partnership with states, educators, and parents to make sure that every student gets the things they need to reach their potential?

Many of my colleagues are asking the wrong question. They ask: How can the Federal Government's role in education be eliminated? They are talking about process, when we should be focusing on results.

This Congress should be asking: How can the Federal Government support local schools? How can we meet our national education priorities, like making sure every child can read, write, and use a computer?

And how can we help school districts do the things that are hardest for them to do, like hiring new teachers and building new schools?

I am afraid some of my colleagues aren't looking for ways to answer these questions. I am afraid they just want to gut our national education partnership.

In this country, we already have local control over education. State and

local school districts set the curriculum. They hire the staff. States set standards and certify teachers. States and localities raise and spend 93 percent of all education funding. A lack of local control is not the problem. It is a lack of sufficient support and resources.

States, school districts, parents, and teachers are demanding that we, at the Federal level, work in partnership to ensure our kids get a good education. What matters to parents is that their kids get the best education possible. Parents don't care how the workload is divided. They care about results. And Democrats are focused on results.

One of the problems with block grants is that—in the budgeting process—they always end up getting cut because those dollars are not longer tied to a specific need. With block grants, our kids end up with fewer educational resources than they had before. In fact, we are already seeing a move underway to give our students fewer resources.

The Republican budget plan passed out of the House could jeopardize our ability to meet the needs in America's schools. Their plan could jeopardize our ability to keep hiring new teachers to make classrooms less crowded. They could jeopardize our ability to provide afterschool programs, to ensure safe and drug-free schools, to modernize old schools, and to build new ones.

Their plan could result in having \$2.6 billion less for education than the President has requested. We shouldn't be shortchanging America's students, but I am concerned that is what the House Republican budget plan would do.

In fact, according the Congressional Budget Office, the Republican budget plan doesn't even keep up with inflation for key domestic investments, like education.

Parents, teachers and students in my home State—and across the country—are asking for help in education.

They want us to work in partnership with them to help their children reach their potential.

They want us to support the commonsense solutions that produce real results for our students.

And when they hear Members of this Congress talking about things that really don't make a difference in the classroom, they get pretty frustrated.

After meeting with and listening to so many frustrated parents and educators, I have come to the floor today to carry their message.

They want us to: Focus on what works. They want us to support the things that make a difference for children in the classroom. And they want us to work together in partnership with State and local educators to help children learn to meet the challenges of the new millennium.

I urge my colleagues to hear these calls loud and clear, to respond by bringing the debate here in Congress back to the realities that teachers, students and parents see in their class-

rooms every day across this country, and to pass a budget that follows our recipe for success by investing in the resources that every student needs.

Mr. President, I yield the floor and 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. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FAMILY FARMERS

Mr. HARKIN. Mr. President, I support the pending amendment, which, as I understand, is the Wellstone amendment, a sense-of-the-Senate resolution commending the many farmers—the thousands of farmers and their families—who came to Washington over the last few days to rally in support of what I would call a sensible, sane, rational, and compassionate farm program that would support our farm families throughout this country.

We had farmers from every State. In fact, I listened to one farmer from Alaska who was here, a dairy farmer. So the rally actually was a national rally, one that encompassed all parts of our country.

What I heard, in talking to these farm families from across America, was a plaintive cry for us to have a farm policy in America that recognizes the essential worth, the essential importance, of having a structure of agriculture based upon family farming—widely dispersed, broadly based—rather than having a vertical structure characterized by conglomerates and huge vertical integrators that does not respond to the needs of local areas.

What these farm families were expressing was a frustration, a frustration borne out of their life experiences in knowing that what they have done and what their parents and grandparents before them had done in agriculture, knowing that this had benefited not only our Nation but had benefited the areas in which they lived. Because we had a lot of farm families in rural areas, we had prosperous small towns and communities. We had businesses in those communities. We had good schools and churches. We had a sense of community in rural America. Out of this structure in rural America came the sons and daughters who went on to colleges—land grant colleges, many of them—and who then became some of the great leaders of our country.

I need not remind those in this body of some of the great leaders in our own Senate who came from rural America, small towns and communities, farm families. I just saw our distinguished former majority and minority leader, Senator Dole, come across the floor. He comes from Russell, KS. You can't find a much smaller town than that. He has

dedicated his life to public service. He is a great friend of mine and was a great leader in the Senate. I wonder how many more leaders we will get in this country coming from small towns and rural America when all these small towns have dried up, when there are no more opportunities there.

I think what I heard at this rally was this frustration. The farm families know what they have contributed to the well-being of our country and our communities. Yet now they are being decimated. They see their neighbors, one by one, being driven off the farm because of the economic structure we have in America. In 1998, two Iowa State University economists reported that as many as one-third of Iowa farmers would face serious financial problems if the farm economy did not improve. They would either restructure their operations or go out of business entirely. That was one out of three estimated in 1998.

Earlier this year, an updated study by the same economists concluded that as many as half of all Iowa farmers are classified as financially weak or severely stressed; that is, every other farmer in the State of Iowa is in real trouble.

A couple of farm families spoke to me when I was at the rally on the Mall in response to something I had heard, saying that their churches, which used to be packed on Sunday morning—all the pews were filled—are now half empty, that they can't even afford to pay their own minister any longer. They have a circuit rider who rides to three or four churches a week. So they lack that kind of pastoral counseling upon which families have come to rely. Indeed, we are seeing a wholesale selling out of our farm and ranch families and our rural communities. The stakes are very high.

I heard this great frustration from all of these farm families. Their question to us is: What are you going to do? Is this just some inevitable, invisible hand that is doing this, or are the laws of our country structured so they discriminate unfairly against family farmers? I think the latter is true. There is no invisible handwriting that farm families are a relic of the past, that our farmers have to get bigger and bigger and bigger, that our small towns have to dry up. I think it is because of policies we set in the Congress. I think those policies have to change.

The farm bill we have now, the so-called Freedom to Farm bill, has been a wreck. There is only one good part of it, and that is planting flexibility. That is all. The rest of it has been a wreck. The Federal Government has sent out over \$15 billion in emergency money in the past 2 years. That is not counting what we sent out under the regular farm bill itself. Of course, that money was needed by the bankers, by the chemical and fertilizer dealers, by the repair shops, by the fuel dealers, by the landlords. A lot of that money went out not to save the farmer but to save

the very people about whom I speak: the bankers, chemical and fertilizer dealers, repair shops, and the landlords. In fact, a lot of that money went to farmers who didn't even plant a crop last year. Tell me if that makes sense.

The bailout packages we have had over the last couple of years have been bailouts for the Freedom to Farm bill and not for our farmers. That was a record amount of money we sent out last year. What did it get us? Is the farm economy any healthier? No.

USDA tells us if we don't pass an emergency package again this year, net farm income is going to fall by 17 percent compared to last year. Tell me what farmer can afford to take another 17-percent cut. That is net farming; that is not gross. That is what they used to clothe and feed their families and buy some new equipment, pay the mortgage, and hopefully set aside a little bit for the children to go to college.

So it looks as if we will have to come up with another emergency package again this year. That is not a farm program. That is not a farm bill. That is lurching from one emergency to the next. Again, our farmers are the victims.

I was hopeful that this year we could have some hearings and a debate on the Freedom to Farm bill to see what changes we could make in it to get to a rational system of farm supports, a farm program combining conservation, storage payments, better loan rates, some shorter term set-aside programs, so we would have a balanced package, the prices at the farmgate would be higher, so the farmers could get their money from the marketplace and not from a Government paycheck. That is the debate we need. Yet that debate is not going to happen this year. We are not going to have the hearings, and we will not have the debate.

Quite frankly, the frustration felt by most of these farm families is going to continue to fester and grow. I think we will see even more frustration in rural America because we lack the will and, quite frankly, we lack the leadership to redress the failed Freedom to Farm bill.

I compliment the Senator from Minnesota for his sense-of-the-Senate resolution. I believe the farm families who took money out of their own pockets, which they could ill afford to do—they got on buses; they came here and endured rain and cold weather, slogging around in mud and water to make their case known to Congress, exercising their first amendment rights to petition their Government—did what is in the best tradition of America. I hope their voices and the frustration we heard will not go unheeded. I hope we can understand that we have an obligation in this body and in the other body to address the plight of what is happening in rural America today.

I come from a small town of 150 people. I remember growing up as a child when we had an elevator, we had a grocery store, a hardware store, and a

small implement dealer. They are all gone now. They are all gone. I am not saying we have to save every town of 150 people. But it is not only those towns. It is those towns of 2,000, 3,000, or 5,000 people that are also going under, because I believe we don't have an adequate farm program that will enable our farmers to get a better price in the marketplace.

Again, I support this resolution. I commend the farmers who came here. I hope and trust we can hear their plea and do something about changing the failed Freedom to Farm bill.

I also wish to say I hope after this vote at 11 o'clock we can have a resounding vote in support of the crop insurance bill that is before us. We need to fix the Crop Insurance Program.

I commend Senator ROBERTS from Kansas and Senator KERREY from Nebraska for their leadership in this area.

The Crop Insurance Program needs to be changed. We put \$6 billion in the budget last year for that. I believe it will be a very strong part of helping farmers get through some of these tough times that we have right now. It is not the answer to all of the problems in the farm communities, but it is a part of it.

Hopefully, with this modified crop insurance bill, we can go to conference with the House right away and get it to the President by May. I will for my part do everything I can with the conferees on our side to expedite the conference. There are not that many differences between the House and the Senate bill—a few, but nothing we can't work out in a timely manner.

I hope we can get this crop insurance bill through. I hope we can get a resounding vote for it, and at least send some hope to our family farmers that at least in the area of crop insurance and revenue insurance coverage we are going to pay some attention.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

RISK MANAGEMENT FOR THE 21ST CENTURY ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2251, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 2251) to amend the Federal Crop Insurance Act to improve crop insurance

coverage, to provide agricultural producers with choices to manage risk, and for other purposes.

Pending:

Wellstone Amendment No. 2888, to express the sense of Congress regarding the Rally for Rural America and the rural crisis.

AMENDMENT NO. 2888

The PRESIDING OFFICER (Mr. L. CHAFEE). Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on amendment 2888.

The Senator from Minnesota.

Mr. WELLSTONE. Two minutes for each side?

The PRESIDING OFFICER. Two minutes equally divided.

Mr. WELLSTONE. Mr. President, this is a sense-of-the-Congress amendment. It thanks the people who came here for the rally for rural America. It makes it clear that the Congress has heard their plea and that we will respond with a clear and strong message to alleviate the agricultural price crisis, to ensure competitive markets, to invest in rural education and health care, and to ensure a safe and secure food supply for all.

The crop insurance bill is a good bill. I thank my colleagues for the work. I want to make sure with this amendment we are clear this is just the first step. We need to do much more. We hear the people who came. We commend them for coming. Many of them came by bus from Minnesota and many other States. We are committed to taking some important action that will make a positive difference.

That is what this sense-of-the-Senate amendment is all about. When colleagues vote for this, I think it is a strong vote. We will come back with specific proposals which will be a part of what I think this amendment calls for.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I commend the distinguished Senator from Minnesota for his amendment. On our side of the aisle, we are hopeful that Members will vote for the amendment.

I simply add, we do hear loudly and clearly the voices of those who participated in the rally for rural America. This very day, the Senate will take action, we believe, to at least answer a part of the problem of a strong safety net for the income of farmers in our country. Indeed, \$6 billion of taxpayer resources will be devoted, given Budget Committee action, to the safety net for our producers in the event we take timely action. I stress the timely aspect of that.

As all Senators note, we have tried very hard, working with the distinguished ranking member, Senator HARKIN, with the cooperation of Senator WELLSTONE, concerning those who have pioneered this effort—Senator ROBERTS, Senator KERREY, and others—to bring about something I hope will be almost unanimous.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 2888. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

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

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 43 Leg.]

YEAS—99

Abraham	Enzi	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	Mack
Ashcroft	Fitzgerald	McCain
Baucus	Frist	McConnell
Bayh	Gorton	Mikulski
Bennett	Graham	Moynihan
Biden	Gramm	Murkowski
Bingaman	Grams	Murray
Bond	Grassley	Nickles
Boxer	Gregg	Reed
Breaux	Hagel	Reid
Brownback	Harkin	Robb
Bryan	Hatch	Roberts
Bunning	Helms	Rockefeller
Burns	Hollings	Roth
Byrd	Hutchinson	Santorum
Campbell	Hutchison	Sarbanes
Chafee, L.	Inhofe	Schumer
Cleland	Inouye	Sessions
Cochran	Jeffords	Shelby
Collins	Johnson	Smith (NH)
Conrad	Kennedy	Smith (OR)
Coverdell	Kerrey	Snowe
Craig	Kerry	Specter
Crapo	Kohl	Stevens
Daschle	Kyl	Thomas
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden

NAYS—1

Thompson

The amendment (No. 2888) was agreed to.

Mr. WELLSTONE. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Indiana.

FURTHER MODIFICATION TO AMENDMENT NO. 2887

Mr. LUGAR. Mr. President, two clerical errors were made in the manager's amendment adopted yesterday. I ask unanimous consent that the manager's amendment, as adopted, be amended to correct these two clerical errors.

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

The further modification is as follows:

On page 5, line 9, after "2000," insert "wild".

On page 14, line 14, strike "13" and insert "15".

On page 15, line 12, strike "2" and insert "4".

The PRESIDING OFFICER. Under the previous order, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, H.R. 2559 is dis-

charged from the Agriculture Committee and the Senate will proceed to its immediate consideration. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2559) to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes.

The PRESIDING OFFICER. Under the previous order, all after the enacting clause is stricken and the text of S. 2251, as amended, is inserted.

Under the previous order, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. LEAHY. Mr. President, I am very hopeful that this bill can, at long last, make crop insurance work for all regions of our nation. It includes creative provisions to bring new producers under its protections, and to bring new crops under its protections. The compromise worked out yesterday protects what the Midwest wanted while reaching out to other regions and producers.

Historic participation in New England has been very low—this bill helps address this issue. Crop insurance will give our producers one more tool to help manage risk—risks from ice storms, droughts, flood, hail and other natural disasters.

I want to thank Senators ROBERTS and KERREY for their leadership and willingness to include our region, so that we can all now vote together for this effort.

Chairman LUGAR and Ranking Member HARKIN were faced with a very difficult challenge—leadership of the Agriculture Committee, as I well know, can be a very difficult balancing act. Also the Democratic leader and his staff—Zabraf Valentine—were extremely helpful in delicate negotiations.

Bev Paul with Senator KERREY, Mark Halveson with Senator HARKIN, Dave Johnson, Keith Luse, Michael Knipe and Andy Morton with Chairman LUGAR, put in very long hours in this massive effort. Ken Ackerman, of USDA, provided excellent technical advice in this complex area. Senator CONRAD and his staff Scott Carlson put a huge amount of effort into this.

I am grateful that the Leahy, Torricelli, Schumer, Rockefeller, Reed, and Kennedy amendment was included in the managers' package.

The Senate has spoken in a united voice on this amendment and it is crucial that it be included in any conference report.

Mr. ROBB. Mr. President, I rise in support of the Risk Management for the 21st Century Act. This bill contains some welcome new tools to help man-

age risk on the farm. It is not a perfect bill, but it is a very good bill. Virginia farmers will have more risk management tools available to them than ever before, and these tools will be able to cover more crops than ever before, making the crop insurance system more equitable and more available.

In particular, I thank the members of the Agriculture committee for their hard work on this bill. I know that the discussions have been contentious, and that different regions of the country view risk management in entirely different ways. I for one am thankful that the necessary compromises were made to bring this bill forward for a vote. It is gratifying to know that on the important issues, and this is a very important issue, that we can still work together and do what is necessary to improve the lives of the people we represent.

So, I say thank you Chairman LUGAR, and Senators KERREY, ROBERTS, GRAHAM, LINCOLN, LEAHY and MACK, the rest of the committee, and all of your staffs. You have done the hard work. The country, our food supply, and our farmers will all benefit.

I yield the floor.

Mr. BURNS. Mr. President I rise today as one of the proud co-sponsors of S. 2251, "The Risk Management for the 21st Century Act."

This bill offers much-needed changes in the area of risk management for farmers and ranchers. Managing risk in agriculture has become perhaps the most important aspect of the business. Agricultural producers who are able to effectively manage their risk are able to sustain and increase profit. An effective crop insurance program will provide farmers and ranchers possibilities for economic sustainability in the future and help them out of the current financial crisis.

The federal government can help facilitate a program to unite the producer and the private insurance company. The control must be put ultimately in the hands of the agricultural producer. Although he cannot control risk, an effective management plan will help him to manage the effects of risks, such as weather, prices and natural disasters.

This bill addresses the inadequacies of the current crop insurance program. The problems and inconsistencies with the current program make it both unaffordable and confusing to agricultural producers. Costly premiums are the biggest problem. In years of depressed market prices, crop insurance, though badly needed, is simply unaffordable for farmers.

This bill inverts the current subsidy formula, in order to provide the highest levels of subsidies to producers at the highest levels of buy-up coverage, and thus alleviate the unaffordable premiums. It also allows for the revenue policies to be fully subsidized.

Another important provision in this bill is a pilot program to reward producers for risk management activities.

It will allow producers to elect to receive a risk management payment or a crop insurance subsidy. The risk management payments will be given to those producers that utilize any two of several activities, including using futures or options, utilizing cash forwards, attending a risk management class, using Agricultural Trade Options or FFARRM accounts or reducing farm financial risk. This bill also takes into account lack of production histories for beginning farmers or those who have added land or use crop rotation. This will make it possible for those producers to get a foot in the door and receive affordable crop insurance.

Many times, especially in Montana, multi-year disasters occur. This bill helps producers that take a blow several years in a row, which reduces their Annual Production History (APH). If a producer has suffered a natural disaster during at least 3 of the preceding 5 years and their APH was reduced by at least 25 percent they may exclude one year of APH for every five years experience. During this time, the producer's APH may increase without limit back up to the level before the multi-year disaster began.

Specialty crops such as canola or dry beans, are another important addition to this bill. The Risk Management Agency (RMA) is now authorized to spend up to \$20 million each fiscal year to create partnerships for developing and implementing specialty crop risk management options. Additionally, the Non-Insured Assistance Program (NAP) area trigger has been removed. The Secretary now has the authority to provide assistance for specialty crops without any requirement of an area loss. Before, producers were penalized in the case of a disaster for planting alternative crops if their neighbors continued to plant traditional commodities. I would like to thank my colleague, Senator BAUCUS, for his hard work on getting the provisions for specialty crops in this bill.

This bill will ultimately put more control in the hands of active producers by including four active producers on the Federal Crop Insurance Commission (FCIC) Board. The board would also include nine private insurance industry experts the Under Secretary for Farm and Foreign Agricultural Services, the Under Secretary for Rural Development, and the Chief Economist of USDA. In addition, it mandates that the Board Chairperson be one of the non-governmental members. These are important steps to ensure that the new program is run for the producers by the producers.

This bill is an important tool to reform the current crop insurance program into a risk management program, designed to help the producer in the long-term. It is vital to find a solution to provide a way for farmers to stay in agriculture. They must be able to continue to produce and distribute the world's safest food supply at a profitable margin.

Mr. President, I look forward to working with Senators ROBERTS and KERREY, as well as Senator LUGAR on this important piece of legislation. I believe this bill will pave the way for massive crop insurance reform and help agricultural producers out of this economic crisis.

Thank you, Mr. President.

Mr. SMITH of Oregon. Mr. President, I am pleased to take this opportunity to speak briefly in support of this legislation, S. 2251, the Risk Management for the 21st century Act. Clearly, this bill represents a good compromise between the major risk management proposals that have been discussed here in the Senate in recent months. I commend my colleagues—specifically Senator LUGAR, Senator KERREY, and Senator ROBERTS—for producing legislation which enjoys broad support in the agricultural community and is unquestionably needed during these times of crisis on the family farm.

As we all know, these are not the best of times for farming. Like their counterparts in other natural resources industries, farmers by and large have not equitably shared in the remarkable prosperity we have seen in recent years. Most farmers are faced with another year of low commodity prices on the Horizon. I know that for wheat growers in Oregon, this is the third year of historic low prices. At the same time, the rising costs of production—fueled by energy price spikes, an extremely tight labor market, and incredibly burdensome regulations and government mandates—continue to squeeze the farmer's bottom line. We need to work together to ease this price pressure on farmers and we need to act quickly. Opening up trade, relieving estate tax burdens, seriously reviewing some of the labor and environment regulations that seek to make farmers felons—these are just a few of the issues we need to address to turn around the fortunes of America's farmers. The development of more practical risk management tools is another. That is exactly the promise S. 2251 offers us today—not a fix-all, but a significant and necessary step on the road to farm recovery.

S. 2251 improves the federal crop insurance system in several key ways. First, it makes higher levels of coverage more affordable. By raising premium subsidies, we will offer farmers the chance to help themselves today and avoid an expensive federal bailout tomorrow. Second, this bill will make crop insurance more effective for farmers experiencing successive years of disaster, by changing the way production history is calculated. In Oregon, we are blessed that we have not had widespread and recurring natural disasters, such as my colleagues have described in the Dakotas. However, we have had recent recurring flood problems in certain areas of my State—the Tillamook Bay area and the Harney County Lakes Basin, for example. This bill will address some of the problems

producers have had in getting a fair accounting of their production. Finally, and perhaps most significantly for Oregon, this bill has a number of provisions designed to assist specialty crop producers. My State has a number of specialty crops—from nursery products in the Willamette Valley to tree fruits in the Columbia Gorge and southern Oregon to potato and onion growers in the east. With \$20 million annually set aside for specialty crop risk management pilot projects, this bill represents a substantial effort to make federal crop insurance relevant to producers of nonprogram commodities. I believe this attention to the needs of specialty crop producers is an overdue but welcome change.

Once again, I commend my colleagues for their work on this legislation and for their willingness to listen to concerns and suggestions from those of us not on the Agriculture Committee. Much work remains to be done before I think we can say that we have truly kept our promise to farmers under Freedom to Farm, but his is an important step in that direction. I look forward to voting in favor of this bill, and I hope that we will have before us in relatively short order a conference agreement as well. It is vital we get this legislation passed and take advantage of the budget authority we have provided for this purpose.

Mr. REED. Mr. President, I rise to express my support for H.R. 2559, the "Federal Crop Insurance Act". Today the Senate will approve a \$6 billion crop insurance reform bill designed to increase premium subsidies for farmers who buy more comprehensive coverage and expand the availability of crop insurance for specialty crops. The reforms in this legislation will enable farmers in Rhode Island and across the country to obtain more crop insurance coverage and reduce income losses due to natural disasters.

I and my colleagues from the Northeast and Mid-Atlantic opposed last year's farm disaster bill because it did not provide adequate relief to farmers in our region who were hit by the terrible drought conditions of 1999. The National Oceanic and Atmospheric Administration (NOAA) found that four states in the Northeast, including Rhode Island, New Jersey, Maryland, and Delaware, experienced the driest growing season in their histories. From April through July, Rhode Island was the driest it has been in 105 years of record-keeping by NOAA's National Climatic Data Center.

Unfortunately, forecasters at the National Weather Service are predicting continued drought conditions this year, because we are starting out with a deficit of rainfall and, even with the snowstorms of January, winter precipitation was 3.5 inches below normal for our region.

The prospect of another long dry summer makes this crop insurance reform bill all the more important. I know that people may not always

think of the Northeast when they think of farming. But in my small state alone there are about 700 farms. Farmers in Rhode Island grow vegetables, turf, nursery stock, cranberries, strawberries, and potatoes. My state is also home to many orchards and dairy farms. Many of our crops are not insurable under the current federal crop insurance program, and that's why I strongly support the significant investment in research and development of new specialty crop policies provided by this bill.

I also support provisions in the bill to remove the "area trigger" for the Non-insured Crop Disaster Assistance Program (NAP). I believe broader NAP eligibility is one of the most effective ways to assist farmers in the eastern United States who face severe production losses due to drought, floods, or other disasters.

Currently, NAP crops are eligible for assistance when: (1) expected "Area Yield" for the crop is reduced by more than 35 percent because of natural disaster; and 2) individual crop losses are in excess of 50% of the individual's approved yield, or the producer is prevented from planting more than 35 percent of the acreage intended for the eligible crop.

These criteria have proven to be unworkable in many eastern states, both in terms of program accessibility and timeliness of payments. For individual growers of specialty crops, typically grown on small acreage, a loss of as little as 20% can be devastating, especially given the high per-acre value of these crops. Moreover, the process of verifying area yield reductions is cumbersome and exceedingly time-consuming, resulting in waiting periods of several months or, in some cases, more than a year for payment.

Giving the Secretary of Agriculture broader discretion over delivery of NAP program funds will streamline the approval process and make direct assistance available to thousands of farmers whose substantial losses do not meet NAP criteria under the current area trigger. I am pleased that removal of this trigger is among the many valuable reforms in the bill before us today.

Finally, I was proud to join several of my Senate colleagues from the Northeast to offer an amendment to provide \$60 million for expanded education and outreach for farmers in states with low levels of crop insurance participation, as well as research and development of new crop insurance policies for currently uninsured crops in these states. Our amendment would also set aside \$66 million for farmers in underserved states to participate in the bill's proposed risk management pilot project which allows farmers to choose between traditional crop insurance and a direct payment for adopting new risk management practices such as farm diversification, futures contracts and options, creation of conservation buffers, soil erosion control, and irrigation management. While offering increased

income to farmers for whom crop insurance has not worked well, the pilot will test whether incentive payments can encourage producers to adopt new risk management strategies that are good for the environment. I thank the distinguished Chairman of the Committee on Agriculture for making this amendment part of the overall package we will vote on today, and I urge the Senate conferees to ensure that this important provision remains in the bill after conference with the House. Otherwise, I will likely oppose the conference report when it comes before the Senate. Together with the substantial new funding for research and development of specialty crop insurance policies, this amendment will ensure that we have a farm policy that is truly national in scope.

With the passage of this legislation we will give farmers the tools they need to manage their risk more effectively, and possibly reduce the need for Congress to pass massive farm disaster packages year after year. At the same time, we recognize the contribution and needs of farmers in every region of the country, who not only feed the world but preserve a way of life that makes our nation stronger and protects our precious open spaces from the encroachment of development and urban sprawl.

I urge my colleagues to support the Federal Crop Insurance Act.

Mr. BREAUX. Mr. President, I want to express my personal thanks and deep appreciation for adoption of an amendment to the Senate's crop insurance bill which would authorize crop insurance coverage for the 2001 and future rice crops for losses due to drought and saltwater intrusion.

The rice language was included in the Chairman's floor amendment which the Senate approved yesterday.

I want to thank Senator LUGAR and Senator HARKIN sincerely for agreeing to the amendment. My sincere appreciation also goes to Senator KERREY and to Senator ROBERTS for accepting the provision.

Senator LANDRIEU, Senator LINCOLN and I have been working together for several weeks to help our rice growers who have been experiencing a prolonged drought. It has been my privilege to work with Senator LANDRIEU and Senator LINCOLN in addressing the absence of rice crop insurance coverage for the drought and saltwater intrusion perils.

Currently, the rice crop insurance policy does not include coverage for losses due to drought and saltwater intrusion. A meeting about the current policy and how to address the absence of coverage was held with our staff, grower representatives and USDA's Risk Management Agency. The willingness to meet and the attention given to the situation at the meeting and subsequent to it by Mr. Ken Ackerman, the RMA's Administrator, and his staff are also sincerely appreciated.

To ensure that drought and saltwater intrusion coverage are provided in time

for the 2001 rice crop and prior to the USDA policy change deadline, legislation was prepared which is now in the Senate's crop insurance bill. In order for a crop insurance policy change to become effective, it must be adopted by November 30, which is USDA's annual deadline for such changes.

With the rice crop insurance language being only in the Senate bill, it is my hope that it will be retained in conference with the House. I take this opportunity to urge the Senate's conferees to keep the rice crop insurance provision in the final conference bill.

Insurance coverage for rice crop losses due to drought and saltwater intrusion is an important risk management tool for rice growers to have available to them. Again, I express deep personal appreciation for the Senate approving inclusion of the bill language which Senator LANDRIEU, Senator LINCOLN and I have worked on, which we strongly support and which we submitted for the Senate's consideration.

Thank you, Mr. President.

NONCONTIGUOUS UNITS

Ms. COLLINS. Mr. President, I have heard from many Maine potato farmers that one barrier to their using the crop insurance program is the inability to insure the crops of a farm that may consist of several non-contiguous units under one policy. Therefore, I was pleased to see that The Risk Management for the Twenty-first Century Act authorizes pilot programs to allow farmers to receive premium discounts for using whole farm units or single crop units of insurance and to cross State and county boundaries to form insurable units. This provision has the potential to significantly help farmers in Maine and I appreciate your efforts to ensure its inclusion in the crop insurance bill. I hope, too, that you will make every effort to retain this provision in the bill that emerges from conference.

Mr. ROBERTS. A major purpose of this bill is to make crop insurance more available to our Nation's farmers. I understand the importance of the provision you cite to farmers in your State and will work hard to see that is retained.

Ms. COLLINS. Again, I appreciate the assistance of my good friends, Senators LUGAR and ROBERTS, who chair the Agriculture Committee and Subcommittee on Production and Price Competitiveness, respectively. A pilot program that could allow farmers to combine noncontiguous units under one policy and to receive premium discounts could be extremely beneficial to my State. I hope that we can strongly encourage the U.S. Department of Agriculture to give Maine every consideration as a location for such a pilot program.

Mr. LUGAR. The pilot programs authorized in this bill are a tool to find new ways to improve crop insurance for farmers. I agree that the USDA should give every consideration to including farmers in Maine in such a

pilot program. I would also commend the Senator from Maine's efforts to work with us in crafting a bill that address the concerns of farmers in her state.

Mr. ROBERTS. I agree that Maine appears to be an excellent candidate for such a pilot program. I thank the Senator for bringing this important matter to our attention.

Mr. ASHCROFT. Mr. President, first, I commend the bipartisan efforts of the Agriculture Committee. In S. 2251 the committee has produced a bill which will deliver much needed expansion and improvement of the federal crop insurance program. Additionally, I appreciate Senators ROBERTS and KERREY for accepting a proposal I put forward that will establish a commission to examine reform issues over the long term.

Missouri farmers are hurting. Prices for cotton, soybeans, corn, rice, and almost all commodities dropped so low last year that University of Missouri economists predicted grain farmers could face prices almost as low as those seen in 1986. The Senate responded to the crisis strongly by supporting a disaster assistance package worth about \$9 billion in 1999. The Senate now has the opportunity to assist farmers by helping them protect their losses that are due to bad weather and market fluctuations. Our farmers need more affordable crop insurance, to obtain higher levels of coverage and revenue protection.

Missourians, like farmers in many other states, are diversifying their agricultural production and increasingly focusing on specialty crops. S. 2251 also provides a realistic basis for expanding and improving insurance for specialty crops.

As good as this bill is, I offered, and Senators ROBERTS and KERREY graciously accepted, a provision that would establish a commission to review the effect of the changes made in traditional crop insurance and the addition of a pilot project for alternative risk programs. The Federal Crop Insurance Improvement Commission will report to Congress in 2 years with its findings. The Commission strengthens the public-private partnership that farmers rely on to deliver crop insurance by bringing together Government officials, economists, farm interests, and insurers to review various proposals. As we review farm policies down the road, I want to have the input of those that are actually out there "in the field."

Again I thank my Senate colleagues from Kansas and Nebraska for bringing this important issue to the Senate floor. I want farm families to be able to encourage their children to continue the traditions of family farming and agri-business. The crop insurance reform detailed in S. 2251 puts us one step closer to that goal.

Mr. MCCAIN. Mr. President, I commend the managers of this bill and all those who worked hard to forge this

agreement to help address the continuing crisis facing American farmers. However, I regret that I cannot vote for this legislation, S. 2251, the Risk Management for the 21st Century Act.

Over the last 2 years, the Congress was forced to spend more than \$15 billion of taxpayer dollars in emergency disaster assistance to farmers. Proponents of this bill claim that if S. 2251 is enacted, the need to pass ad hoc emergency farm relief would be avoided. However, even with passage of this bill, these same proponents are not willing to voice their opposition to further emergency spending should Congress be forced to consider additional relief measures for farmers.

This bill, at a cost of \$6 billion, is more of an expanded federal subsidy for crop coverage, rather than thorough and necessary reform of the larger problems stemming from our nation's farm policies. It has become clear that the 1996 Freedom to Farm bill failed to alleviate the heavy reliance by the farming community on federally subsidized programs and financial assistance. However, instead of turning back the clock and increasing subsidies, we should be working for responsible reform of farm policies. That is why I voted in favor of Senator WELLSTONE's amendment which calls for broader reform.

Even with the expanded coverage and more affordable insurance premiums for farmers called for in this bill, Congress does not have the assurance that other problems, such as fluctuations in the market or limited trade opportunities, will not create additional burdens on farmers requiring another costly congressional budgetary response.

Mr. President, this bill also includes provisions that appear capricious and unnecessarily bureaucratic. Five new regional centers will be established at a price tag of \$30 million, and new pilot programs are authorized to develop and market risk management tools. I support efforts to evaluate innovative risk management options or to ensure that farmers understand changes to insurance coverage and options. But why should we spend taxpayer money on new information centers when this information is already available and accessible through local USDA offices? And, the private sector is in no way prohibited from exploring opportunities to develop and market new products to manage risk.

Mr. President, I agree with the fundamental principle of this bill, that farmers need to have risk management tools to allow them to prepare for, and deal with, crop losses and disaster-related problems. However, I am not convinced that this bill will do much more than increase taxpayer burdens and only partially solve a much bigger problem facing our nation's farmers.

Mr. President, I ask unanimous consent that my remarks be placed in the RECORD immediately following passage of S. 2251.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass? The clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 95, nays 5, as follows:

[Rollcall Vote No. 44 Leg.]

YEAS—95

Abraham	Enzi	Mack
Akaka	Feingold	McConnell
Allard	Feinstein	Mikulski
Ashcroft	Fitzgerald	Moynihan
Baucus	Frist	Murkowski
Bayh	Gorton	Murray
Bennett	Graham	Nickles
Biden	Gramm	Reed
Bingaman	Grams	Reid
Bond	Grassley	Robb
Boxer	Hagel	Roberts
Breaux	Harkin	Rockefeller
Brownback	Hatch	Roth
Bryan	Helms	Santorum
Bunning	Hollings	Sarbanes
Burns	Hutchinson	Schumer
Byrd	Hutchison	Sessions
Campbell	Inhofe	Shelby
Chafee, L.	Inouye	Smith (NH)
Cleland	Jeffords	Smith (OR)
Collins	Johnson	Snowe
Conrad	Kennedy	Specter
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kohl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Lautenberg	Torricelli
Dodd	Leahy	Voinovich
Domenici	Levin	Warner
Dorgan	Lieberman	Wellstone
Durbin	Lincoln	Wyden
Edwards	Lugar	

NAYS—5

Cochran	Kyl	McCain
Gregg	Lott	

The bill (H.R. 2559), as amended, was passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 2559) entitled "An Act to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the "Risk Management for the 21st Century Act".

(b) *TABLE OF CONTENTS*.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CROP INSURANCE COVERAGE

Sec. 101. Quality adjustment.

Sec. 102. Prevented planting.

Sec. 103. Payment of portion of premium by Corporation.

Sec. 104. Assigned yields.

Sec. 105. Multiyear disaster actual production history adjustment.

Sec. 106. Noninsured crop disaster assistance program.

Sec. 107. Crop insurance coverage for rice.

TITLE II—RESEARCH AND PILOT PROGRAMS

Sec. 201. Research and pilot programs.

- Sec. 202. Research and development contracting authority.
- Sec. 203. Choice of risk management options.
- Sec. 204. Options pilot program.
- Sec. 205. Risk management innovation and competition pilot program.
- Sec. 206. Education and research.
- Sec. 207. Conforming amendments.

TITLE III—ADMINISTRATION

- Sec. 301. Board of Directors of Corporation.
- Sec. 302. Good farming practices.
- Sec. 303. Sanctions for program noncompliance and fraud.
- Sec. 304. Oversight of agents and loss adjusters.
- Sec. 305. Adequate coverage for States.
- Sec. 306. Records and reporting.
- Sec. 307. Fees for plans of insurance.
- Sec. 308. Limitation on double insurance.
- Sec. 309. Specialty crops.
- Sec. 310. Federal Crop Insurance Improvement Commission.
- Sec. 311. Highly erodible land and wetland conservation.
- Sec. 312. Projected loss ratio.
- Sec. 313. Compliance with State licensing requirements.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Improved risk management education.
- Sec. 402. Sense of the Senate regarding the Federal crop insurance program.
- Sec. 403. Sense of Congress on Rally for Rural America and rural crisis.

TITLE V—EFFECTIVE DATES; TERMINATION OF AUTHORITY

- Sec. 501. Effective dates.
- Sec. 502. Termination of authority.

TITLE I—CROP INSURANCE COVERAGE

SEC. 101. QUALITY ADJUSTMENT.

Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)) is amended by striking paragraph (6) and inserting the following:

“(6) QUALITY ADJUSTMENT POLICIES.—

“(A) IN GENERAL.—The Corporation shall offer coverage that permits a reduction in the quantity of production of an agricultural commodity produced during a crop year, or any similar adjustment, that results from the agricultural commodity not meeting the quality standards established in the policy.

“(B) ELECTION NOT TO RECEIVE COVERAGE.—

“(i) IN GENERAL.—A producer may elect not to receive quality adjustment coverage.

“(ii) PREMIUM REDUCTION.—In the case of an election described in clause (i), the Corporation shall provide a reduction in the premium payable by the producer for a plan of insurance in an amount equal to the premium for the quality adjustment coverage, as determined by the Corporation.

“(C) REVIEW OF CRITERIA AND PROCEDURES.—The Corporation shall—

“(i) contract with a qualified person to analyze the quality loss adjustment procedures of the Corporation; and

“(ii) based on the analysis, make adjustments in the quality loss adjustment procedures of the Corporation necessary to more accurately reflect local quality discounts that are applied to agricultural commodities insured under this title, taking into consideration the actuarial soundness of the adjustment and the prevention of fraud, waste, and abuse.”.

SEC. 102. PREVENTED PLANTING.

(a) IN GENERAL.—Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)) (as amended by section 101) is amended by inserting after paragraph (6) the following:

“(7) PREVENTED PLANTING.—

“(A) ELECTION NOT TO RECEIVE COVERAGE.—

“(i) IN GENERAL.—A producer may elect not to receive coverage for prevented planting of an agricultural commodity.

“(ii) PREMIUM REDUCTION.—In the case of an election described in clause (i), the Corporation shall provide a reduction in the premium pay-

able by the producer for a plan of insurance in an amount equal to the premium for the prevented planting coverage, as determined by the Corporation.

“(B) EQUAL COVERAGE.—For each agricultural commodity for which prevented planting coverage is available, the Corporation shall offer an equal percentage level of prevented planting coverage.

“(C) AREA CONDITIONS REQUIRED FOR PAYMENT.—The Corporation shall limit prevented planting payments to producers in the area in which the farm is located that are generally affected by the conditions that prevent an agricultural commodity from being planted.

“(D) SUBSTITUTE COMMODITY.—

“(i) AUTHORITY TO PLANT.—Subject to clause (v), a producer that has prevented planting coverage and is eligible to receive an indemnity under the coverage may plant an agricultural commodity, other than the commodity covered by the prevented planting coverage, on the acreage originally prevented from being planted.

“(ii) NONAVAILABILITY OF INSURANCE.—A substitute agricultural commodity planted under clause (i) for harvest in the same crop year shall not be eligible for coverage under a policy or plan of insurance under this title or for non-insured crop disaster assistance under section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333).

“(iii) RELATIONSHIP TO OTHER REQUIREMENTS.—The producer of a substitute agricultural commodity under clause (i) shall remain eligible for the benefits described in subsection (b)(7).

“(iv) EFFECT ON ACTUAL PRODUCTION HISTORY.—If a producer plants a substitute agricultural commodity under clause (i) for a crop year, the Corporation shall assign the producer a yield, for that crop year for the commodity that was prevented from being planted, equal to 60 percent of the producer's actual production history for that commodity for purposes of determining the producer's actual production history for subsequent crop years.

“(v) EFFECT ON PREVENTED PLANTING PAYMENT.—If a producer plants a substitute agricultural commodity under clause (i) before the latest planting date established by the Corporation for the agricultural commodity prevented from being planted, the Corporation shall not make a prevented planting payment with regard to the commodity prevented from being planted.

“(E) RELATIONSHIP TO OTHER LAW.—This paragraph shall supersede subsection (h)(7) to the extent that this paragraph is inconsistent with subsection (h)(7).

“(F) CROP YEARS.—This paragraph shall apply to each of the 2001 through 2004 crop years.”.

(b) APPLICATION.—The amendment made by subsection (a) shall be reflected in the rates for applicable plans of insurance not later than the 2001 reinsurance year.

SEC. 103. PAYMENT OF PORTION OF PREMIUM BY CORPORATION.

(a) EXPECTED MARKET PRICE.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (5) and inserting the following:

“(5) EXPECTED MARKET PRICE.—

“(A) IN GENERAL.—For the purposes of this title, the Corporation shall establish or approve the price level (referred to in this title as the ‘expected market price’) of each agricultural commodity for which insurance is offered.

“(B) AMOUNT.—The expected market price of an agricultural commodity—

“(i) except as otherwise provided in this subparagraph, shall be not less than the projected market price of the agricultural commodity, as determined by the Corporation;

“(ii) may be based on the actual market price of the agricultural commodity at the time of harvest, as determined by the Corporation;

“(iii) in the case of revenue and other similar plans of insurance, shall be the actual market

price of the agricultural commodity, as determined by the Corporation; or

“(iv) in the case of cost of production or similar plans of insurance, shall be the projected cost of producing the agricultural commodity, as determined by the Corporation.”.

(b) PREMIUM AMOUNTS.—Section 508(d)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(2)) is amended by striking subparagraph (C) and inserting the following:

“(C) In the case of additional coverage at greater than or equal to 65 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price, or a comparable coverage for a plan of insurance that is not based on yield, but less than 75 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price, or a comparable coverage for a plan of insurance that is not based on yield, the amount of the premium shall—

“(i) be sufficient to cover anticipated losses and a reasonable reserve; and

“(ii) include an amount for operating and administrative expenses, as determined by the Corporation, on an industry-wide basis as a percentage of the amount of the premium used to define loss ratio.

“(D) In the case of additional coverage equal to 75, 80, or 85 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price, or a comparable coverage for a plan of insurance that is not based on yield, the amount of the premium shall—

“(i) be sufficient to cover anticipated losses and a reasonable reserve; and

“(ii) include an amount for operating and administrative expenses, as determined by the Corporation, on an industry-wide basis as a percentage of the amount of the premium used to define loss ratio.”.

(c) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—

“(A) MANDATORY PAYMENTS.—For the purpose of encouraging the broadest possible participation of producers in the crop insurance plans of insurance described in subsections (b) and (c), the Corporation shall pay a part of the premium in the amounts determined under this subsection.

“(B) DISCRETIONARY PAYMENTS.—For the purpose of encouraging the broadest possible participation of producers, in the case of a plan of insurance approved by the Corporation under subsection (h), the Corporation may pay a part of the premium as determined under this subsection.”; and

(2) in paragraph (2), by striking subparagraphs (B) and (C) and inserting the following:

“(B) In the case of additional coverage less than or equal to 50 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price, or a comparable coverage for a plan of insurance that is not based on yield, the amount shall be equal to the sum of—

“(i) 60 percent of the amount of the premium established under subsection (d)(2)(B)(i); and

“(ii) the amount of operating and administrative expenses determined under subsection (d)(2)(B)(ii).

“(C) In the case of additional coverage at 55 percent or 60 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price, or a comparable coverage for a plan of insurance that is not based on yield, the amount shall be equal to the sum of—

“(i) 45 percent of the amount of the premium established under subsection (d)(2)(B)(i); and

“(ii) the amount of operating and administrative expenses determined under subsection (d)(2)(B)(ii).

“(D) In the case of additional coverage at 65 percent or 70 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price, or a comparable coverage for a plan of insurance that is not based on yield, the amount shall be equal to the sum of—

“(i) 50 percent of the amount of the premium established under subsection (d)(2)(C)(i); and

“(ii) the amount of operating and administrative expenses determined under subsection (d)(2)(C)(ii).

“(E) In the case of additional coverage equal to 75 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price, or a comparable coverage for a plan of insurance that is not based on yield, the amount shall be equal to the sum of—

“(i) 55 percent of the amount of the premium established for coverage at 75 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price under subsection (d)(2)(D)(i); and

“(ii) the amount of operating and administrative expenses determined under subsection (d)(2)(D)(ii).

“(F) In the case of additional coverage equal to 80 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price, or a comparable coverage for a plan of insurance that is not based on yield, the amount shall be equal to the sum of—

“(i) 38 percent of the amount of the premium established for coverage at 80 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price under subsection (d)(2)(D)(i); and

“(ii) the amount of operating and administrative expenses determined under subsection (d)(2)(D)(ii).

“(G) In the case of additional coverage equal to 85 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price, or a comparable coverage for a plan of insurance that is not based on yield, the amount shall be equal to the sum of—

“(i) 28 percent of the amount of the premium established for coverage at 85 percent of the recorded or appraised average yield indemnified at 100 percent of the expected market price under subsection (d)(2)(D)(i); and

“(ii) the amount of operating and administrative expenses determined under subsection (d)(2)(D)(ii).

“(H) Subparagraphs (A) through (G) shall apply to each of fiscal years 2001 through 2004.”

(d) **REVENUE COVERAGE FOR POTATOES.**—Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)) is amended by striking paragraph (3) and inserting the following:

“(3) **EXCLUSIONS.**—

“(A) **IN GENERAL.**—Insurance provided under this subsection shall not cover losses due to—

“(i) the neglect or malfeasance of the producer;

“(ii) the failure of the producer to reseed to the same crop in such areas and under such circumstances as it is customary to reseed; or

“(iii) the failure of the producer to follow good farming practices (as determined by the Secretary).

“(B) **REVENUE COVERAGE FOR POTATOES.**—No plan of insurance provided under this title (including a plan of insurance approved by the Board under subsection (h)) shall cover losses due to a reduction in revenue for potatoes except as covered under a whole farm plan of insurance, as determined by the Corporation.”

(e) **CONFORMING AMENDMENTS.**—Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (e), by striking paragraph (4); and

(2) in subsection (g)(2)(D), by striking “(as provided in subsection (e)(4))”.

SEC. 104. ASSIGNED YIELDS.

Section 508(g)(2)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(2)(B)) is amended—

(1) by striking “assigned a yield” and inserting “assigned—

“(i) a yield”;

(2) by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(ii) a yield determined by the Corporation, in the case of—

“(I) a producer that has not had a share of the production of the insured crop for more than 2 crop years, as determined by the Secretary;

“(II) a producer that produces an agricultural commodity on land that has not been farmed by the producer; and

“(III) a producer that rotates a crop produced on a farm to a crop that has not been produced on the farm.”

SEC. 105. MULTIYEAR DISASTER ACTUAL PRODUCTION HISTORY ADJUSTMENT.

Section 508(g) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)) is amended by adding at the end the following:

“(4) **TRANSITIONAL ADJUSTMENT FOR DISASTERS.**—

“(A) **DEFINITION OF A PRODUCER THAT HAS SUFFERED A MULTIYEAR DISASTER.**—In this paragraph, the term ‘a producer that has suffered a multiyear disaster’ means a producer (or a successor entity through which the actual production history of the producer can be traced) that has suffered a natural disaster during at least 3 of the immediately preceding 5 crop years that resulted in a cumulative reduction of at least 25 percent in the actual production history of the crop of an agricultural commodity.

“(B) **ELIMINATION OF CERTAIN YEARS OF PRODUCTION HISTORY.**—Notwithstanding paragraph (2), effective beginning with the 2001 crop year, for the purpose of calculating the actual production history for a crop of an agricultural commodity, a producer that has suffered a multiyear disaster with respect to the crop may exclude 1 year of production history for each 5 years included in the actual production history calculation of the crop for which the producer purchased crop insurance.

“(C) **CORPORATION’S SHARE OF CHANGED COSTS.**—In the case of an exclusion under subparagraph (B), in addition to any other authority to pay any portion of premium, the Corporation shall pay—

“(i) the portion of the premium that represents the increase in premium associated with the exclusion;

“(ii) all additional indemnities associated with the exclusion; and

“(iii) any amounts that result from the difference in the administrative and operating expenses owed to an approved insurance provider as the result of an exclusion in actual production history under this paragraph.

“(D) **INCREASE IN ACTUAL PRODUCTION HISTORY AFTER EXCLUSIONS.**—In the case of a producer that has received an exclusion under subparagraph (B), the Corporation shall not limit the increase of the actual production history based on the producer’s actual production of the crop of an agricultural commodity in succeeding crop years until the actual production history for the producer reaches the level for the crop year immediately preceding the first year of the multiyear disaster.

“(E) **TERMINATION OF EXCLUSION AUTHORITY.**—The authority to apply this paragraph to a producer shall terminate with respect to the first crop year in which crop insurance is available to the producer that adequately insures against natural disasters that occur in multiple crop years, as determined by the Corporation.

“(F) **REINSURANCE YEARS.**—This paragraph shall apply to each of the 2001 through 2004 reinsurance years.”

SEC. 106. NONINSURED CROP DISASTER ASSISTANCE PROGRAM.

(a) **OPERATION AND ADMINISTRATION OF PROGRAM.**—Section 196(a)(2) of the Agricultural Market Transition Act (7 U.S.C. 7333(a)(2)) is amended by adding at the end the following:

“(C) **COMBINATION OF SIMILAR TYPES OR VARIETIES.**—At the option of the Secretary, all types or varieties of a crop or commodity, described in subparagraphs (A) and (B), may be considered to be a single eligible crop under this section.”

(b) **RECORDS AND APPLICATION DATE.**—Section 196(b) of the Agricultural Market Transition Act (7 U.S.C. 7333(b)) is amended—

(1) in the second sentence of paragraph (1), by striking “at such time as the Secretary may require.” and inserting “not later than March 15.”;

(2) by striking paragraph (2) and inserting the following:

“(2) **RECORDS.**—To be eligible for assistance under this section, a producer shall provide annually to the Secretary records of crop acreage, acreage yields, and production for each crop, as required by the Secretary.”; and

(3) in paragraph (3), by inserting “annual” after “shall provide”.

(c) **LOSS REQUIREMENTS.**—Section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333) is amended by striking subsection (c) and inserting the following:

“(c) **LOSS REQUIREMENTS.**—

“(1) **CAUSE.**—To be eligible for assistance under this section, a producer of an eligible crop shall have suffered a loss of a noninsured commodity as the result of a cause described in subsection (a)(3).

“(2) **ASSISTANCE.**—On making a determination described in subsection (a)(3), the Secretary shall provide assistance under this section to producers of an eligible crop that have suffered a loss as a result of the cause described in subsection (a)(3).

“(3) **PREVENTED PLANTING.**—The Secretary shall make a prevented planting noninsured crop disaster assistance payment to a producer if the producer is prevented from planting more than 15 percent of the acreage intended for the eligible crop because of a cause described in subsection (a)(3), as determined by the Secretary.

“(4) **AREA TRIGGER.**—The Secretary may provide assistance to individual producers without any requirement of an area loss.”

(d) **NEW ELIGIBLE CROPS.**—Section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333) is amended—

(1) in subsection (d)(1)—

(A) by inserting “(except as provided in subsection (j))” after “percent”; and

(B) by inserting “determined under subsection (e)” after “for the crop”;

(2) by redesignating subsection (j) as subsection (l); and

(3) by inserting after subsection (i) the following:

“(j) **NEW ELIGIBLE CROPS.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), if a producer produces an eligible crop that is new to an area (as determined by the Secretary), a payment for the producer shall be computed by substituting the following percentages of yields for the percentages of yields specified in subsection (d)(1):

“(A) In the case of the first crop year of the eligible crop produced by the producer, 35 percent of the established yield for the crop determined under subsection (e).

“(B) In the case of each of the second through fourth years of the eligible crop produced by the producer—

“(i) 45 percent of the established yield for the crop determined under subsection (e); or

“(ii) if the producer received a payment under this section for the first crop year of the eligible crop produced by the producer, 35 percent of the established yield for the crop determined under subsection (e).

“(2) **TEMPORARY INELIGIBILITY.**—If a producer of an eligible crop described in paragraph (1) receives a payment under this section in both the first and second crop years of the eligible crop, the producer shall be ineligible for a payment under this section until the producer has successfully produced the crop for at least 3 consecutive crop years with no loss reported, as determined by the Secretary.”

(e) **SERVICE FEE.**—Section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333) (as amended by subsection (d)) is amended by inserting after subsection (j) the following:

“(k) **SERVICE FEE.**—

“(1) **IN GENERAL.**—To be eligible to receive assistance for an eligible crop for a crop year under this section, a producer shall pay to the Secretary (at the time at which the producer provides reports under subsection (b)(3)) a service fee for the eligible crop in an amount that is equal to the lesser of—

“(A) the equivalent of the per policy fee for catastrophic risk protection available under section 508(b)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(5)); or

“(B) \$200 per producer per county, but not to exceed a total of \$600 per producer.

“(2) **WAIVER.**—The Secretary shall waive the service fee required under paragraph (1) in the case of a limited resource farmer, as defined by the Secretary.

“(3) **USE.**—The Secretary shall deposit service fees collected under this subsection in the Commodity Credit Corporation Fund.”.

(f) **CROP YEARS.**—This section and the amendments made by this section shall apply to each of the 2001 through 2004 crop years.

SEC. 107. CROP INSURANCE COVERAGE FOR RICE.

Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)) (as amended by section 102(a)) is amended by adding at the end the following:

“(8) **SPECIAL PROVISIONS FOR RICE.**—Notwithstanding any other provision of this title, beginning with the 2001 crop of rice, the Corporation shall offer plans of insurance, including prevented planting coverage and replanting coverage, under this title that cover losses of rice resulting from failure of irrigation water supplies due to drought and saltwater intrusion.”.

TITLE II—RESEARCH AND PILOT PROGRAMS

SEC. 201. RESEARCH AND PILOT PROGRAMS.

The Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) is amended by adding at the end the following:

“SEC. 522. RESEARCH AND PILOT PROGRAMS.

“(a) **GENERAL PROVISIONS.**—

“(1) **IN GENERAL.**—Except as otherwise provided in this subsection, the Corporation may conduct research, surveys, pilot programs, and investigations relating to crop insurance and agriculture-related risks and losses based on proposals developed by the Corporation or by an approved insurance provider to evaluate whether the proposal or new risk management tool is suitable for the marketplace and addresses the needs of producers of agricultural commodities.

“(2) **PRIVATE COVERAGE.**—Under this section, the Corporation shall not conduct any activity that provides insurance protection against a risk if insurance protection against the risk is generally available from private companies.

“(3) **COVERED ACTIVITIES.**—The activities described in paragraph (1) include insurance on losses involving—

“(A) reduced forage on rangeland caused by drought or insect infestation;

“(B) livestock poisoning and disease;

“(C) destruction of bees due to the use of pesticides;

“(D) unique special risks related to fruits, nuts, vegetables, and specialty crops in general, aquacultural species, and forest industry needs (including appreciation);

“(E) loss of timber due to drought, flood, fire, or other natural disaster;

“(F) other agricultural products as determined by the Board;

“(G) after October 1, 2000, insurance coverage for livestock and livestock products;

“(H) subject to paragraph (7), after October 1, 2000, wild salmon; and

“(I) subject to paragraph (7), after October 1, 2000, loss of or damage to trees or fruit affected by plum pox virus (commonly known as ‘sharka’), including quarantined trees or fruit.

“(4) **SCOPE OF PILOT PROGRAMS.**—The Corporation may—

“(A) offer a pilot program authorized under this title on a regional, State, or national basis after considering the interests of affected producers and the interests of, and risks to, the Corporation;

“(B) operate the pilot program, including any modifications of the pilot program, for a period of up to 4 years;

“(C) extend the time period for the pilot program for additional periods, as determined appropriate by the Corporation; and

“(D) provide pilot programs that would allow producers—

“(i) to receive premium discounts for using whole farm units or single crop units of insurance; and

“(ii) to cross State and county boundaries to form insurable units.

“(5) **EVALUATION.**—After the completion of any pilot program under this section, the Corporation shall evaluate the pilot program and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report on the operations of the pilot program, including the evaluation by the Corporation of the pilot program and the recommendations of the Corporation with respect to implementing the program on a national basis.

“(6) **FUNDING.**—The amount of funds used to carry out research and pilot programs that are established after the date of enactment of this section (other than subsection (b)(2)) shall not exceed—

“(A) in the case of fiscal year 2001, \$10,000,000;

“(B) in the case of fiscal year 2002, \$30,000,000;

“(C) in the case of fiscal year 2003, \$50,000,000; and

“(D) in the case of fiscal year 2004, \$60,000,000.

“(7) **FISCAL YEARS.**—Paragraphs (3)(E), (3)(G), (3)(H), (4), and (6) shall apply to each of fiscal years 2001 through 2004.

“(8) **RELATION TO OTHER LAWS.**—

“(A) **IN GENERAL.**—The terms and conditions of any policy or plan of insurance offered under this section that is reinsured by the Corporation shall not—

“(i) be subject to the jurisdiction of the Commodity Futures Trading Commission or the Securities and Exchange Commission; or

“(ii) be considered to be accounts, agreements (including any transaction that is of the character of, or is commonly known to the trade as, an ‘option’, ‘privilege’, ‘indemnity’, ‘bid’, ‘offer’, ‘put’, ‘call’, ‘advance guaranty’, or ‘decline guaranty’), or transactions involving contracts of sale of a commodity for future delivery, traded or executed on a contract market for the purposes of the Commodity Exchange Act (7 U.S.C. 1 et seq.).

“(B) **EFFECT ON CFTC AND COMMODITY EXCHANGE ACT.**—Nothing in this paragraph affects the jurisdiction of the Commodity Futures Trading Commission or the applicability of the Commodity Exchange Act (7 U.S.C. 1 et seq.) to any transaction conducted on a contract market under that Act by an approved insurance provider to offset the approved insurance provider's risk under a plan or policy of insurance under this section.”.

SEC. 202. RESEARCH AND DEVELOPMENT CONTRACTING AUTHORITY.

Section 522 of the Federal Crop Insurance Act (as added by section 201) is amended by adding at the end the following:

“(b) **RESEARCH AND DEVELOPMENT CONTRACTING AUTHORITY.**—

“(1) **IN GENERAL.**—Subject to section 523(a), to obtain the best research and analysis concerning any significant issue pertaining to crop insurance, including outreach and education, pilot programs, or the development of a new plan of insurance, the Corporation may use

only the authority provided by this section and funds made available under section 516(b)(2)(A) to—

“(A) contract on a competitive basis with qualified persons;

“(B) reimburse research costs associated with product development; and

“(C) reimburse costs associated with the reassessment and modification of plans of insurance.

“(2) **ALTERNATIVE RATING METHODOLOGIES.**—

“(A) **IN GENERAL.**—The Corporation shall enter into contracts with qualified persons to study and develop alternative methodologies for rating plans of insurance for catastrophic risk protection and higher levels of additional coverage under subsections (b) and (c), respectively, of section 508, and rates for the plans of insurance, that take into account—

“(i) producers that elect not to participate in the Federal crop insurance program; and

“(ii) producers that elect to obtain only catastrophic risk protection.

“(B) **PRIORITY.**—The studies conducted under this paragraph shall provide priority to agricultural commodities with—

“(i) the largest average acreage nationwide; and

“(ii) the lowest percentage of producers that purchase additional coverage.

“(C) **FUNDING.**—

“(i) **IN GENERAL.**—The Corporation shall fund the studies conducted under this paragraph from funds in the insurance fund available under section 516(b)(2)(A).

“(ii) **AMOUNT.**—There are authorized for the studies conducted under this paragraph—

“(I) in the case of each of fiscal years 2001 and 2002, \$1,000,000; and

“(II) in the case of each of fiscal years 2003 and 2004, \$250,000.

“(D) **FISCAL YEARS.**—This paragraph shall apply to each of fiscal years 2001 through 2004.

“(3) **RESEARCH AND DEVELOPMENT PRIORITIES.**—The Corporation shall establish, as 1 of the highest research and development priorities of the Corporation, the development of a pasture, range, and forage program to promote land stewardship.

“(4) **STUDY OF MULTIYEAR COVERAGE.**—

“(A) **IN GENERAL.**—The Corporation shall contract with a qualified person to conduct a study to determine whether offering plans of insurance that provide coverage for multiple years would reduce fraud and abuse by persons that participate in the Federal crop insurance program.

“(B) **REPORT.**—Not later than 1 year after the date of enactment of this section, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).”.

SEC. 203. CHOICE OF RISK MANAGEMENT OPTIONS.

(a) **IN GENERAL.**—Section 522 of the Federal Crop Insurance Act (as amended by section 202) is amended by adding at the end the following:

“(c) **CHOICE OF RISK MANAGEMENT OPTIONS.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **AGRICULTURAL COMMODITY.**—The term ‘agricultural commodity’ means each agricultural commodity specified in section 518—

“(i) for which catastrophic risk protection or additional coverage is available under this title, other than solely this section; and

“(ii) that is selected by the Secretary in a manner that—

“(I) encourages the maximum number of participants in the program under this subsection;

“(II) provides a mixture of program, specialty, and regional crops;

“(III) gives consideration to agricultural commodities with low crop insurance participation rates; and

“(IV) results in not less than 15 percent of payments being made to producers in States in which—

“(aa) there is traditionally, and continues to be, a low level of Federal crop insurance participation and availability; and

“(bb) the Secretary of Agriculture determines that the State is underserved by Federal crop insurance.

“(B) APPLICABLE CROP.—The term ‘applicable crop’ means each of the 2002 through 2004 crops of an agricultural commodity produced by a producer.

“(C) APPLICABLE YEAR.—The term ‘applicable year’ means the year in which—

“(i) the applicable crop is produced on the farm of a producer; and

“(ii) the producer elects to receive a risk management payment or crop insurance premium subsidy under this subsection.

“(D) REGULATED EXCHANGE.—The term ‘regulated exchange’ means a board of trade (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)) that is designated as a contract market under section 2(a)(1)(B) of that Act (7 U.S.C. 2a).

“(2) RISK MANAGEMENT PAYMENTS.—

“(A) OFFER.—The Corporation shall offer either to make either risk management payments or to provide crop insurance premium subsidies for each of the 2002 through 2004 crops of an agricultural commodity in accordance with subparagraph (B).

“(B) TERMS.—Not later than the sales closing date for obtaining coverage for an agricultural commodity for each applicable year, an eligible producer may elect to receive, with respect to the agricultural commodity—

“(i) a risk management payment under this subsection; or

“(ii) a crop insurance premium subsidy, including a catastrophic risk protection subsidy, under this subsection.

“(3) RISK MANAGEMENT PAYMENT.—

“(A) IN GENERAL.—In the case of a producer that elects to receive a risk management payment for an applicable crop of an agricultural commodity under this subsection, the Corporation shall make a risk management payment to the producer that covers the agricultural commodity produced by the producer for the applicable crop.

“(B) BASIS FOR PAYMENT.—The amount of a risk management payment shall be determined in accordance with paragraph (5).

“(4) QUALIFYING RISK MANAGEMENT PRACTICES.—To be eligible for a risk management payment under this subsection for an applicable crop of an agricultural commodity, a producer shall obtain or use for the applicable crop a qualifying risk management practice from at least 2 of the following categories:

“(A) CROP INSURANCE CATEGORY.—A producer may purchase coverage for an agricultural commodity under a private plan of insurance or a Federal plan of insurance that is not subsidized.

“(B) MARKETING RISK CATEGORY.—

“(i) FUTURE OR OPTION.—A producer may enter into a future or option for an agricultural commodity produced on the farm of the producer for the applicable crop on a regulated exchange that is (as determined by the Corporation)—

“(I)(aa) in the case of a future, at least 1 regulated futures contract (as defined in section 1256(g) of the Internal Revenue Code of 1986); and

“(bb) in the case of an option, at least 1 listed option (as defined in section 1256(g) of that Code); and

“(II) a hedging transaction (as defined in section 1256(e)(2) of that Code) involving an agricultural commodity that is used to reduce production, price, or revenue risk.

“(ii) AGRICULTURAL TRADE OPTION.—A producer may purchase, on other than a regulated exchange, an agricultural trade option for the applicable crop of an agricultural commodity produced on the farm of the producer that (as determined by the Corporation)—

“(I) provides coverage for at least 10 percent of the estimated monetary value of the agricultural commodity;

“(II) is an equity option (as defined in section 1256(g) of the Internal Revenue Code of 1986); and

“(III) is a hedging transaction (as defined in section 1256(e)(2) of that Code) involving an agricultural commodity that is used to reduce production, price, or revenue risk.

“(iii) CASH FORWARD OR OTHER MARKETING CONTRACT.—A producer may enter into a cash forward or other type of marketing contract for at least 20 percent of the monetary value of an agricultural commodity produced on the farm of the producer for the applicable crop, as determined by the Secretary.

“(iv) MARKETING THROUGH COOPERATIVES.—A producer may market at least 25 percent of an agricultural commodity produced by the producer through a cooperative that is owned by agricultural producers.

“(C) FINANCIAL RISK CATEGORY.—

“(i) TRUST.—A producer may make a deposit of an amount equal to at least 10 percent of the payments of the producer for the applicable year under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) into a trust authorized by statute for eligible farming businesses that may be established to accept tax deductible contributions.

“(ii) AGRICULTURAL MARKETING AND RISK MANAGEMENT EDUCATION.—A producer may attend and complete in the applicable year an agricultural marketing or risk management class or seminar approved by the Corporation.

“(iii) FINANCIAL RISK REDUCTION.—A producer may reduce farm financial risk by reducing debt in an amount that reduces leverage or by increasing liquidity, as determined by the Secretary.

“(iv) DIVERSIFICATION.—A producer may address production or financial risk by—

“(I) diversifying production on the farm of the producer by producing at least 1 additional commodity on the farm;

“(II) significantly increasing farm enterprise diversification in the applicable year, as determined by the Secretary;

“(III) maintaining an integrated farming system with a substantial degree of diversification, as determined by the Secretary; or

“(IV) implementing a transition to organic farming.

“(D) FARM RESOURCES RISK CATEGORY.—

“(i) CONSERVATION PRACTICES.—A producer may implement new or existing conservation practices consisting of—

“(I) nutrient management;

“(II) integrated pest management;

“(III) conservation tillage;

“(IV) conservation buffers; or

“(V) other conservation practices that are appropriate for the farm, as determined by the Secretary.

“(ii) AGRICULTURAL CONSERVATION MANAGEMENT PLAN.—A producer may develop a plan to mitigate financial risk associated with resource conservation through practices consisting of—

“(I) nutrient management;

“(II) integrated pest management;

“(III) soil erosion control;

“(IV) conservation buffers;

“(V) soil residue management;

“(VI) water quantity or quality management; or

“(VII) other conservation practices that are appropriate for the farm, as determined by the Secretary.

“(iii) AGRICULTURAL RESOURCE IMPROVEMENTS.—A producer may invest in the improvement or development of 1 or more of the following capital land improvements on the farm of the producer to reduce production risk:

“(I) Irrigation management.

“(II) Watershed management structures.

“(III) Planting trees for windbreaks or water quality.

“(IV) Soil quality management options.

“(V) Animal waste management structures.

“(VI) Other land improvements, as determined by the Secretary.

“(E) OTHER CATEGORY.—A producer may engage in any other risk management practice approved by the Secretary.

“(5) DETERMINATION OF RISK MANAGEMENT PAYMENT.—

“(A) IN GENERAL.—The Secretary shall determine the amount of a risk management payment for an agricultural commodity produced on the farm of a producer for an applicable crop taking into consideration the expenditure by the producer on the risk management practices obtained or used by the producer.

“(B) MAXIMUM PAYMENT.—No payment shall be made in excess of an amount equal to the national average of the previous year's liability for all catastrophic risk protection policies.

“(C) FUNDING.—

“(i) IN GENERAL.—Subject to clause (ii), there are authorized to be expended to carry out this subsection from the insurance fund under section 516(a)(2)(C) not more than \$500,000,000 for the period of fiscal years 2002 through 2004.

“(ii) ANNUAL LIMITATION.—Not more than \$200,000,000 may be expended in any fiscal year to carry out this subsection.

“(6) ADMINISTRATIVE PROVISIONS.—

“(A) CERTIFICATION.—A producer shall submit to the crop insurance agent or approved insurance provider a risk management practices form that certifies, in accordance with standards prescribed by the Secretary, the qualifying risk management practices and associated costs that were obtained or used by the producer during the applicable year.

“(B) COMPLIANCE.—The Corporation may perform random audits of producers that obtain a risk management payment to ensure that the producers obtained or used the qualifying risk management practices described in the form.

“(C) VIOLATION OF TERMS OF RISK MANAGEMENT PAYMENT.—If a producer has accepted a risk management payment or crop insurance premium subsidy for an applicable year and the producer fails to comply with subparagraph (A), or to carry out a qualifying risk management option elected by the producer under paragraph (4), with respect to the applicable year, the producer—

“(i) shall refund to the Corporation an amount equal to the risk management payment; and

“(ii) may be subject to debarment from loans and payments for a period of not to exceed 5 years, as provided in section 506(n)(3)(B).

“(D) ASSIGNMENT AND SHARING OF BENEFITS.—

“(i) ASSIGNMENT OF BENEFITS.—Assignment of a benefit provided under this subsection shall be carried out as provided in section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)).

“(ii) NOTICE.—The producer making the assignment, or the assignee, shall provide the Corporation with notice, in such manner as the Corporation may require, of any assignment.

“(iii) SHARING OF BENEFITS.—The Corporation shall provide for the sharing of benefits under this subsection among all producers that are at risk in the production of an applicable crop on a fair and equitable basis.

“(7) FISCAL YEARS.—This subsection shall apply to each of fiscal years 2002 through 2004.”

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 516(a) of the Federal Crop Insurance Act (7 U.S.C. 1516(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) DISCRETIONARY EXPENSES.—There are authorized to be appropriated for fiscal year 1999 and each subsequent fiscal year such sums as are necessary to cover—

“(A) the salaries and expenses of the Corporation; and

“(B) the expenses of approved insurance providers incurred in carrying out section 522(c).”; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “and” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) risk management payments authorized under section 522(c) in an amount not to exceed \$500,000,000 for the period of fiscal years 2002 through 2004, of which not more than \$200,000,000 may be expended for any 1 fiscal year.”.

SEC. 204. OPTIONS PILOT PROGRAM.

(a) IN GENERAL.—Section 191 of the Agricultural Market Transition Act (7 U.S.C. 7331) is amended—

(1) in the first sentence of subsection (a), by striking “2002” and inserting “2004”; and

(2) in subsection (b)—

(A) in the first sentence, by striking “100 counties, except that not more than 6” and inserting “300 counties, except that not more than 25”; and

(B) in the second sentence, by striking “2002” and inserting “2004”; and

(3) in subsection (c)(2), by inserting before the semicolon the following: “during any calendar year in which a county in which the farm of the producer is located is authorized to operate the pilot program”.

(b) FUNDING.—From amounts made available under section 516(a)(2)(C) of the Federal Crop Insurance Act (7 U.S.C. 1516(a)(2)(C)) (as added by section 203(b)(2)(C)) for the choice of risk management options pilot program, the Federal Crop Insurance Corporation shall transfer to the Secretary of Agriculture to carry out the amendments made by subsection (a) \$27,000,000 for each of fiscal years 2002 through 2004.

SEC. 205. RISK MANAGEMENT INNOVATION AND COMPETITION PILOT PROGRAM.

Section 522 of the Federal Crop Insurance Act (as amended by section 203(a)) is amended by adding at the end the following:

“(d) RISK MANAGEMENT INNOVATION AND COMPETITION.—

“(1) PURPOSE.—The purpose of the pilot program established under this subsection is to determine what incentives are necessary to encourage approved insurance providers to—

“(A) develop and offer innovative risk management products to producers;

“(B) rate premiums for risk management products; and

“(C) competitively market the risk management products.

“(2) ESTABLISHMENT.—

“(A) IN GENERAL.—The Corporation shall establish a pilot program under which approved insurance providers may propose for approval by the Board risk management products involving—

“(i) loss of yield or revenue insurance coverage for 1 or more commodities (including commodities that are not insurable under this title as of the date of enactment of this section, but excluding livestock);

“(ii) rates of premium for the risk management product; or

“(iii) underwriting systems for the risk management product.

“(B) SUBMISSION TO BOARD.—The Board shall review and approve a risk management product before the risk management product may be marketed under this subsection.

“(C) DETERMINATION BY BOARD.—The Board may approve a risk management product for subsidy and reinsurance under this title if the Board determines that—

“(i) the interests of producers of commodities are adequately protected by the risk management product;

“(ii) premium rates charged to producers are actuarially appropriate (within the meaning of section 508(h)(3)(E));

“(iii) the underwriting system of the risk management product is appropriate and adequate;

“(iv) the proposed risk management product is reinsured under this title, is reinsured through private reinsurance, or is self-insured;

“(v) the size of the proposed pilot area is adequate;

“(vi) insurance protection against the risk covered by the proposed risk management product is not generally available from private plans of insurance that are not covered by this title; and

“(vii) such other requirements of this title as the Board determines should apply to the risk management product are met.

“(D) CONFIDENTIALITY.—

“(i) IN GENERAL.—All information concerning a risk management product shall be considered to be confidential commercial or financial information for the purposes of section 552(b)(4) of title 5, United States Code.

“(ii) STANDARD.—If information concerning a risk management product of an approved insurance provider could be withheld by the Secretary under the standard for privileged or confidential information pertaining to trade secrets and commercial or financial information under section 552(b)(4) of title 5, United States Code, the information shall not be released to the public.

“(3) MARKETING OF RISK MANAGEMENT PRODUCTS.—

“(A) DEFINITION OF ORIGINAL PROVIDER.—In this paragraph, the term ‘original provider’ means an approved insurance provider that submits a risk management product to the Board for approval under paragraph (2).

“(B) AUTHORITY TO MARKET.—If the Board approves a risk management product under paragraph (2), subject to subparagraph (C), only the original provider may market the risk management product.

“(C) FEE.—

“(i) IN GENERAL.—An approved insurance provider (other than the original provider) that desires to market a risk management product shall pay a fee to the original provider for the right to market the risk management product.

“(ii) AMOUNT.—The original provider shall determine the amount of the fee under clause (i).”.

SEC. 206. EDUCATION AND RESEARCH.

Section 522 of the Federal Crop Insurance Act (as amended by section 205) is amended by adding at the end the following:

“(e) EDUCATION AND RESEARCH.—

“(1) IN GENERAL.—The Corporation shall establish the programs described in paragraphs (2) and (3), respectively, for the 2001–2004 fiscal years, not to exceed the funding limitations established in paragraph (4).

“(2) EDUCATION AND INFORMATION.—The Corporation shall establish a program of education and information for States in which—

“(A) there is traditionally, and continues to be, a low level of Federal crop insurance participation and availability; and

“(B) the Secretary of Agriculture determines that the State is underserved by Federal crop insurance.

“(3) RESEARCH AND DEVELOPMENT.—The Corporation shall establish a program of research and development to develop new approaches to increasing participation in States in which—

“(A) there is traditionally, and continues to be, a low level of Federal crop insurance participation and availability; and

“(B) the Secretary of Agriculture determines that the State is underserved by Federal crop insurance.

“(4) FUNDING.—The following amounts shall be transferred from funds made available in section 516(a)(2)(C) for the Choice of Risk Management Options pilot program—

“(A) for the Education, Information and Insurance Provider Recruitment program in paragraph (2), \$10,000,000 for each of fiscal years 2001 through 2004.

“(B) for the Research and Development program in paragraph (3), \$5,000,000 for each of fiscal years 2001 through 2004.”.

SEC. 207. CONFORMING AMENDMENTS.

(a) Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) by striking subsection (m); and

(2) by redesignating subsection (n) as subsection (m).

(b) Section 516(b)(2)(A) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(2)(A)) is amended by striking “exceed \$3,500,000 for each fiscal year.” and inserting “exceed—

“(i) in the case of each of fiscal years 2001 and 2002, \$4,500,000;

“(ii) in the case of each of fiscal years 2003 and 2004, \$3,750,000; and

“(iii) in the case of each subsequent fiscal year, \$3,500,000.”.

(c) Section 518 of the Federal Crop Insurance Act (7 U.S.C. 1518) is amended by striking “subsection (a) or (m) of section 508 of this title” and inserting “section 508(a), 522, or 523”.

TITLE III—ADMINISTRATION

SEC. 301. BOARD OF DIRECTORS OF CORPORATION.

(a) IN GENERAL.—Section 505 of the Federal Crop Insurance Act (7 U.S.C. 1505) is amended by striking subsection (a) and inserting the following:

“(a) BOARD OF DIRECTORS.—

“(1) IN GENERAL.—The management of the Corporation shall be vested in a Board of Directors, subject to the general supervision of the Secretary.

“(2) COMPOSITION.—The Board shall consist of—

“(A) 4 members who are active agricultural producers with or without crop insurance, with 1 member appointed from each of the 4 regions of the United States (as determined by the Secretary);

“(B) 1 member who is active in the crop insurance business;

“(C) 1 member who is active in the reinsurance business;

“(D) the Under Secretary for Farm and Foreign Agricultural Services;

“(E) the Under Secretary for Rural Development; and

“(F) the Chief Economist of the Department of Agriculture.

“(3) APPOINTMENT AND TERMS OF PRIVATE SECTOR MEMBERS.—The members of the Board described in subparagraphs (A), (B), and (C) of paragraph (2)—

“(A) shall be appointed by, and hold office at the pleasure of, the Secretary;

“(B) shall not be otherwise employed by the Federal Government;

“(C) shall be appointed to staggered 4-year terms, as determined by the Secretary; and

“(D) shall serve not more than 2 consecutive terms.

“(4) CHAIRPERSON.—The Board shall select a member of the Board described in subparagraph (A), (B), or (C) of paragraph (2) to serve as Chairperson of the Board.

“(5) OFFICE OF RISK MANAGEMENT.—The Office of Risk Management shall provide assistance to the Board in developing, reviewing, and recommending—

“(A) new plans of insurance and pilot projects under this title that are proposed by the Office or by a private insurance provider;

“(B) terms of the Standard Reinsurance Agreement;

“(C) rates for plans of insurance under this title; and

“(D) other issues involved in the administration of Federal crop insurance, as requested by the Board.

“(6) EXECUTIVE DIRECTOR; STAFF.—

“(A) EXECUTIVE DIRECTOR.—An executive director appointed by the Secretary, with the concurrence of the Board, shall—

“(i) assist the Board, as provided in subparagraph (C); and

“(ii) report to the Secretary.

“(B) STAFF.—

“(i) IN GENERAL.—A staff of 4 individuals appointed by the Executive Director shall report to the Executive Director.

“(ii) **QUALIFICATIONS.**—An individual described in clause (i) (except the Executive Director) shall be knowledgeable and experienced in quantitative mathematics and actuarial rating.

“(C) **FUNCTIONS.**—The Executive Director and staff appointed under this paragraph shall—

“(i) assist the Board in reviewing and approving policies and materials with respect to plans of insurance or other materials authorized or submitted under section 508, 522, or 523;

“(ii) provide at least monthly reports to the Board on crop insurance issues, which shall be based on comments received from producers, approved insurance providers, and other sources that the Executive Director and staff consider appropriate;

“(iii) review policies and materials with respect to—

“(I) subsidized plans of insurance authorized under section 508; and

“(II) unsubsidized plans of insurance submitted to the Board under section 508(h);

“(iv) make recommendations to the Board with respect to approval of the policies and materials, including recommendations with respect to the disapproval of any policies and materials that contain terms or conditions that promote fraud;

“(v) make recommendations to the Board to encourage cooperation between United States attorneys, the Corporation, and approved insurance providers to minimize fraud in connection with an insurance plan or policy under this title;

“(vi) review and make recommendations to the Board with respect to methodologies for rating plans of insurance under this title; and

“(vii) perform such other functions as the Board considers appropriate.

“(D) **FUNDING.**—

“(i) **INSURANCE FUND.**—From amounts in the insurance fund under section 516(c)(1), effective for fiscal year 2001, \$500,000 shall be available to pay the salaries and expenses of the Executive Director and staff appointed under this paragraph.

“(ii) **SALARIES AND EXPENSES.**—Subject to the availability of appropriations, the Risk Management Agency shall transfer \$500,000 for fiscal year 2001, and \$1,000,000 for each subsequent fiscal year, at the beginning of the fiscal year to the Executive Director for the salaries and expenses of the Executive Director and staff appointed under this paragraph.”

(b) **SUBMISSION OF POLICIES AND MATERIALS TO BOARD.**—Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

(1) by striking paragraphs (1) through (4) and inserting the following:

“(1) **IN GENERAL.**—In addition to any standard forms or policies that the Board may require be made available to producers under subsection (c), a person may propose to the Board—

“(A) loss of yield or revenue insurance coverage on an individual, area, or a combination of individual and area basis, for 1 or more agricultural commodities;

“(B) rates of premium for a proposed or existing policy; and

“(C) underwriting systems for a proposed or existing policy.

“(2) **SUBMISSION OF PROPOSALS.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B) and paragraph (3), a proposal submitted to the Board under this subsection may be prepared without regard to the limitations of this title, including limitations—

“(i) concerning actuarial soundness;

“(ii) concerning levels of coverage;

“(iii) concerning rates of premium;

“(iv) that the price level for coverage for each insured commodity must equal the expected market price for the commodity as established by the Board; and

“(v) that an approved insurance provider shall provide coverage under a policy throughout a State for all commodities if the approved insurance provider elects to provide any coverage in the State.

“(B) **MAXIMUM ALLOWABLE SUBSIDY.**—The payment by the Corporation of a portion of the premium of the policy approved by the Board under this subsection may not exceed the amount that would otherwise be authorized under subsection (e).

“(3) **STANDARDS.**—

“(A) **IN GENERAL.**—The Board shall approve a proposal under this subsection for subsidy and reinsurance if the Board finds that the proposal adequately ensures that—

“(i) the interests of producers of commodities are adequately protected;

“(ii) premiums charged to producers are actuarially appropriate;

“(iii) the underwriting system included in the proposal is appropriate and adequate; and

“(iv) the proposal is reinsured under this title, is reinsured through private reinsurance, or is self-insured;

“(B) **RATES OF PREMIUM.**—A proposed rate of premium (including the part of premium paid by the Corporation) shall be considered to be actuarially appropriate if the rate is sufficient to cover projected losses and expenses, a reasonable reserve, and the amount of operating and administrative expenses of the approved insurance provider determined under subsection (d)(2).

“(C) **PROPOSED UNDERWRITING PLANS.**—A proposed underwriting plan—

“(i) may be on an area or individual farm basis; and

“(ii) shall, at a minimum, specify factors such as yield history for the farm or region, soils and resource quality for the farm, and farm production practices.

“(D) **REINSURANCE.**—

“(i) **FEDERAL REINSURANCE.**—The Corporation shall, to the maximum extent practicable, make reinsurance available to an approved insurance provider under this subsection.

“(ii) **PRIVATE OR FEDERAL REINSURANCE.**—An approved insurance provider may—

“(I) obtain private reinsurance for the proposal;

“(II) obtain reinsurance for the proposal under this title; or

“(III) self-insure the proposal.

“(E) **ACTUARIALLY APPROPRIATE.**—The Board shall prescribe standards for determining whether premium rates are actuarially appropriate considering the risk inherent in the proposed product.

“(4) **REVIEW AND APPROVAL BY BOARD.**—With respect to any policy or other material submitted to the Board after October 1, 2000, under this subsection, the following guidelines shall apply:

“(A) **IN GENERAL.**—The policy or other material shall be reviewed by the Board in accordance with subparagraphs (C) and (D).

“(B) **MULTIPLE INSURANCE AGREEMENTS.**—The Corporation may enter into more than 1 reinsurance agreement simultaneously with the approved insurance provider to facilitate the offering of the new policy.

“(C) **PROCEDURES FOR SUBMISSION AND REVIEW.**—The Corporation shall promulgate regulations that establish procedures for the submission and review by the Board of proposals submitted to the Board under this subsection, including—

“(i) the standards applicable to a proposal under paragraph (3) (including documentation required to establish that a proposal satisfies the standards);

“(ii) procedures concerning the time limitations provided under this paragraph; and

“(iii) procedures that provide an applicant the opportunity to present the proposal to the Board in person.

“(D) **REVIEW BY THE BOARD.**—

“(i) **PERIOD FOR APPROVAL.**—Notwithstanding any other provision of law, a proposal submitted to the Board shall be considered to be approved unless the Board disapproves the proposal by the date that is 60 business days after the later of—

“(I) the date of submission of the completed proposal to the Board; or

“(II) the date on which the applicant provides to the Board notice of intent to modify the proposal under clause (ii)(IV).

“(ii) **NOTICE OF DISAPPROVAL.**—

“(I) **IN GENERAL.**—Not later than 15 days before the date on which the Board intends to announce disapproval of a proposal, the Board shall provide the applicant, by registered mail, with notice of intent to disapprove the proposal.

“(II) **RIGHT TO MODIFY.**—An applicant that is notified under subclause (I) may modify the proposal.

“(III) **ORIGINAL APPLICATION.**—For the purposes of this clause, any modified proposal shall be considered to be an original proposal.

“(IV) **NOTICE OF INTENT TO MODIFY.**—Not later than 5 business days after receipt of a notice under subclause (I), an applicant that intends to modify the proposal shall so notify the Board.

“(E) **TIMING.**—In establishing procedures under this subsection, the Board shall prescribe a reasonable deadline for the submission of proposals that approved insurance providers expect to market during the reinsurance year.

“(F) **CONFIDENTIALITY.**—

“(i) **IN GENERAL.**—A proposal submitted to the Board under this subsection (including any information generated from the proposal) shall be considered to be confidential commercial or financial information for the purposes of section 552(b)(4) of title 5, United States Code.

“(ii) **STANDARD OF CONFIDENTIALITY.**—Except as provided in clauses (iii) and (iv), if information concerning a proposal could be withheld by the Secretary under the standard for privileged or confidential information pertaining to trade secrets and commercial or financial information under section 552(b)(4) of title 5, United States Code, the information shall not be released to the public.

“(iii) **EXCEPTION FOR PURCHASERS OF PLANS OF INSURANCE.**—Clause (ii) shall not apply in the case of an approved insurance provider that elects to pay a fee to sell a plan of insurance developed by another provider under paragraph (5).

“(iv) **APPROVED PROPOSALS.**—In lieu of publication in the Federal Register, a general summary of the content of the proposal shall be made available to other approved insurance providers at the time at which the proposal is approved by the Board, consisting of a description of—

“(I) the identity of the approved insurance provider;

“(II) the coverage provided; and

“(III) the area to be covered by the approved proposal.”;

(2) by striking paragraphs (6), (8), and (10); and

(3) by redesignating paragraphs (7) and (9) as paragraphs (6) and (7), respectively.

(c) **CONFORMING AMENDMENTS.**—Section 516(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(1)) is amended—

(1) in subparagraph (B), by striking “; and” and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(D) the salaries and expenses of the Executive Director and staff appointed under section 505(a)(6) for fiscal year 2001, but not to exceed \$500,000 for the fiscal year; and”.

SEC. 302. GOOD FARMING PRACTICES.

Section 508(a)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(3)) (as amended by section 103(d)) is amended in subparagraph (A)(iii) by inserting after “good farming practices” the following: “, including scientifically sound sustainable and organic farming practices”.

SEC. 303. SANCTIONS FOR PROGRAM NONCOMPLIANCE AND FRAUD.

(a) **IN GENERAL.**—Section 506 of the Federal Crop Insurance Act (7 U.S.C. 1506) is amended

by striking subsection (n) and inserting the following:

“(n) **SANCTIONS FOR PROGRAM NONCOMPLIANCE AND FRAUD.**—

“(1) **FALSE INFORMATION.**—A producer, agent, loss adjuster, approved insurance provider, or other person that willfully and intentionally provides any false or inaccurate information to the Corporation or to an approved insurance provider with respect to a policy or plan of insurance under this title may, after notice and an opportunity for a hearing on the record, be subject to 1 or more of the sanctions described in paragraph (3).

“(2) **COMPLIANCE.**—A person may, after notice and an opportunity for a hearing on the record, be subject to 1 or more of the sanctions described in paragraph (3) if the person is—

“(A) a producer, agent, loss adjuster, approved insurance provider, or other person that willfully and intentionally fails to comply with a requirement of the Corporation; or

“(B) an agent, loss adjuster, approved insurance provider, or other person (other than a producer) that willfully and intentionally fails to comply with a requirement of the Standard Reinsurance Agreement.

“(3) **AUTHORIZED SANCTIONS.**—If the Secretary determines that a person covered by this subsection has committed a material violation under paragraph (1) or (2), the following sanctions may be imposed:

“(A) **CIVIL FINES.**—A civil fine may be imposed for each violation in an amount not to exceed the greater of—

“(i) the amount of the pecuniary gain obtained as a result of the false or inaccurate information provided or the noncompliance with a requirement of this title; or

“(ii) \$10,000.

“(B) **DEBARMENT.**—

“(i) **PRODUCERS.**—In the case of a violation committed by a producer, the producer may be disqualified for a period of up to 5 years from receiving any monetary or nonmonetary benefit provided under—

“(I) this title;

“(II) the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.), including the noninsured crop disaster assistance program under section 196 of that Act (7 U.S.C. 7333);

“(III) the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.);

“(IV) the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.);

“(V) the Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.);

“(VI) title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.);

“(VII) the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.); and

“(VIII) any law that provides assistance to a producer of an agricultural commodity affected by a crop loss or a decline in the prices of agricultural commodities.

“(ii) **OTHER PERSONS.**—In the case of a violation committed by an agent, loss adjuster, approved insurance provider, or other person (other than a producer), the violator may be disqualified for a period of up to 5 years from participating in any program, or receiving any benefit, under this title.

“(4) **ASSESSMENT OF SANCTION.**—The Secretary shall consider the gravity of the violation of the person covered by this subsection in determining—

“(A) whether to impose a sanction under this subsection; and

“(B) the amount of the sanction to be imposed.

“(5) **DISCLOSURE OF SANCTIONS.**—Each policy or plan of insurance under this title shall provide notice about the sanctions prescribed under paragraph (3) for willfully and intentionally—

“(A) providing false or inaccurate information to the Corporation or to an approved insurance provider; or

“(B) failing to comply with a requirement of the Corporation or the Standard Reinsurance Agreement.

“(6) **INSURANCE FUND.**—Any funds collected under this subsection shall be deposited into the insurance fund under section 516(c)(1).”

(b) **CONFORMING AMENDMENTS.**—Section 516(c) of the Federal Crop Insurance Act (7 U.S.C. 1516(c)) is amended by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—There is established the insurance fund, which shall include (to remain available without fiscal year limitation)—

“(A) premium income;

“(B) amounts made available under subsection (a)(2); and

“(C) civil fines collected under section 506(n)(3)(A).”

SEC. 304. OVERSIGHT OF AGENTS AND LOSS ADJUSTERS.

Section 506(q) of the Federal Crop Insurance Act (7 U.S.C. 1506(q)) is amended by adding at the end the following:

“(3) **OVERSIGHT OF AGENTS AND LOSS ADJUSTERS.**—The Corporation shall—

“(A) develop procedures for an annual review by an approved insurance provider of the performance of each agent and loss adjuster used by the approved insurance provider;

“(B) oversee the annual review conducted by each approved insurance provider; and

“(C) consult with each approved insurance provider regarding any remedial action that is determined necessary as a result of the annual review of an agent or loss adjuster.

“(4) **COMPLIANCE REPORTS.**—Not later than the end of each fiscal year, the Corporation shall submit, to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Board, a report concerning compliance by approved insurance providers, agents, and loss adjusters with this title, including any recommendations for legislative or administrative changes that could further improve compliance.”

SEC. 305. ADEQUATE COVERAGE FOR STATES.

Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)) (as amended by section 107) is amended by adding at the end the following:

“(9) **ADEQUATE COVERAGE FOR STATES.**—

“(A) **DEFINITION OF ADEQUATELY SERVED.**—In this paragraph, the term ‘adequately served’ means having a participation rate that is at least 50 percent of the national average participation rate.

“(B) **REVIEW.**—The Board shall review the plans of insurance that are offered by approved insurance providers under this title to determine if each State is adequately served by the plans of insurance.

“(C) **REPORT.**—

“(i) **IN GENERAL.**—Not later than 30 days after completion of the review under subparagraph (B), the Board shall submit to Congress a report on the results of the review.

“(ii) **RECOMMENDATIONS.**—The report shall include recommendations to increase participation in States that are not adequately served by the plans of insurance.”

SEC. 306. RECORDS AND REPORTING.

(a) **CONDITION OF OBTAINING COVERAGE.**—Section 508(f)(3)(A) of the Federal Crop Insurance Act (7 U.S.C. 1508(f)(3)(A)) is amended by striking “provide,” and all that follows through “sought” and inserting “provide annually records acceptable to the Secretary regarding crop acreage, acreage yields, and production for each agricultural commodity insured under this title”.

(b) **COORDINATION AND USE OF RECORDS AND REPORTS.**—Section 506(h) of the Federal Crop Insurance Act (7 U.S.C. 1506(h)) is amended—

(1) by striking “The Corporation” and inserting the following:

“(1) **IN GENERAL.**—The Corporation”; and

(2) by adding at the end the following:

“(2) **COORDINATION AND USE OF RECORDS AND REPORTS.**—

“(A) **COORDINATION.**—The Secretary shall ensure that recordkeeping and reporting requirements under this title and section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333) are coordinated by the Corporation and the Farm Service Agency—

“(i) to avoid duplication of records and reports;

“(ii) to streamline procedures involved with the submission of records and reports; and

“(iii) to enhance the accuracy of records and reports.

“(B) **USE.**—Records submitted under this title and section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333) shall be available to agencies and local offices of the Department, appropriate State and Federal agencies and divisions, and approved insurance providers for use in carrying out this title, that section, and other agricultural programs and related responsibilities.”

SEC. 307. FEES FOR PLANS OF INSURANCE.

(a) **IN GENERAL.**—Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended by striking paragraph (5) and inserting the following:

“(5) **FEES FOR PLANS OF INSURANCE.**—

“(A) **FEES FOR EXISTING PLANS OF INSURANCE.**—

“(i) **IN GENERAL.**—Effective beginning with the 2001 reinsurance year, if an approved insurance provider elects to sell a plan of insurance that was developed by another approved insurance provider and the plan of insurance was approved by the Board before January 1, 2000, the approved insurance provider that developed the plan of insurance shall have the right to receive a fee from the approved insurance provider that elects to sell the plan of insurance.

“(ii) **AMOUNT.**—The amount of the fee that is payable by an approved insurance provider for a plan of insurance under clause (i) shall be—

“(I) for each of the first 5 crop years that the plan is sold, \$2.00 for each policy under the plan that is sold by the approved insurance provider;

“(II) for each of the next 3 crop years that the plan is sold, \$1.00 for each policy under the plan that is sold by the approved insurance provider; and

“(III) for each crop year thereafter that the plan is sold, 50 cents for each policy under the plan that is sold by the approved insurance provider.

“(B) **FEES FOR NEW PLANS OF INSURANCE.**—

“(i) **IN GENERAL.**—Effective beginning with the 2001 reinsurance year, if an approved insurance provider elects to sell a plan of insurance that was developed by another approved insurance provider, the plan of insurance was approved by the Board under this subsection on or after January 1, 2000, and the plan of insurance was not available at the time at which the plan of insurance was approved by the Board, the approved insurance provider that developed the plan of insurance shall have the right to receive a fee from the approved insurance provider that elects to sell the plan of insurance.

“(ii) **AMOUNT.**—

“(I) **IN GENERAL.**—Subject to subclause (II), the amount of the fee that is payable by an approved insurance provider for a plan of insurance under clause (i) shall be an amount that is—

“(aa) determined by the approved insurance provider that developed the plan; and

“(bb) approved by the Board.

“(II) **APPROVAL.**—The Board shall not approve the amount of a fee under clause (i) if the amount of the fee unnecessarily inhibits the use of the plan of insurance, as determined by the Board.

“(C) **PAYMENTS.**—The Corporation shall annually—

“(i) collect from an approved insurance provider the amount of any fees that are payable by the approved insurance provider under subparagraphs (A) and (B); and

“(ii) credit any fees that are payable to an approved insurance provider under subparagraphs (A) and (B).

“(D) EXCEPTIONS.—In the case of a policy developed by an approved insurance provider that does not conduct business in a State—

“(i) the approved policy may be marketed in the State by another approved insurance provider if the approved insurance provider marketing the policy pays any fee for marketing the policy imposed by the developing provider; and

“(ii) the developing provider shall not deny payment of a fee by another provider to maintain full marketing rights of the approved policy.”

(b) FUNDING.—Section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516) (as amended by sections 301(c) and 303(b)) is amended—

(1) in subsection (b)(1), by adding at the end the following:

“(E) payment of fees in accordance with section 508(h)(5)(C).”; and

(2) in subsection (c)(1)(A), by inserting “and fees” after “premium income”.

SEC. 308. LIMITATION ON DOUBLE INSURANCE.

Subsection (m) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) (as redesignated by section 207(a)(2)) is amended by adding at the end the following:

“(3) LIMITATION ON DOUBLE INSURANCE.—The Corporation may offer plans of insurance or reinsurance for only 1 agricultural commodity produced on specific acreage during a crop year, unless—

“(A) there is an established practice of double-cropping in an area, as determined by the Corporation;

“(B) the additional plan of insurance is offered with respect to an agricultural commodity that is customarily double-cropped in the area; and

“(C) the producer has a history of double cropping or the specific acreage has historically been double-cropped.”

SEC. 309. SPECIALTY CROPS.

(a) IN GENERAL.—The Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) (as amended by sections 201 through 203) is amended by adding at the end the following:

“SEC. 523. SPECIALTY CROPS.

“(a) RESEARCH REGARDING THE DEVELOPMENT OF NEW OR REVISED CROP INSURANCE POLICIES.—To encourage the development of new or revised crop insurance policies and other materials for specialty crops by qualified private entities, and the submission of those insurance policies and other materials to the Corporation under section 508(h), the Specialty Crops Coordinator may—

“(1) make grants on a competitive basis for the research and development of plans of insurance for underserved specialty crops;

“(2) reimburse research costs associated with product development; and

“(3) enter into contracts on a competitive basis for the research and development of plans of insurance for underserved specialty crops.

“(b) PARTNERSHIPS FOR DEVELOPMENT OF RISK MANAGEMENT TOOLS FOR SPECIALTY CROPS.—

“(1) PURPOSE.—The purpose of this subsection is to authorize the Specialty Crops Coordinator, on behalf of the Corporation, to enter into partnerships with qualified public and private entities for the purpose of increasing the availability of risk management tools for producers of specialty crops.

“(2) AUTHORITY.—

“(A) IN GENERAL.—For each of fiscal years 2001 through 2004, the Corporation may use not more than \$20,000,000 from funds in the insurance fund under section 516(c)(1) to enter into partnerships with the Cooperative State Research, Education, and Extension Service, the Agricultural Research Service, the National Oceanic and Atmospheric Administration, and other appropriate public and private entities

with demonstrated capabilities in developing and implementing risk management and marketing options for specialty crops.

“(B) EXCLUSION.—Amounts necessary to carry out subparagraph (A) shall not be counted toward the limitation on research and development expenses established in section 516(b)(2)(A).

“(3) OBJECTIVES.—The Corporation may enter into a partnership under this subsection to—

“(A) enhance the notice, and timeliness of notice of weather conditions, that could negatively affect specialty crop yields, quality, and final product use in order to allow producers to take preventive actions to increase end-product profitability and marketability and to reduce the possibility of crop insurance claims;

“(B) develop a multifaceted approach to pest management to decrease inputs, decrease the development of pest resistance, and increase the effectiveness of pest prevention applications;

“(C) develop a multifaceted approach to fertilization to decrease inputs, decrease excessive nutrient loading to the environment, and increase application efficiency;

“(D) develop or improve techniques for planning, breeding, growing, maintaining, harvesting, storage, and shipping that will address quality and quantity challenges for specialty crops and livestock associated with year-to-year and regional variations;

“(E) provide assistance to State foresters or equivalent officials for the prescribed use of burning on private forest land for the prevention, control, and suppression of fire; and

“(F) develop other risk management tools that specialty crop producers can use to further increase their economic and production stability.

“(c) TIME PERIODS FOR PURCHASE OF COVERAGE FOR SPECIALTY CROPS.—

“(1) SALES CLOSING DATE.—The sales closing date for obtaining coverage for a specialty crop under this title may not expire before the end of the 120-day period beginning on the date of the final release of materials for policies from the Risk Management Agency and the Specialty Crops Coordinator.

“(2) PURCHASE DURING INSURANCE PERIOD.—A producer of a specialty crop may purchase new coverage or increase coverage levels for the specialty crop at any time during the insurance period, subject to a 30-day waiting period and an inspection by the insurance provider to verify acceptability by the insurance provider, if the Corporation determines that the risk associated with the crop can be adequately rated.

“(d) STUDIES OF NEW SPECIALTY CROP INSURANCE POLICIES.—

“(1) IN GENERAL.—The Corporation and the Specialty Crops Coordinator authorized under section 507(g) shall jointly conduct studies of the feasibility of developing new insurance policies for specialty crops, including policies based on the cost of production or adjusted gross income, quality-based policies, or an intermediate program with a higher coverage and cost than the catastrophic risk protection offered on the date of enactment of this section.

“(2) SUBMISSION OF RESULTS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Corporation and the Specialty Crops Coordinator shall submit to Congress a report containing the results of the studies required under this subsection.

“(e) FISCAL YEARS.—Subsections (b) and (c) shall apply to each of fiscal years 2001 through 2004.”

(b) REPORT ON COVERAGE OF NEW AND SPECIALTY CROPS AND METHOD FOR PROVISION OF CATASTROPHIC RISK PROTECTION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the President, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report assessing—

(1)(A) the progress made by the Department of Agriculture in expanding crop insurance coverage for new and specialty crops; and

(B) the plans of the Department to continue to expand coverage for additional crops; and

(2)(A) whether provision of catastrophic risk protection by private sector insurance providers—

(i) has resulted in a uniform quality of risk protection services in all regions of the United States; and

(ii) has fulfilled the goal of increased participation in the Federal crop insurance program, particularly in States with traditionally low crop insurance participation rates and States with a high proportion of specialty crops; and

(B) whether, particularly in States described in subparagraph (A)(ii), the Secretary should resume direct provision of catastrophic risk protection and performance of loss adjustment functions through local offices of the Department.

SEC. 310. FEDERAL CROP INSURANCE IMPROVEMENT COMMISSION.

Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1515) is amended to read as follows:

“SEC. 515. FEDERAL CROP INSURANCE IMPROVEMENT COMMISSION.

“(a) DEFINITION.—In this section the term ‘Commission’ means the Federal Crop Insurance Improvement Commission established by subsection (b).

“(b) ESTABLISHMENT OF COMMISSION.—There is established a Commission to be known as the ‘Federal Crop Insurance Improvement Commission’.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Commission shall be composed of the following 15 members:

“(A) The Under Secretary for Farm and Foreign Agricultural Services of the Department.

“(B) The manager of the Corporation.

“(C) The Chief Economist of the Department or a person appointed by the Chief Economist.

“(D) An employee of the Office of Management and Budget, appointed by the Director of the Office of Management and Budget.

“(E) A representative of the National Association of Insurance Commissioners, experienced in insurance regulation, appointed by the Secretary.

“(F) Representatives of 4 approved insurance providers or related organizations that provide advisory or analytical support to the crop insurance industry, appointed by the Secretary.

“(G) 2 agricultural economists from academia, appointed by the Secretary.

“(H) 4 representatives of major farm organizations and farmer-owned cooperatives, appointed by the Secretary.

“(2) TIME OF APPOINTMENT.—The members of the Commission shall be appointed not later than 60 days after the date of enactment of the Risk Management for the 21st Century Act.

“(3) TERM.—A member of the Commission shall serve for the life of the Commission.

“(d) DUTIES.—The Commission shall review and make recommendations concerning the following issues:

“(1) The extent to which approved insurance providers should bear the risk of loss for federally subsidized crop insurance.

“(2) Whether the Corporation should—

“(A) continue to provide financial assistance for the benefit of agricultural producers by reinsuring coverage written by approved insurance providers; or

“(B) provide assistance in another form, such as by acting as an excess insurer.

“(3) The extent to which development of new insurance products should be undertaken by the private sector, and how to encourage such development.

“(4) How to focus research and development of new insurance products to include the development of—

“(A) new types of products such as combined area and yield and whole farm revenue coverages; and

“(B) insurance products for specialty crops.

“(5) The use by the Corporation of private sector resources under section 507(c).

“(6) The progress of the Corporation in reducing administrative and operating costs of approved insurance providers under section 508(k)(5).

“(7) The identification of methods, and of organizational, statutory, and structural changes, to enhance and improve—

“(A) delivery of reasonably priced crop insurance products to agricultural producers;

“(B) loss adjustment procedures;

“(C) good farming practices;

“(D) the establishment of premiums; and

“(E) compliance with this title (including regulations issued under this title, the terms and conditions of insurance coverage, and adjustments of losses).

“(e) COMMISSION OPERATIONS.—

“(1) CHAIRPERSON; VOTING.—The Under Secretary for Farm and Foreign Agricultural Services of the Department of Agriculture shall—

“(A) serve as Chairperson of the Commission; and

“(B) vote in the case of a tie.

“(2) MEETINGS.—The Commission shall meet regularly, but not less than 6 times per year.

“(3) DISCLOSURE.—To the extent that the records, papers, or other documents received, prepared, or maintained by the Commission are subject to public disclosure, the documents shall be available for public inspection and copying at the Office of Risk Management.

“(f) FINAL REPORT.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Risk Management for the 21st Century Act, the Commission shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a final report on the review under subsection (d).

“(2) COPIES.—The Commission shall provide copies of the final report to—

“(A) the Secretary; and

“(B) the Board.

“(3) INTERIM REPORTS.—To expedite completion of the work of the Commission, the Commission may submit 1 or more interim reports or reports on 1 or more of the issues to be reviewed.

“(g) TERMINATION.—The Commission shall terminate on the earlier of—

“(1) 60 days after the date on which the Commission submits the final report under subsection (f); or

“(2) September 30, 2004.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.”

SEC. 311. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION.

(a) HIGHLY ERODIBLE LAND.—Section 1211(3) of the Food Security Act of 1985 (16 U.S.C. 3811(3)) is amended—

(1) in subparagraph (C), by striking “or” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; or”; and

(3) by adding at the following:

“(E) crop or revenue insurance, or a risk management payment, under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).”

(b) WETLAND CONSERVATION.—Section 1221(b)(3) of the Food Security Act of 1985 (16 U.S.C. 3821(b)(3)) is amended by adding at the end the following:

“(E) Crop or revenue insurance, or a risk management payment, under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).”

SEC. 312. PROJECTED LOSS RATIO.

Section 506(o) of the Federal Crop Insurance Act (7 U.S.C. 1506(o)) is amended by striking paragraph (2) and inserting the following:

“(2) PROJECTED LOSS RATIO.—The Corporation shall take such actions, including the establishment of adequate premiums, as are necessary to

improve the actuarial soundness of Federal multiyear crop insurance made available under this title to achieve—

“(A) during the period beginning on October 1, 1998, and ending with the 2001 crop year, an overall projected loss ratio of not greater than 1.075; and

“(B) beginning with the 2002 crop year, an overall projected loss ratio of not greater than 1.0.”

SEC. 313. COMPLIANCE WITH STATE LICENSING REQUIREMENTS.

Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) (as amended by section 207(a)(1)) is amended by adding at the end the following:

“(n) COMPLIANCE WITH STATE LICENSING REQUIREMENTS.—Any person that sells or solicits the purchase of a policy or plan of insurance or adjusts losses under this title, including catastrophic risk protection, in any State shall be licensed and otherwise qualified to do business in that State, and shall comply with all State regulation of such sales and solicitation activities (including commission and anti-rebating regulations), as required by the appropriate insurance regulator of the State in accordance with the relevant insurance laws of the State.”

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. IMPROVED RISK MANAGEMENT EDUCATION.

Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621 et seq.) is amended by adding at the end the following:

“SEC. 409. IMPROVED RISK MANAGEMENT EDUCATION FOR AGRICULTURAL PRODUCERS.

“(a) DEFINITIONS.—In this section:

“(1) CENTER.—The term ‘Center’ means a Risk Management Education Coordinating Center established under subsection (c)(1).

“(2) LAND-GRANT COLLEGE.—The term ‘land-grant college’ means any 1862 Institution, 1890 Institution, or 1994 Institution.

“(b) PROGRAM.—

“(1) IN GENERAL.—The Secretary shall carry out a program to improve the risk management skills of agricultural producers, including the owners and operators of small farms, limited resource producers, and other targeted audiences, to make informed risk management decisions.

“(2) PURPOSE.—The program shall be designed to assist a producer to develop the skills necessary—

“(A) to understand the financial health and capability of the producer’s operation to withstand price fluctuations, adverse weather, environmental impacts, diseases, family crises, and other risks;

“(B) to understand marketing alternatives, how various commodity markets work, the use of crop insurance products, and the price risk inherent in various markets; and

“(C) to understand legal, governmental, environmental, and human resource issues that impact the producer’s operation.

“(c) COORDINATING CENTERS.—

“(1) ESTABLISHMENT AND PURPOSE.—The Secretary shall establish a Risk Management Education Coordinating Center in each of 5 regions of the United States (as determined by the Secretary) to administer and coordinate the provision of risk management education to producers and their families under the program in that region.

“(2) SITE SELECTION.—

“(A) IN GENERAL.—The Secretary shall locate the Center for a region at—

“(i) a risk management education coordinating office of the Cooperative State Research, Education, and Extension Service that is in existence at a land-grant college on the date of enactment of this section; or

“(ii) an appropriate alternative land-grant college in the region approved by the Secretary.

“(B) LAND-GRANT COLLEGES.—To be selected as the location for a Center, a land-grant col-

lege must have the demonstrated capability and capacity to carry out the priorities, funding distribution requirements, and reporting requirements of the program.

“(d) COORDINATING COUNCIL.—

“(1) ESTABLISHMENT.—Each Center shall establish a coordinating council to assist in establishing the funding and program priorities for the region for which the Center was established.

“(2) MEMBERSHIP.—Each council shall consist of a minimum of 5 members, including representatives from—

“(A) public organizations;

“(B) private organizations;

“(C) agricultural producers; and

“(D) the Regional Service Offices of the Risk Management Agency in that region.

“(e) CENTER ACTIVITIES.—

“(1) INSTRUCTION FOR RISK MANAGEMENT PROFESSIONALS.—Each Center shall coordinate the offering of intensive risk management instructional programs, involving classroom learning, distant learning, and field training work, for professionals who work with agricultural producers, including professionals who are—

“(A) extension specialists;

“(B) county extension faculty members;

“(C) private service providers; and

“(D) other individuals involved in providing risk management education.

“(2) EDUCATION PROGRAMS FOR PRODUCERS.—

Each Center shall coordinate the provision of educational programs, including workshops, short courses, seminars, and distant-learning modules, to improve the risk management skills of agricultural producers and their families.

“(3) DEVELOPMENT AND DISSEMINATION OF MATERIALS.—Each Center shall coordinate the efforts to develop new risk management education materials and the dissemination of such materials.

“(4) COORDINATION OF RESOURCES.—

“(A) IN GENERAL.—Each Center shall make use of available and emerging risk management information, materials, and delivery systems, after careful evaluation of the content and suitability of the information, materials, and delivery systems for producers and their families.

“(B) USE OF AVAILABLE EXPERTISE.—To assist in conducting the evaluation under subparagraph (A), each Center shall use available expertise from land-grant colleges, nongovernmental organizations, government agencies, and the private sector.

“(f) GRANTS.—

“(1) SPECIAL GRANTS.—Each Center shall reserve a portion of the funds provided under this section to make special grants to land-grant colleges and private entities in the region to conduct 1 or more of the activities described in subsection (e).

“(2) COMPETITIVE GRANTS.—Each Center shall reserve a portion of the funds provided under this section to conduct a competitive grant program to award grants to both public and private entities that have a demonstrated capability to conduct 1 or more of the activities described in subsection (e).

“(g) NATIONAL AGRICULTURE RISK EDUCATION LIBRARY.—The National Agriculture Risk Education Library shall—

“(1) serve as a central agency for the coordination and distribution of risk management educational materials; and

“(2) provide a means for the electronic delivery of risk management information and materials.

“(h) FUNDING PROVISIONS.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$30,000,000 for fiscal year 2001 and each subsequent fiscal year.

“(2) DISTRIBUTION.—

“(A) NATIONAL AGRICULTURE RISK EDUCATION LIBRARY.—For each fiscal year, of the funds made available to carry out this section, 2.5 percent shall be distributed to the National Agriculture Risk Education Library.

“(B) CENTERS.—For each fiscal year, the remainder of the funds made available to carry out this section shall be distributed equally among the Centers.

“(C) ADMINISTRATION BY LAND-GRANT COLLEGES.—The land-grant college at which a Center is located shall be responsible for administering and disbursing funds described in subparagraph (B), in accordance with applicable State and Federal financial guidelines, for activities authorized by this section.

“(3) PROHIBITION ON CONSTRUCTION.—

“(A) LOCATION OF CENTERS.—Each Center shall be located in a facility in existence on the date of enactment of this section.

“(B) PROHIBITION.—Funds provided under this section shall not be used to carry out construction of any facility.

“(i) EVALUATION.—The Secretary, acting through the Cooperative State Research, Education, and Extension Service, shall evaluate the activities of each Center to determine whether the risk management skills of agricultural producers and their families are improved as a result of their participation in educational activities financed using funds made available under subsection (h).”.

SEC. 402. SENSE OF THE SENATE REGARDING THE FEDERAL CROP INSURANCE PROGRAM.

It is the sense of the Senate that—

(1) farmer-owned cooperatives play a valuable role in achieving the purposes of the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) by—

(A) encouraging producer participation in the Federal crop insurance program;

(B) improving the delivery system for crop insurance; and

(C) helping to develop new and improved insurance products;

(2) the Risk Management Agency, through its regulatory activities, should encourage efforts by farmer-owned cooperatives to promote appropriate risk management strategies among their membership;

(3) partnerships between approved insurance providers and farmer-owned cooperatives provide opportunity for agricultural producers to obtain needed insurance coverage on a more competitive basis and at a lower cost;

(4) the Risk Management Agency is following an appropriate regulatory process to ensure the continued participation by farmer-owned cooperatives in the delivery of crop insurance;

(5) efforts by the Risk Management Agency to finalize regulations that would incorporate the currently approved business practices of cooperatives participating in the Federal crop insurance program should be commended; and

(6) not later than 180 days after the date of enactment of this Act, the Federal Crop Insurance Corporation should complete promulgation of the proposed rule entitled “General Administrative Regulations; Premium Reductions; Payment of Rebates, Dividends, and Patronage Refunds; and Payments to Insured-Owned and Record-Controlling Entities”, published by the Federal Crop Insurance Corporation on May 12, 1999 (64 Fed. Reg. 25464), in a manner that—

(A) effectively responds to comments received from the public during the rulemaking process;

(B) provides an effective opportunity for farmer-owned cooperatives to assist the members of the cooperatives to obtain crop insurance and participate most effectively in the Federal crop insurance program;

(C) incorporates the currently approved business practices of farmer-owned cooperatives participating in the Federal crop insurance program; and

(D) protects the interests of agricultural producers.

SEC. 403. SENSE OF CONGRESS ON RALLY FOR RURAL AMERICA AND RURAL CRISIS.

(a) FINDINGS.—Congress finds that—

(1) on March 20–21, 2000, thousands of rural citizens, working families, and those representing the environmental and religious com-

munities traveled to Washington, D.C., to participate in the Rally for Rural America;

(2) a broad coalition of over 30 farm, environmental, and labor organizations that are concerned that rural America has been left behind during this time of prosperity participated in organizing the Rally for Rural America;

(3) although the majority of America has reaped the benefits of the strong economy, rural Americans are facing their toughest times in recent memory;

(4) the record low prices on farms and ranches of the United States have rippled throughout rural America causing rural communities to face numerous challenges, including—

(A) a depressed farm economy;

(B) an escalation of mergers and acquisitions;

(C) a loss of businesses and jobs on rural main street;

(D) erosion of health care and education;

(E) a decline in infrastructure;

(F) a reduction of capital investments; and

(G) a loss of independent family farmers;

(5) the Rally for Rural America urged Congress to reform the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127) to formulate rural policies in a manner that will alleviate the agricultural price crisis, ensure fair and open markets, and encourage fair trade;

(6) thousands of rural citizens have advocated farm policies that include—

(A) a strong safety net for all agricultural producers;

(B) competitive markets;

(C) an investment in rural education and health care;

(D) protection of natural resources for the next generation;

(E) a safe and secure food supply;

(F) revitalization of our farm families and rural communities; and

(G) fair and equitable implementation of government programs;

(7) because agricultural commodity prices are so far below the costs of production, eventually family farmers will no longer be able to pay their bills or provide for their families;

(8) anti-competitive practices and concentration are a cause of concern for American agriculture;

(9) rural America needs a fair and well reasoned farm policy, not unpredictable and inequitable disaster payments;

(10) disaster payments do not provide for real, meaningful change; and

(11) the economic conditions and pressures in rural America require real change.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(i) the participants in the Rally for Rural America are commended and their pleas have been heard; and

(2) Congress should respond with a clear and strong message to the participants and rural families that Congress is committed to giving the crisis in agriculture, and all of rural America, its full attention by reforming rural policies in a manner that will—

(A) alleviate the agricultural price crisis;

(B) ensure competitive markets;

(C) invest in rural education and health care;

(D) protect our natural resources for future generations; and

(E) ensure a safe and secure food supply for all.

TITLE V—EFFECTIVE DATES; TERMINATION OF AUTHORITY

SEC. 501. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsections (b) and (c)(2) and section 502(a), this Act and the amendments made by this Act take effect on the date of enactment of this Act.

(b) DELAYED OBLIGATION.—The Federal Crop Insurance Corporation shall not obligate funds to carry out subsection (c)(2) and the amendments made by sections 102, 103, 105, 106, 201 through 207, 309, and 310 until October 1, 2000.

(c) REGULATIONS.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Agriculture shall promulgate regulations to carry out this Act and the amendments made by this Act.

(2) INDEMNITY PAYMENTS FOR CERTAIN PRODUCERS OF DURUM WHEAT.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, notwithstanding section 508(c)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(5)), a producer of durum wheat that purchased a 1999 Crop Revenue Coverage wheat policy by the sales closing date prescribed in the actuarial documents in the county where the policy was sold shall receive an indemnity payment in accordance with the policy.

(B) BASE AND HARVEST PRICES.—The base price and harvest price under the policy shall be determined in accordance with the Commodity Exchange Endorsement for wheat published by the Federal Crop Insurance Corporation on July 14, 1998 (63 Fed. Reg. 37829).

(C) REINSURANCE.—Subject to subparagraph (B), notwithstanding section 508(c)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(5)), the Corporation shall provide reinsurance with respect to the policy in accordance with the Standard Reinsurance Agreement.

(D) VOIDING OF BULLETIN.—Bulletin MGR-99-004, issued by the Administrator of the Risk Management Agency of the Department of Agriculture, is void.

(E) EFFECTIVE DATE.—This paragraph takes effect on October 1, 2000.

SEC. 502. TERMINATION OF AUTHORITY.

(a) EFFECTIVE DATE.—This section and the amendments made by this section take effect on September 30, 2004.

(b) REPEAL.—

(1) IN GENERAL.—The amendments made by sections 102, 103, 105, 106, 203(b), and 310 are repealed.

(2) APPLICABILITY.—The Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) and section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333) shall be applied and administered as if the provisions described in paragraph (1) had not been enacted.

(3) CONFORMING AMENDMENT.—Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)) is amended by redesignating paragraph (8) (as added by section 107) and paragraph (9) (as added by section 305) as paragraph (7) and paragraph (8), respectively.

(c) PILOT PROGRAMS.—Section 522 of the Federal Crop Insurance Act (as added by sections 201, 202, 203, 205, and 206) is amended—

(1) in subsection (a)—

(A) in paragraph (3)—

(i) in subparagraph (D), by adding “and” at the end;

(ii) by striking subparagraphs (E) and (G);

(iii) in subparagraph (F), by striking “; and” and inserting a period; and

(iv) by redesignating subparagraph (F) as subparagraph (E);

(B) by striking paragraphs (4), (6), and (7); and

(C) by redesignating paragraphs (5) and (8) as paragraphs (4) and (5), respectively;

(2) in subsection (b)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(3) by striking subsections (c), (d), and (e).

(d) BOARD OF DIRECTORS OF CORPORATION.—Section 516(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(1)) (as amended by sections 301(c) and 307(b)(1)) is amended—

(1) in subparagraph (C), by inserting “and” after the semicolon;

(2) by striking subparagraph (D); and

(3) by redesignating subparagraph (E) as subparagraph (D).

(e) SPECIALTY CROPS.—

(1) IN GENERAL.—Section 523 of the Federal Crop Insurance Act (as added by section 309(a)) is amended—

(A) in subsection (b)—
 (i) by striking paragraph (2); and
 (ii) by redesignating paragraph (3) as paragraph (2);
 (B) by striking subsections (c) and (e); and
 (C) by redesignating subsection (d) as subsection (c).

(2) *REPORT.*—Section 309 of this Act is amended by striking subsection (b).

(f) *FUNDING.*—Neither the Secretary of Agriculture nor the Federal Crop Insurance Corporation may use the funds of the insurance fund under section 516(c)(1) of the Federal Crop Insurance Act (7 U.S.C. 1516(c)(1)), the funds of the Commodity Credit Corporation, or funds under any provision of law to carry out a provision repealed or struck by this section.

Mr. LUGAR. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. President, I ask unanimous consent that the Chair be authorized to appoint conferees on the part of the Senate.

There being no objection, the Presiding Officer (L. CHAFEE) appointed Mr. LUGAR, Mr. HELMS, Mr. COCHRAN, Mr. COVERDELL, Mr. ROBERTS, Mr. HARKIN, Mr. LEAHY, Mr. CONRAD, and Mr. KERREY conferees on the part of the Senate.

COMMENDATION OF STAFF

Mr. LUGAR. Mr. President, I commend the staff of Senator ROBERTS, particularly Mike Seyfert; Senator KERREY's staff, Bev Paul; Senator HARKIN's staff, Mark Halverson and Stephanie Mercier; Senator GRASSLEY's staff, Mark Reisinger; my own staff, Andy Morton, Michael Knipe, Chimene Dupler, Bob Sturm, Dave Johnson, Keith Luse, and Terri Nintemann; Senator COCHRAN's staff, Hunt Shipman; and Senator DASCHLE's staff, Zabree Valentine, who made very instrumental contributions to this bill.

Mr. HARKIN. Mr. President, I want to thank the Chairman for his leadership and work with all of us on the Agriculture Committee and in the Senate as a whole to bring this bill along to this point. It is a good bill and it will provide a lot of needed help to our nation's farmers and rural economy. I also want to thank and congratulate my colleagues, especially Senator KERREY and Senator ROBERTS, for their fine efforts. I too express my gratitude for the hard work and dedication of all the staff as mentioned by Chairman LUGAR, who have contributed to crafting this important piece of legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk 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.

Mr. LOTT. Mr. President, I congratulate Senator LUGAR, the chairman of the Committee on Agriculture, and Senator ROBERTS, on the bipartisan

work that was done on this legislation. While it didn't get a 100-percent vote, I think they should be commended for keeping their commitment made last fall to get crop insurance to the floor. Senator LUGAR, in his usual way, has worked very hard to bring all divergent views together. I thank the Senator for this important legislation.

Mr. DASCHLE. Will the Senator yield?

Mr. LOTT. I am happy to yield to the Senator.

Mr. DASCHLE. Mr. President, I associate myself with the remarks of the majority leader. Senator LUGAR, in the committee as well as on the floor, demonstrated once again why he is admired on both sides of the aisle as a leader in agriculture. This was not easy for him, beginning last year. He maneuvered the committee and brought the Senate to a point where we successfully completed our work.

I congratulate the Senator, and especially I congratulate Senators ROBERTS, KERREY, CONRAD, and others who had a role to play in bringing the Senate to this point. Our thanks to all Senators for their cooperation. I am grateful for the opportunity to have completed this work.

Mr. LOTT. Mr. President, let me add, thanks, too, to Senator KERREY and others involved on the Democratic side of the aisle. It was truly a bipartisan effort. I think they should be congratulated. I hope when it comes out of conference it will have 100-percent support.

SENATOR TED STEVENS— ALASKAN OF THE CENTURY

Mr. LOTT. Mr. President, I wish to comment at this time about one of the most effective and respected Senators in this Chamber. He can be ferocious in trying to get his work done, but he always winds up doing it with a smile on his face. He quite often acts as a typical trial lawyer making his case against the opposing counsel or pleading his case to the jury. Of course, we enjoy referring to him sometimes as the "Tasmanian devil." When he comes to the Senate floor wearing his Tasmanian devil tie, look out; he is ready to do the people's business in quick order.

For more than 30 years, the Alaskan of the Year Committee has named an Alaskan of the year who has significantly affected the character and the development of the 49th State. Thus, it is no surprise that in 1974 Senator STEVENS, along with the newspaper publisher, was named "Alaskan of the Year." Recently, the Alaskan of the Year Committee set out to name the Alaskan of the Century.

I inquired of the Senator from Alaska, which century? The past century for past favors or the present century for expected ones? With the usual sense of humor, he deferred to maybe the past century.

Mr. President, 88 names of great Alaskans appeared on the first ballot.

The second ballot contained 12; the third ballot contained 3. On the final ballot, Alaska's senior Senator, who has served so well in this body, TED STEVENS, was named "Alaskan of the Century."

What a great honor. On Saturday night, in Anchorage, AK, surrounded by family and friends, this great honor, Alaskan of the Century, will be conferred on Senator STEVENS. Senator STEVENS has had a role in every significant event in Alaska for the last half century, whether it be as a youth working for Alaskan statehood or his mastery in crafting and shepherding through Congress the Alaska Native Claims Settlement Act, landmark legislation for which there is no other precedent.

It would take all day to list the great many things Senator STEVENS has accomplished during his 31 years serving in the Senate, and even longer to list all of his friends. Mr. President, not only is TED STEVENS a great Senator and a great Alaskan, he is, above all, a loyal friend to all who know him. Even in the heat of battle, when it gets tough around here, in the next minute or the next hour, he is lovingly trying to do something to help his previous opponent, whether it be in the leadership of his own party or across the aisle in the other party.

His 6 children and 10 grandchildren, and his wife, Catherine, who is special in her own way, know for sure that Senator TED STEVENS, chairman of the Appropriations Committee, senior Senator for the 49th State, is indeed worthy of the honor he will receive this week as Alaskan of the Century.

His service in the military, his service in that State, his service of bringing that State into the Union, his service as a Senator, and his service as chairman of the Appropriations Committee is truly unique. I offer my personal congratulations. I know I speak for all of my colleagues in applauding TED STEVENS.

I don't know how in the world we would even pick a Mississippian of the century. There have been so many great ones in this past century, but in Alaska, it is obvious: The man for that job and for that honor is TED STEVENS. Thank you, TED, for what you do for your country and for your State. We are proud.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. DASCHLE. Mr. President, let me say with enthusiasm how completely this Senator agrees with the statement made by the majority leader. Ted STEVENS is one who is admired, I say even loved, by colleagues on both sides of the aisle. We have worked with him; we have admired his work; we have seen on so many occasions he has effectively led not only the Appropriations Committee but the Senate itself in bringing together the kind of consensus, the

kind of compromises, for successful legislative action.

We all joke about his temperament. We sometimes say it is hard to understand how a guy from so cold a State could be so hot under the collar. I have to say, as Senator LOTT has noted, he is quick to respond and quick to find ways with which to overcome his frustrations, as we all face them and deal with them on both sides of the aisle.

Alaskans have every right to be proud. They have every reason to nominate and name this individual as Alaskan of the Year. Indeed, he is an Alaskan of the Century. We are proud to work with him, proud to call him a colleague, proud in this case to call him our chairman, and proud of the fact that Alaskans recognize him for the unique talents and the unique dedication and the unique leadership that he provides not only his State as an Alaskan, but his country as a Senator. I congratulate him on this special occasion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank both leaders for their kind comments about the honor I will receive on Saturday at home. I have been humbled and confused by the decision of those who voted. Having been in our State now for over the last half of the last century, I have known a great many great people who have contributed to our State during the period of the century. For instance, I refer to my first senior partner, E.B. Collins, of Fairbanks, AK, who came to Alaska before the turn of the last century and was a gold miner in Nome. When he was unsuccessful, he walked from Nome to Fairbanks. That is a good 1,500 miles. He read law in an attorney's office, became an attorney, and by 1913 he was named the Speaker of the first territorial House of Representatives. I worked with him and he gave me great advice in the first days when I went to the State.

There are so many others who have been so effective and have done so much for the State that I find it hard to accept the honor.

I intend to make a speech, of course, about that when I get home on Saturday, and point out the number of people who have done the work for which I get credit. Many of them are right here in this room.

We have been, really, very successful in trying to defend the proposition that once Alaska became a State, it should be an equal among equals in our National Government. It has taken many hours on the floor to ask for and receive the support of the Senate to defend the proposition that a new State is entitled to the same benefits, the same prerogatives, as those States that were in the Union ahead of it. I am but the third Senator who has ever served the State of Alaska. My colleague is the fifth. We are unique in the sense we are still a young State. Our State has

been a member of the Union only 9 years longer than I have been in the Senate.

It is a distinguished privilege to be here. I am certain this award is being given to me because I am a Member of the Senate and because I am alive and others are not. But I do respect those who made the judgment. I question it, but I respect them, and I do thank my colleagues for what they have done today recognizing that.

Mr. MURKOWSKI. Mr. President, I will take the opportunity, as the junior Senator from Alaska, to make a few comments relative to the designation by Alaskans of Senator TED STEVENS, Alaskan of the Century. For years we have been proclaiming the Alaskan of the Year. This is an extraordinary designation to honor an extraordinary individual.

When I first came to the Senate in 1980, as a freshman with virtually no experience in the legislative process, I had an opportunity to have an extended discussion with Senator STEVENS. He suggested the best position for the State of Alaska would be for him to give up his position, his longstanding seniority on the Energy and Natural Resources Committee, so I could serve on that committee, and he vacated that spot. He could be not only the chairman of the Appropriations Committee but senior member of the Energy and Natural Resources Committee and could be chairman if he so chose. But he chose to leave that committee and make an opening available to me. Now I have the honor of serving in that capacity. But it was a sacrifice for him. It was a sacrifice he made on the basis of what was good for Alaska that he pursued the appropriations process, the Governmental Affairs Committee on which he served and continues to serve, as well as the Commerce Committee.

I might add, with his seniority he has the option of serving as chairman of those committees, as well as of the Rules Committee, I believe. So he is really in an extraordinary position of seniority within this body. As a consequence of that, the contribution he has made, it is quite fitting Alaskans have selected him the State's Man of the Century. I do not believe there is a more deserving individual in our State. That is evidenced by the support Senator STEVENS has received in this nomination.

I am going back to Alaska tomorrow, along with our House colleague, Representative DON YOUNG, to acclaim, if you will, the recognition of Senator STEVENS and his wife Catherine in receiving this award.

He has been a central figure in our young State's history. It has been a time of unparalleled changes in the 49th State. The remarkable thing is that TED, while he has become a figure of national prominence, has not lost his interest and relationship with Alaskans. When we became a State in 1959, we had a lot of catching up to do. Sen-

ator STEVENS has been very active in ensuring that Alaska catch up. The rest of the States have been around 100, 150 years, some of them 200 years, but ours has not.

While TED currently ranks sixth in the Senate in overall seniority, second among Republicans—and is just one of 109 Senators who have served in this body for more than 24 years—he still can be found meeting every Alaskan Close-Up student group, talking with residents about health concerns and meeting villagers about their rural sanitation needs.

In his 36-year legislative career—four years in the Alaska House of Representatives and now in his 32nd year in the U.S. Senate, TED has played the largest single role in seeing Alaska, a territory of just 210,000 people 41 years ago, grow into a vibrant, modern state that has more than tripled in population.

In the state's House he crafted legislation to help the state recover from the devastating 1964 Good Friday earthquake. As majority leader in the state's House and Speaker pro tempore, he helped Fairbanks residents recover from the massive flooding they faced in 1967. And in 1989–90 he and I worked together to help craft federal legislation to help Alaska recover from the aftereffects of the 1989 wreck of the *Exxon Valdez* oil tanker in Prince William Sound.

His encyclopedic knowledge of Federal-Alaska State relations is legendary in Washington. In the Senate, which has lost much of its institutional memory in the past decade, TED is able to offer insights on everything from passage of the Trans-Alaska Pipeline Act in 1974, to the Alaska Native Claims Settlement Act of 1971. He can talk about passage of the Magnuson Fisheries Conservation Act of 1978—a law now justly named after him—to passage of the Alaska Lands Act in 1980. Those four laws are the keys to shaping the direction of Alaska as we enter the 21st century. His recollection of events is so extraordinary not only because he helped draft the Alaska Statehood Act, while serving as a legislative counsel at the Department of the Interior starting in 1956, but because he served as chief counsel and solicitor for the Interior Department in Alaska in 1960—helping to get the young State off and running after Statehood in 1959.

I won't take this Chamber's time to talk about the Senator's early life, or even his impressive military career, where he served as a Flying Tiger in the U.S. Air Force in China during World War II—service that helped form his comprehensive knowledge of the military, which has been such a help to him in shaping our Nation's Armed Forces budgets over the past two decades from his post on the Senate Appropriations Committee.

I do want to speak a bit about what it has been like working with Senator STEVENS. While we have disagreed on only a handful of issues over the past

20 years, TED STEVENS has truly given of his time and shared his great knowledge and expertise to help me to represent the citizens of our State. He has selflessly given guidance and counsel to help our delegation reach a common accord on what is best for Alaskans. And I can't personally thank him enough for his many kindness. We have truly worked together to help our small State, one that sports just three electoral votes, have a voice in the direction of our Nation. It has not always been easy.

We have had to battle those who have no knowledge of what life is truly like in Alaska, whether we are trying to save our timber industry in Southeast Alaska, or trying to protect our rights to access our natural resources—Alaska's main means of supporting our citizens and our State government. We are working together to win the right to produce oil, without environmental damage, from North America's last great storehouse of energy—the Arctic coastal plain.

While TED served eight years as assistant Republican leader (whip) handling key national issues, especially defense matters, he has been willing to put aside personal ambition for the good of his State. Many forget that TED sacrificed his seniority on the Commerce Committee to move to the Energy and Natural Resources Committee during the key fight over the Alaska lands act. He then moved back to Commerce to represent Alaska fishermen—proof positive that TED always puts Alaska first. During his years on the Appropriations Committee, he has battled hard to make sure Alaska receives its fair share of Federal funding—money needed to help Alaska provide basic services to its citizens—pipelined water and sanitary sewers, roads and schools that Americans elsewhere take for granted.

Today I, join with all Alaskans, to thank him for his skill, drive, and dedication and congratulate him on the honor he will justly receive this weekend. I also offer him a heart-felt wish for many, many more years of service to the State and the Nation. Nancy joins me in congratulations to both TED and Catherine on this honor. It's been a great privilege working with you my friend.

Mr. HOLLINGS. Mr. President, it gives me great pleasure to congratulate my friend and colleague, TED STEVENS, on being named Alaskan of the Century. From his efforts to achieve Alaskan statehood to his work on behalf of the State of Alaska, TED STEVENS has dedicated his life to public service and proven his leadership both in his home state and in the United States Senate. I know of no one more deserving of this honor. I am proud to have the opportunity to know and work with him and I extend him my heartfelt congratulations on this momentous occasion.

MORNING BUSINESS

Mr. MURKOWSKI. Mr. President, on behalf of the leader, I ask unanimous consent the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each, with the following exceptions: The first 60 minutes under the control of Senator DURBIN or his designee, the second 60 minutes under the control of Senator CRAIG or his designee.

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

Mr. DURBIN. Will the Senator yield?

Mr. MURKOWSKI. Surely.

Mr. DURBIN. My intention is to speak for 10 minutes, and then I will be happy to exchange time, whatever is appropriate under the rules, so the Senator from Alaska can have his 15 minutes at that point.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that pending the statement by my good friend, Senator DURBIN, I be recognized for 15 minutes. I intend to enlighten my colleagues on the facts and fiction of ANWR, the Arctic National Wildlife Refuge, an issue coming up in the budget and an issue coming up in a legislative package we are proposing. I thank my friend.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent that I be recognized to speak in morning business for 10 minutes.

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

LEAVE OF ABSENCE

Mr. STEVENS. Mr. President, just in case there is a session tomorrow, I ask unanimous consent I be excused from any rollcalls until Monday, next Monday morning.

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

The Senator from Alaska.

GUNS

Mr. DURBIN. Mr. President, hardly a day goes by that we do not hear of another tragic shooting across America. The latest news from Texas is still sketchy, but the results are horrible: Four people who apparently were injured by gunfire in a church and the assailant taking his own life with a gun. It is a constant reminder. Only 2 or 3 weeks ago, a Michigan first grader took a loaded handgun to school and killed his little classmate. That is America today, a nation of some 300 million weapons.

On Capitol Hill, the debate over guns and their future really gets pretty heated and inflammatory on both sides, and the parties are at it. Frankly, as I travel across the State of Illinois and I talk with people from other

States, I believe the families in this country get it. They understand what this is all about. They appreciate what we can and cannot do to make things better.

They do not believe for a second that we can pass a law that will end gun violence in America. That is beyond us. I wish we could. I do believe there are things we can do to make America a safer place.

Some want to argue between the possibilities of increased enforcement of current laws and closing loopholes which allow people to get guns who should not have them. That is a false choice. This Senator wants both. The people who misuse guns should be prosecuted and imprisoned, no questions asked. By the same token, we should do everything in our power to keep guns out of the hands of criminals, people with a history of violent mental illness, and children. I think we need both—zero tolerance and zero loopholes. I do not think it is a choice. We need both. If we go after both in an aggressive bipartisan approach, we can start to see the numbers come down on gun violence; we can have a little more peace of mind about our kids going to school and coming home safe and sound at the end of the day.

Last year, we had a bill on the floor of the Senate after the Columbine massacre which focused on two major points: If you buy a gun at a gun store in America, they do a background check. They will figure out whether or not you can legally own a gun. That is the Brady law. The Brady law has been successful.

It is hard to believe, but true, that people with a history of committing crimes and felonies, people who have outstanding arrest warrants—not very bright, I might add—show up at gun stores trying to buy guns. We do not want that to happen. We want to stop them.

There is a role there for the Federal Government in having this law. There is a bigger role for State and local law enforcement in making sure those people who have outstanding arrest warrants, for example, are prosecuted. That is what happens when you go to a gun store.

We also know in America one can buy guns at gun shows. There is a loophole there: There is no background check. If you happen to have a problem under the law—let's say a felony record or perhaps a history of mental illness or you are too young—you do not go to the gun store where they enforce the law, you go to the gun show where they do not. That is the loophole we want to close. That was in the law that was passed last year in the Senate. The vote was 49-49, incidentally. Vice President GORE cast the deciding vote. We sent the bill over to the House where it has languished for almost a year. Nothing has happened.

The second thing that was in that law, which I think most Americans would agree is common sense, was: Is

there a way for those who own guns to store them safely? The answer is obviously yes. It involves trigger locks. You may have heard that Smith & Wesson, the largest handgun manufacturer in the United States, suggested they will start selling trigger locks automatically with their handguns. It is common sense they will give to the gun owner the wherewithal to make their gun childproof.

Some people say: It is the middle of the night and a burglar comes to the door; I am fumbling around trying to find the key—you can decide what you do at night. When you go off to work and leave the gun behind with children in the house or when other kids visit, don't you want to lock it up so a kid cannot get his hands on it and shoot himself or a playmate?

That is what trigger locks are all about. That was the second major part of the bill that passed the Senate last year and still languishes in the House of Representatives.

What is so radical about those two suggestions: That a gun show will try to find out whether or not you are legally eligible to own a gun before they sell it to you; that if you are going to sell a gun in America, it is with a trigger lock so it can be safer?

It is time for us to cool down the political rhetoric around here—and let me be the first to volunteer because I feel very strongly about this—and try to see if maybe there is some common ground. If the people on one side want more enforcement, such as Operation Exile, which is working in some cities across America, I will support it, I will vote for it.

I want more enforcement, too. In fact, I am going to offer an amendment in the Budget Committee which is going to say to my colleagues, Democrats and Republicans: Let's put some money into this. Let's show that we believe in enforcement and prosecution on a bipartisan basis. This is not a partisan issue. I do not want criminals roaming the streets, gang bangers shooting up the streets of Chicago or my hometown of Springfield. I am ready to push for more prosecution and enforcement, without question. Let's put the money into more ATF agents and more prosecutors to get that job done.

I will concede to the other side that prosecution and enforcement are important. Let's do it. This Democrat will stand with Republicans to get that done.

I ask in return that Republican Senators take a look at what we passed last year. Some, including the Presiding Officer, voted for it, and I am very proud that he did. We need more. We need to have Senators on both sides of the aisle to come forward and say, yes, trigger locks make sense; let's make them part of America's landscape to protect children; and those who will also say that gun shows should not be exempt from the basic laws of this country.

There are other things we can talk about in terms of sensible, common-sense gun control. I do not know if we will get them accomplished this year, but certainly I hope that before the first anniversary of the Columbine tragedy, this Congress will end its gridlock on the gun control issue. The people of this country expect more. They do not want to see this historic Chamber grind to a halt because of a special interest group in this town. They want to see goodwill on both sides of the aisle.

I will say this: If we fail, if we do nothing, if another day, another week, and another month go by with the tragic headlines we see so often about killings in churches and schools and day-care centers, if that happens, the American people will be justifiably angry in this election. They should hold all candidates accountable.

Members of the House of Representatives, Members of the Senate, and the two men who are likely to be the leading candidates for President of the United States—all of us, I should say—should be held accountable to answer the basic question: When you had the chance serving in the U.S. Congress, what did you do? Did you try to do anything to make this country safer, to make certain that when I walk out on the streets of my town or send my little boy or girl to school, I have a little more peace of mind?

We have the ability; we have the opportunity. The question is whether we can summon the political will. One cannot turn on the television in this town, and probably in others, without seeing ads from one special interest group or the other that wants to get us tangled up in some theoretical debate about the second amendment and the future of gun control.

I hope this Congress, and particularly this Senate, can get beyond the theory into the reality. The reality is: Over 40 percent of Americans own guns; there are over 300 million guns now in our Nation of some 275 million people; and even the gun owners believe intensely in sensible and responsible gun control. They believe guns should be stored safely, that those who own them should know how to use them, and they should be kept out of the hands of the wrong people. That is a consensus among gun owners, not to mention those who do not own guns who feel even more strongly about the same issues.

I hope this Congress, which tends to lurch back and forth from minor but somewhat important issues, will focus on a major and very important issue: Making America a safer place.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ANWR

Mr. MURKOWSKI. Mr. President, I would like to take this opportunity to address an issue that is very close to Alaska, Senator STEVENS, our Representative YOUNG, and myself. It represents the myth associated with ANWR and the realization that Alaska has been producing almost 25 percent of the total crude oil that has been produced in this Nation for the last 23 years or thereabouts.

I have here a map of Alaska that shows the pipeline and gives you a dimension of the magnitude of this particular area of our State. It is necessary that you recognize, as we address the disposition of allowing exploration in ANWR, that this was established as a responsibility that only Congress could address in releasing this particular area for exploration.

I am going to give you an opportunity to view a map of Alaska. Alaska is a pretty big piece of real estate. On a map, if you overlaid Alaska on the United States, it would extend from Canada to Mexico and from Florida to California. We have the Aleutian Islands that go out almost 2,000 miles. The breadth of the State from the pipeline alone at Prudhoe Bay to where the pipeline ends at Valdez is 800 miles. It is a big piece of real estate.

Until a few years ago, we had four time zones in the State alone. When Senator STEVENS or I go back to the State, we just begin our travel. We have a very small segment of the State that has a road system. This entire western area is without any roads, with the exception of a few miles in Nome and Kotzebue, and the villages.

We are not connected to the continental United States, as you can see. Our neighbor to the right, Canada, constitutes a barrier—a foreign country; a good friend—from the rest of the United States. We have our southeastern part where our State capital is in Juneau, roughly 700 miles from our largest city, Anchorage. Our second largest city, Fairbanks, is 400 miles to the north of Anchorage.

I go into this detail because it is important, as we look at the issue of ANWR, to keep it in perspective. I am going to refer to the chart behind me because I think it represents an appropriate comparison.

Let me advise my colleagues of a couple facts.

One, ANWR is going to be in the budget. We are going to be addressing the budget in the coming weeks. It is going to be in there at an anticipated revenue forecast of about \$1.5 billion to the Federal Treasury. You can evaluate the pros and cons of that. It is also going to be in the Republican package that we are preparing to try to do something meaningful about the energy crisis in this country, which the current administration has not done.

They have no energy policy, as evidenced by their inability to address what they are going to do with hydro.

Some want to tear the dams down. What are they going to do with the electric industry? Obviously, Carol Browner wants to close half a dozen coal-fired plants, with no indication where we are going to pick up the alternative. Our nuclear situation is such that we cannot address what we are going to do with our nuclear waste, yet the nuclear industry contributes 20 percent of our energy in this country.

If you look at gas, you may assume, as some do, that all we have to do is plug into it. If you read the National Petroleum Council report on gas, you have to recognize a harsh reality: We are using about 20 trillion cubic feet of gas a day. In another 10 to 15 years, we will be using 31 trillion cubic feet a day. We do not have the infrastructure to deliver the anticipated demand. It just isn't there. It is going to require over \$1 trillion—the industry figures \$1.5 trillion—in the next decade, and that is only if we have access to areas where we are likely to find gas.

Much of the overthrust belt—which is the Rocky Mountains—65 percent of that has been removed from exploration. So where do we go? We go offshore; we go to Louisiana; we go to Texas; we go, to some extent, to Colorado and Wyoming, but we do not have an aggressive plan.

But we have an opportunity, in my State of Alaska—a significant opportunity—and that is ANWR.

What is the significance of ANWR? ANWR is shown on this map in this little tight corner, over here by the Canadian border. It looks small on this map, but it is in proportion.

There are those who say: Good heavens, you are going to jeopardize this area for exploration.

What we, as Alaskans, have not been able to portray—because the media will not pick up on it, and people are evidently not interested enough to recognize the proportion here—this is ANWR. This is 19 million acres, as shown by this little spot up here. It is as big as the State of South Carolina, a pretty big hunk of real estate. What have we done with this?

In 1980, we made some permanent designations. We created the refuge, the arctic refuge: 9.5 million acres in perpetuity. We went up and created a wilderness: 8 million acres in this area that is shown on the map marked with the slices.

But we left for Congress's dictate 1.5 million acres, so-called 1002 areas, up here. The reason we left it is, Congress was concerned there might be major deposits of hydrocarbons in this area, just like there were in Prudhoe Bay.

Let's look at Prudhoe Bay for a moment because there is an interesting parallel here. Prudhoe Bay is where the oil development is today. Let's look at Prudhoe Bay today and let's look at the traditional oil development and a picture that is an actual scene showing

Prudhoe Bay and the animal activity that surrounds the area.

I show you a picture taken some years ago, but it represents the heart of Prudhoe Bay. There you see the pipeline. You see the oil derricks, and you see the caribou.

There is a degree of compatibility there. The reason it is there, obviously, is nobody is shooting these animals; nobody is running them down. There are no snow machines. It is summertime. There is no threat. They feel very much at home.

These are nomadic herds that move in and out, but there is a compatibility. We have seen a tremendous growth in this western arctic herd since we developed this area. The reason we have seen that is there are no guns allowed in the area. These animals are protected. They prosper, as they should. To suggest somehow they are in jeopardy defies reality. When we started oil drilling in Prudhoe Bay, there were 3,000 or 4,000 caribou in this herd. There are over 18,000 today. That is just a fact associated with experience that we have already had. Prudhoe Bay's technology is 30 years old. We can do a better job if we are allowed in here.

What is the footprint going to be if we indeed are allowed to open up ANWR? The footprint is estimated by the industry to be 2,000 acres out of all of ANWR's 19 million acres. That is what we are looking at. We are keeping the refuge, we are keeping the wilderness, and we are making a determination.

What does it look like when they are drilling in the area? This is what we would like to communicate to the American people. It is a pretty tough environment. There it is. We have a well under construction. This is not in ANWR because there is no entry or activity allowed. It is a typical scene in the Arctic in Prudhoe Bay. This is an ice road. They don't allow anything on the tundra in the summertime, but the ice roads stay there about 9 months of the year because you are way above the Arctic Circle, nearly 400 miles. It is a harsh environment.

That is a typical rig. When the disposition of this is made one way or the other, what is going to be left? Well, let's look at it in the summertime. Same site, summertime activity is gone; ice road is gone. There you have it, Mr. President: the tundra, a spigot; that's it.

I always think of my good friend, Senator Mark Hatfield. Mark Hatfield, it is safe to say, was a pacifist. He said: I will vote for ANWR any day of the year rather than send our troops in danger in the Mideast to keep oil flowing from neighbors we cannot count on.

All right. Where are we? This is an extraordinary chart. This marks from where our increasing oil exports are coming. Ironically, they are coming from Iraq. Last year, we imported 300,000 barrels a day from Iraq. This year we are importing 700,000 barrels a

day. How many people remember 1990 and 1991? Do you know what happened over there? We fought a war. We fought a war to keep Saddam Hussein from invading Kuwait. What did that cost us? That cost us 147 American lives. We had 448 wounded. We had 23 taken prisoner. That is a cost.

We had another cost. What has it cost the taxpayers of this country since that war was over? What has it cost us in the last 10 years, from 1991 until today, to keep Saddam Hussein fenced in, enforcing the no-fly zone, enforcing, if you will, the embargoes, putting the fleet over there? We added it up. It is \$10 billion. That is what it has cost the American taxpayer: 147 lives, 448 wounded, 23 prisoners, \$10 billion.

Where are we getting our oil now? The fastest increasing imports are from our old buddy, Saddam Hussein. Isn't that ironic?

Look at the national security interests of this country. We are today 56-percent dependent on imports. When we fought this war, we were 47- to 49-percent dependent. I think the President will recall, in 1973, we had an energy crisis in the country. We called it the Arab oil embargo. We had gasoline lines around the block in this Nation. People were inconvenienced. So Congress acted. At that time we were 37-percent dependent on imported oil. Congress set up the Strategic Petroleum Reserve and said we would never approach 50 percent. We are going to take action. We never got 100 days supply of oil in SPR. We got a 56-day supply. That is what it is now.

Now there are proposals we should take oil out of SPR for the national crisis that we have on oil prices. That is very dangerous because if you take it out of SPR, you still need more imported into the country. And your good neighbors, the Saudis and the Mexicans, know it; the Venezuelans, you have less leverage. If we are ever going to take anything out of SPR, we should have a certification from the Secretary of Defense that it does not jeopardize our national security because you can only pull about 4 million barrels a day out of SPR.

The point is—and it is a very important one—go very slow with the Strategic Petroleum Reserve because after that, you don't have a backup. So here we are, depending on Saddam Hussein today. I find it inexcusable. This administration has no energy policy. They hope this won't be an issue in the campaign. They hope the issue will go away, and they hope the Secretary of Energy is going to be successful in his efforts to go around with that tin cup and try and get more production.

Let's see what he has done so far. He went over to Saudi Arabia about 10 days ago and said: We have an emergency in this country. They said: Well, we will have a meeting on March 27. We will address greater oil production then. He said: No, you don't understand; we have an emergency now. We fought a war over here. We kept Saddam Hussein out of Kuwait. They said:

I'm sorry. We are going to have a meeting on March 27, and we will address it then.

He got stiffed by the Saudis. So he went to Mexico and said: We need more production. The Mexicans said: Well, we appreciate that. We would like to help you, but you have been buying oil at \$11, \$12, \$13 a barrel. Our economy went in the bucket. Where were you? The Secretary said: Well, we bailed you out of the tesobonos. We had a tremendous refinancing commitment for Mexico. They said: Sorry. We got stiffed.

So where did the Secretary go next? Well, he went over to some of the other countries. Nigeria, you might get a little out of Nigeria. I don't know.

Here is the superpower of the world, a Nation that is the most productive and has become the most dependent on imported oil. Make no mistake about it, we have to conserve. We have to have alternative energy. We have to develop the technology, but we have to be realistic. If somebody drove here, somebody came in on an airplane, they are going back the same way. We don't have the technology now for hydrogen. Fuel cells won't do it. Four percent of our energy is alternative. I wish it were more. Some of you came in here in a sports vehicle. Gasoline, at \$1.70 a gallon, is going to shoot a pretty good hole in a \$100 bill when you fill up that 40-gallon tank. What are we doing about it? We are hoping the problem will go away.

It is not going to go away. It is going to get worse. We are going to be held hostage again and again. So our alternative is greater production in the U.S. Keep the jobs at home, keep the dollars at home, and for heaven's sake, why can't we do it? We have the technology; we have the know-how.

We have a very active, extreme environmental community that is opposed to any resource development on public land, whether it be grazing, whether it be timber—timber, of course, is renewable—whether it be mining, whether it be oil and gas.

This administration doesn't have a policy. They want to tear down the dams. They won't do anything about nuclear. Nuclear is 20 percent of our energy in this country. They don't have a policy.

We are trying to do something about it. I am chairman of the Republican Energy Task Force. We have a legislative package, short-term, interim, and long-term. We are proposing to do away with the gasoline tax and not jeopardize the highway trust fund. It can be done. If gasoline gets up to \$2 a gallon, or thereabouts, I am of the opinion that we ought to do away with all of the tax. That is a little over 18 cents a gallon.

We have a positive approach. We are going to stimulate development and on public land and on offshore areas. We are going to stimulate development of our agricultural potential in ethanol. My good friend, Senator GRASSLEY, has been a proponent of that for some time.

We need all the domestic sources of energy we can get—the sooner the better—to get off this kick of paying tribute to Saddam Hussein.

Do not be misled. We have an opportunity to open up an area. We can do it safely. We have the technology.

I am going to counter some of the myths that are associated with ANWR.

Some ask: What do you want to open this area for because all of this Arctic coast is available? It is not available. That is truly a myth. With the exception of the area between the Colville and the Ganning Rivers, which is owned by the State of Alaska—this little area in here—more than 1,000 miles of the Arctic coastline is closed. That is just the harsh fact.

What you have over here is a rather interesting piece of real estate because it happens to be an old naval petroleum reserve, now called the Petroleum Reserve Alaska.

For heaven's sake, if you can't initiate exploration of a petroleum reserve that was designated in the 1900s or thereabouts, where can you? What an irony. There have been a few leases here. There is some production in there. But where the independents wanted to lease, the Department of Interior wouldn't put up the area for lease. As a consequence, that is an unrealistic statement. It is not factual because this is the Coastal Plain that borders clear around to here, and a very small portion is open. That happens to be State land. The Federal lands are not open. The Department of Interior won't issue a permit. They won't put up a proposed bid. That is just the fact.

Let's move a little further.

The State of Alaska will get 90 percent of the royalties.

That is not true. The royalties are split 50-50, just like they are in Oklahoma or Louisiana or any other State.

Somebody said Alaska's indigenous people are against all oil exploration in the Coastal Plain. That is very inaccurate. There are Inupiaq people in one Eskimo village called Katiavik that sits right here.

I have another chart that shows you a greater portion of where this little village is. It is the only community within ANWR. They strongly support onshore exploration for oil and gas. That is in their backyard.

Let me give you another example. We have a group called the Gwich'in near the Canadian border who are opposed to opening ANWR.

It is kind of interesting. I am going to ask that this be printed in the RECORD. The Gwich'in at one time offered to lease all of their land of 1.799 million acres to the oil industry for exploration. The only problem is the oil industry didn't find any interest there. So they didn't opt to purchase the leases. Maybe they should have. Since that time, the Gwich'in, for the most part, have been funded by the national environmental groups and the Sierra Club.

It is kind of interesting that one of the prominent members' names, Sarah James, is on the lease. They are free to choose. But, by the same token, the reality of what they were prepared to do at one time is kind of inconsistent with what they have chosen to do now.

This is a copy of the lease that I ask unanimous consent to be printed in the RECORD.

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

NATIVE VILLAGE OF VENETIE,
March 21, 1984.

To whom it may concern:

This letter is authorization for Donald R. Wright, as our consultant, to negotiate with any interested persons or company for the purpose of oil or gas exploration and production on the Venetie Indian Reservation, Alaska; subject to final approval by the Native Village of Venetie Tribal Government Council.

Edward Frank, First Chief; Allen Tritt, Second Chief; Virginia Henry, Secretary; Gideon James, Treasurer; Lincoln Trill, Robert Frank, Sr., Lawrence Roberts, Sarah James, Calvin Tritt, Council Members.

NATIVE VILLAGE OF VENETIE
REQUEST FOR PROPOSALS FOR OIL & GAS
LEASES

The Native Village of Venetie Tribal Government hereby gives formal notice of intention to offer lands for competitive oil and gas lease. This request for proposals involves any or all of the lands and waters of the Venetie Indian Reservation, U.S. Survey No. 5220, Alaska, which aggregates 1,799,927.63 acres, more or less, and is located in the Barrow and Fairbanks Recording Districts, State of Alaska. These lands are bordered by the Yukon River to the South, the Christian River to the East, the Chandalar River to the West and are approximately 100 miles west of the Canadian border on the southern slope of the Brooks Range and about 110 miles East of the Trans-Alaska Pipeline. Communities in the vicinity of the proposed sale include Arctic Village, Christian and Venetie. Bidders awarded leases at the sale will acquire the right to explore for, develop and produce the oil and gas that may be discovered within the leased area upon specific terms and provisions established by negotiation, which terms and provisions will conform to the current Federal oil and gas lease where applicable.

Bidding Method

The bidding method will be cash bonus bidding for a minimum parcel size of one-quarter of a township, or nine (9) sections, which is 5,760 acres, more or less, and a minimum annual rent of \$2.00 per acre. There shall be a minimum fixed royalty of twenty percentum (20%).

Length of Lease

All leases will have an initial primary term of five (5) years.

Other Terms of Sale

Any bidder who obtains a lease from the Native Village of Venetie Tribal Government as a result of this sale will be responsible for the construction of access roads and capital improvements as may be required. All operations on leased lands will be subject to prior approval by the Native Village of Venetie Tribal Government as required by the lease. Surface entry will be restricted only as necessary to protect the holders of surface interests or as necessary to protect identified surface resource values.

Prior to the commencement of lease operations, an oil and gas lease bond for a minimum amount of \$10,000.00 per operation is

required. This bonding provision does not affect the Tribal Government's authority to require such additional unusual risk bonds as may be necessary.

Bidding procedure

Proposals must be received by 12:00 p.m. sixty (60) days from the date of this Request for Proposals, at the office of the Native Village of Venetie Tribal Government, Attention, Mr. Don Wright, S.R. Box 10402, 1314 Haldiver Way, Fairbanks, Alaska 99701, telephone (907) 479-4271.

Additional information

A more detailed map of reservation lands and additional information on the proposed leases are available to the bidders and the public by contacting Mr. Don Wright at the office identified above.

Dated this 2nd day of April, 1984.

Mr. MURKOWSKI. Mr. President, this lease is from the native village of Venetie. It has the signatures of Sarah James and a number of others. It is dated April 2, 1984, and it specifically states that the acreage offered under the lease is 1,799,927.65 acres, U.S. Survey 5220.

That is where we are relative to the issue of some of the folks who feel that this is not in their interest, but by a long shot that is not all the people.

I point this out not to condemn the attitude of my constituents but just to point out a reality that at one time they were willing to sell their interest in leasing this land for oil and gas, and now, to a large degree, their public relations efforts are funded by the Sierra Club and others.

I will submit at a later time the specific financial contributions that are paid to the Gwich'in by the various environmental organizations.

What is happening in Alaska is a molding of our State into the image that much of America's environmental community would like to see established as opposed to the reality associated with the population of our State, some 700,000, and the fact that we are the new kids on the block. We have been a State for 41 years. We don't own our own land.

Here is the land ownership in Alaska, unlike Illinois or California or any other State. We have 368 million acres in our State.

What is it made up of? Let's look at private land ownership in our State: 5 million acres; less than 2 percent. Why is that? Because the Federal Government owns it. OK? We have 51 million acres of national parkland; 76 million acres of Fish and Wildlife land; 23 million acres of U.S. Forest Service; and 57 million acres of wilderness forever locked up.

How much is enough? Where is the balance?

This is the Bureau of Land Management alone controls 65 million acres. The State has 104 million acres in State land. The State is so lucky. It must have had a fortune teller. This little piece of land right here is what funds our State, the land it had when it became a State.

The Natives finally gave land to residents of Alaska. The Natives got 43

million acres. But the Federal Government owns our State. That is just the reality.

Some say we need to save ANWR for our grandchildren. We need to know if oil is there. If there isn't, it is not going to be developed. You have to find a lot of oil in Alaska before drilling. Otherwise you can't afford to drill it. If they cannot produce 5,000 barrels a day, the cost is not economical.

Prudhoe Bay came in. It is 30-year-old technology. It is a pretty big footprint. We went from there to Endicott. Endicott is up in this area.

The significance is that when it came on it was the tenth largest producing field in the United States. It came in at a little over 100,000 barrels a day. Today, it is the seventh largest producing field. The footprint is 56 acres because it is all directional drilling from one spot. It makes sense in Alaska, but the costs are high. We could do a better job if we had an opportunity over here.

As a consequence of whether we need this oil now or later, we had better find out whether it is there or not. They can only do that through exploration. Then they can make a decision.

As a consequence of this, we run into one other argument, which really bewilders me because it is so unrealistic. They say, well, the Coastal Plain may only have a 200-day supply of oil, and that is not worth developing.

Let me tell you a little bit about it. First of all, Prudhoe Bay was supposed to have 9 billion barrels of oil. It has been producing now for 23 years. We have had a total of 12 billion barrels from Prudhoe Bay in the last 23 years. We were supposed to get 10 billion barrels. It is still producing at a million barrels a day. It is good for another 10 years with the technology that we have.

When you say this only has a 200, do you know what you are implying? An unrealistic argument because you are saying the rest of our domestic oil production would stop. That is totally unrealistic. A two-hundred-day supply, but that is assuming the rest of the oil is produced domestically in this country is going to stop. First of all, it is not going to stop; is it? That is an argument so full of holes that it defies imagination.

Let me show you what happens when we bring oil on line from Alaska and what it does to our imports because I think it states in no uncertain terms the reality associated with the opportunity we have now.

Let's recognize what has happened here. This body passed ANWR 5 years ago, in 1995.

The President vetoed it. Had he not vetoed it, today we would have had a lease sale and we would know what the prospects for a major discovery were. We might be within a very short time of production.

Somebody says opening ANWR will not have any impact. Wrong. Here is the proof. This chart identifies our im-

ports in 1975, 1976, 1977, and 1978. They were going up dramatically, 6 or 7 million barrels a day. We developed Prudhoe Bay in 1976, the current field we have. We can see when it came on-line and production increased, imports dropped dramatically, it was a major contribution. It was 2 million barrels a day, 25 percent of our total domestic production.

To open up Prudhoe Bay, it took this Senate meeting in this Chamber with a tied vote. Vice President Spiro Agnew broke the tie. That is why we have Prudhoe Bay today. That is why we have production of 20 to 25 percent of our crude oil. That is reality.

Don't be misled by the myths. We are not going to destroy the Coastal Plain. We are not going to destroy the caribou. We are only going to allow activity in the wintertime when the caribou come through and calve. As the picture demonstrates, caribou are healthy for the most part. Do not suggest we cannot address our concern over the migratory Porcupine caribou herd; we can do it if given the opportunity.

Somebody says ANWR oil will be exported and not reduce our dependency. I have received a letter from BP that says they are curtailing their small amount of exported oil.

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

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

BP AMOCO CORP.,

Washington, DC, March 23, 2000.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, Washington, DC.

DEAR MR. CHAIRMAN: I would like to respond to your inquiry regarding BP Amoco's plans concerning Alaska North Slope oil exports. Pending completion of contracts due at the end of April, at this time we do not have subsequent plans to export.

We applaud the Administration and the Congress for its wisdom to permit the market to work and to remove an historical penalty imposed on Alaska North Slope oil. The West Coast is part of the global crude market. The ultimate destination of Alaskan crude has no effect on either West Coast supply or gasoline prices. Once our acquisition of ARCO is complete, we would expect to run all of our Alaska crude through ARCO's excellent West Coast refining and marketing network.

Sincerely,

LARRY D. BURTON,
Vice President.

Mr. MURKOWSKI. That situation may be resolved by the takeover by Phillips of ARCO. BP did not have on the west coast any refineries. ARCO did.

To make a long story short, with BP acquiring ARCO refineries, there will not be a surplus on the west coast. I think the amount varied. There were up to 60,000 barrels a day at one time. I have been assured as a consequence of the change, the purchase by Phillips of ARCO, that the little oil that was exported will be terminated simply because it will be utilized by BP in their refinery.

Some say any development in Alaska would be environmentally damaging. People might not like oil fields, but Prudhoe Bay is the best oil field in the world. We can do a better job if we can get into ANWR; there is no question about it.

They say the Coastal Plain is unspoiled. Let me say something about the Coastal Plain. It is not unspoiled. In one sense, there is an Eskimo village there. Those people live there. There are a couple of radar sites that are, and for all practical purposes have been abandoned. This section of the State is pretty remote. One cannot find anything much more remote than this particular area of our State. It is probably one of the better areas if one were looking for less of an impact on mankind and animal-kind.

Some ask what will happen to the birds. Most of the birds are near the lakes. Birds come in, they migrate. The issue isn't that there are no birds in ANWR, because there are.

Some ask about the polar bears. They den on the ice; they do not come ashore. A few do. Do you know what we have done to save the polar bear? We don't allow the white man to shoot the polar bear in our State. You can't shoot them. That is the greatest threat they have. The native people can keep them for subsistence. A white man can go to Canada or Russia and take a polar bear. So that is a bogus argument. We are protecting the polar bear. To suggest a little exploration is going to threaten the polar bear is a specious argument.

This is what the press and the public do not digest. I guess we have a hard time communicating that reality.

Here is another picture of our friends taking a walk. Three bears are walking on top of the pipeline. Why are they walking on the pipeline? Because it is easier than walking in the snow. They don't get their feet cold or damp. It is just easier.

The predictions that were associated with developing Prudhoe Bay have not come true. They said: You are putting a fence across Alaska; the caribou and the moose will never cross it. When you put a hotline in permafrost, it will sink to China.

These things never happened. That pipeline is one of the construction wonders of the world. It has been bombed, shot at, dynamited, not to mention having withstood earthquakes. We had a bad accident with a ship called the *Exxon Valdez*. It was the fault of the crew. We had a 10-and-a-half-wide channel, and they ran on to a rock because they were drinking coffee and not paying attention. That is a harsh reality of that. Then they took on a little alcohol and everything was lost.

The public ought to understand reality. I would love to debate some of the extreme environmentalists because they don't know what they are talking about, but they won't give me the courtesy or the chance. They refuse to let me participate in any of their gath-

erings. We have a letter that gives an idea of the extent to which some of the environmentalists go to generate public opinion. They are entitled to that, but by the same token, we are entitled to communicate some of the tactics.

In a letter from the Sierra Club, Friday, January 2000, called "The New Millennium Action Special Edition," it says:

This February 5th, the Sierra Club, together with the Alaska Wilderness League, the Wilderness Society, the National Audubon Society, is hosting another National Arctic Wilderness Week in Washington. Supporters from grass roots are key in protecting the Arctic National Wildlife Refuge and its fragile Coastal Plain. This gathering will help arm you with the skills and knowledge you need to build support in your community.

They give hands-on training. They will provide you with opportunities for training. You will learn how to intensify your skills in lobbying, message development, meetings, communications and legislative advocacy. All are worthwhile and appropriate.

It says further: We've got you covered.

That is the last paragraph: "We know your time is valuable so we don't ask you to cover all your expenses for the trip."

A trip from where? A trip from Alaska, that's where. It is expensive, about a \$1,000 to get here from Alaska. It also says that you need to pay a \$40 registration fee, but if you don't have it, some scholarships are available. Where does that money come from? The Wilderness Society and the Sierra Club of course:

We'll pay for your travel to Washington, DC, your hotel, two in a room, a continental breakfast each morning and several dinners. Unfortunately, space is limited so hurry up. To find out if you are eligible phone the Sierra Club.

I don't know any development groups that have that kind of money to do that kind of lobbying. Nevertheless, that is reality. It is fair game. Just make sure the public knows about it. Many of these people have never been to ANWR. That is what bothers me. I have been there. I take a group of Senators up there every year so they can see for themselves and make their own evaluation as they represent their State.

One of the things I will conclude with: If you are from the Northeast corridor and you are sick and tired of high prices for heating oil, you haven't seen anything yet. The Northeast corridor is just getting started. And here is why.

This is the harsh reality of where we are today. Our crude production is represented by this gray line. It is roughly 6 million barrels a day domestically, this is down from 7.5 million. So our crude production is dropping. It is dropping significantly. The crude oil production is dropping and the petroleum demand is going up. What is hap-

pening here is the crude oil production has dropped about 17 percent, and the petroleum demand, which is the black line, has gone up 14 percent. So we have a shortfall. So we have to make up the difference.

We have had the heating oil crisis in the Northeast corridor. There was an assumption we would have a cold winter. We didn't. There was an assumption we would have storage. A funny thing is, 20 percent of the crude oil storage in the Northeast corridor has been eliminated because it did not meet legitimate environmental concerns, as well as 15 percent of the heating oil storage. These are old tanks that didn't meet specs and were not rebuilt.

We have lost 37 refineries in this country in the last decade. Why? The refinery business is not too attractive for a lot of reasons. You have Superfund exposures, you have EPA requirements, you have a situation where the return on investment is questionable. Many of the majors have gone out of the refining business because of the consequences associated with that.

So you have a situation now where the Northeast corridor better look out for their high electric bills. This winter it was high heating oil bills, but it is going to be electric bills this summer. Only 3 percent of the Nation's electricity comes from oil-fired generating plants, but that is not true in the Northeast corridor. It is nearly one-third. New England relies on fuel oil for about a third of its power generation. Just a small handful of those plants will be setting the electric prices in the region during the periods of high demand. This is going to cost Northeast residents millions of dollars. So what do they want us to do about it? Do they want us to import more oil, or do they want us to relieve our dependence by producing safely and domestically?

The arguments I get from all of the Northeast groups: You can't open ANWR. You cannot do it safely. They are breathing the fire of the radical environmental movement that wants three things: They want a cause, they want dollars, and they want membership. They sell America short—especially America's ingenuity and our technical ability. The fact is, we can produce energy here at home. They will not debate me. They refuse, they absolutely refuse.

So this is what is going to happen in the Northeast corridor. I hope the newspapers and their editorial writers start figuring this out because it is going to happen. Remember when you heard it first.

Electricity establishes a rate structure from a uniform price. Under that method, the central dispatchers first tap generation offering to sell electricity at the lowest price. But as the demand goes up, air-conditioning use goes up, and you are going to see the more costly generating powerplants come on line. Those are the ones that are oil fired.

The power purchasers pay all bidders the price charged by the last power-plant called into service. In many cases, the final unit will be an old, oil-fired plant which will charge a rate higher because of the higher oil prices. All other non-oil-burning plants will reap a windfall profit because they will be paid as if burning oil. That is the way the process works. I hope somebody can take heed of what I am telling you. New England relies on 30 percent fuel oil for its own power generators.

What do they want us to do? They say: Alternative energy. Fine. Let's do it. What are we going to do? Four percent is what we produce currently.

Let's spend more on development. We are. We do not have the hydrogen technology yet.

In the meantime, we have an opportunity for domestic relief, and I implore those people up there to seize that opportunity. It is as if they are born with their eyes closed, and they keep them closed to the reality that we can open these areas safely. They say: The Senator from Alaska comes to the floor and his motivation is selfish.

Sure, I represent my State. Sure, this is in my State. But my State doesn't consume it. Sure, we get half the revenue, just like Oklahoma or any other area. But this is domestic energy for domestic jobs paying domestic taxes and providing for the national energy security of this Nation.

Some of these other folks would rather have us import it from Saddam Hussein. That is where it is coming from, 700,000 barrels a day, from a country where we lost 147 servicemen fighting a war.

So we are going to be facing higher prices. Non-oil-burning plants are going to reap a huge windfall. New England is going to take it and they are going to scream and ask why we are not doing something about it. It has been estimated an oil plant that offered electricity at \$37 a megawatt hour for power 1 year ago is probably going to be seeking a price of \$75 or more because they are going to have to buy oil on the open market. Remember, oil has gone from \$10 to over \$30. That is significant.

There are a couple of other factors a lot of people overlook. There is an inflation factor. They figure every time oil goes up \$10, it contributes about 1/2 percent to inflation. We have seen the truckers come to Washington. They came twice. Do you know why they were here? Because they cannot pass on the increased price of diesel fuel. They are stuck. They are going out of business.

Wait until you see the farmers when they start fueling up to plant their crops. They are going to be screaming. They will be driving their tractors to Washington. They will want relief. The relief of this administration is to go beg for more oil production in the Mideast. I find it inexcusable.

We concern ourselves with the deficit in the balance of payments, \$300 billion

a year. That means we are buying more from countries than they are buying from us. But of the \$300 billion, \$100 billion is the cost of imported oil. We are sending our jobs overseas. We have seen employment in the domestic oil industry drop dramatically.

It is important that Members understand what has happened to this country and to our ability to maintain a growing industry that we have become so dependent on, and what a poor job we have done on it. What we have done, under this administration, is to simply import more oil, propose more taxes. I think the administration's tax proposal is about \$2.5 billion this year.

We have seen the gas tax, 4.3 cents a gallon. I would like to do a little short review because I remember 1993. I remember when the Republicans lost control of this body and the Democrats took control and the administration came in with a huge Btu tax—British thermal unit—a tax on energy. We defeated that tax then. It is a good thing we did. But we also had a 4.3 cent-per-gallon gas tax and that was not going to go into the highway trust fund. That was proposed to go into the general fund.

We had a vote. Every Republican voted against it. We had six Democrats join us. The vote was tied. Vice President AL GORE broke the tie, and that is why we have the 30-percent increase in the gas tax that went on in 1993 at 4.3 cents a gallon. Our Vice President, who broke that tie, deserves accolades, if you will, because he bears that responsibility. We are living with it today, and it has cost the taxpayers somewhere in the area of \$43 million.

That gives us some idea of the background of how we got to where we are and what kind of a policy this administration has toward our energy crisis. They hope it will go away. There is so much finger pointing around here that one cannot believe it.

The Secretary of Energy the other day said an interesting thing. He said: We were caught by surprise; we were caught napping.

Come on. Let's recognize facts, and facts are that in 1994 the independent petroleum producers were concerned about our dependence on imports. They solicited Secretary Brown under the Trade Expansion Act and asked him to do an evaluation of the national security risk, and he did. As a consequence of that, even the President acknowledged our energy dependence on the Mideast and our oil imports affect the national security interests of the Nation.

He did that. What happened? Nothing. There was no relief. So we went along even more. In any event, nothing was done. Time went on. We became more dependent. As a consequence, we found ourselves in a situation last March where many of us became concerned. We became so concerned that we wrote a bipartisan letter to the Secretary of Commerce, Secretary Daley.

I have the letter dated March 21 to our President. I am going to quote

what he said in November after he received the report from the Department of Commerce by Secretary Daley. He said:

I'm today concurring with the Department of Commerce's finding that the Nation's growing reliance on the imports of crude oil and refined petroleum products threaten the Nation's security because they increase U.S. vulnerability to oil supply interruption.

He was on notice in 1994.

To bring my colleagues up to date, in March of last year a bipartisan letter went to Secretary Daley asking him to again initiate, under the Trade Expansion Act, an evaluation of the danger to our national security because of our increased dependence on imports. That was done. It was delivered to the White House in November of last year, and the White House either did not open their mail, sat on it, or put it at the bottom of the stack. In any event, they have refused to release that report.

Clearly, it is going to say the same thing. The national security of our Nation is at risk because of our increased dependence on imported oil. I am told we are looking at billions of dollars of increased appropriations this year for the military so they can have fuel for our defense. We have another case of this administration refusing to recognize reality. It is as though they want to get out of town before this becomes a political issue or before the American people understand the danger of what is happening because of our increased dependence on imported oil.

The chairman of the Armed Services Committee, JOHN WARNER, the chairman of the Foreign Relations Committee, JESSE HELMS, our majority leader, TRENT LOTT, and I as chairman of the Energy and Natural Resources Committee, all wrote a letter to the President asking him why he has not opened that report he received in November from the Secretary of Commerce. We asked why he has not shared that with the American people, and to tell us whether our national security is at risk because of our increased dependence, again on our old buddy, Saddam Hussein. How ironic. What goes around comes around.

Last year, we had 300,000 barrels a day from Saddam Hussein; this year, 700,000 barrels a day. The fastest growing source of our imports is coming from Iraq. I will say it again and again and again. In 1991, we lost 147 lives, 448 soldiers were wounded, 23 were taken prisoner, and the U.S. taxpayers paid \$10 billion to fence in Saddam Hussein.

Where does this oil go? It goes to the United States—to you and me, and for our airplanes and cars. Where does the money go? Do you think it goes to the people of Iraq? It goes to Saddam Hussein who controls the flow of that money. Do you know where most of it goes? It goes to the Republican Guard that guards him and keeps him alive. He has probably had more assassination attempts than we know. But he takes good care of those people. How does he do it? He has one source of

cash-flow—oil. I just cannot accept the policies of this administration to enrich that man.

We have the farmers, and we have the truckers. Mr. President, have you flown lately? Have you looked at your airplane tickets? They put on a surcharge. Nobody can figure out what the ticket costs anyway. If it is a short trip, it is \$20. If it is a long trip, it is \$40.

Have you received a FedEx package lately? There is a surcharge added.

Pretty soon, the American people are going to wake up. A surcharge is going to be on everything. They say: Oil really hasn't affected inflation. Don't be too sure it has not hit yet.

Do my colleagues think we will get relief? We will see what happens on Monday. Anything that happens on Monday is 8 weeks getting to your gas station. That is the harsh reality.

The policy of this administration is more imports. That is it. They never learn by history: 37-percent dependent in 1973; 47-percent dependent when we fought the war in the Persian Gulf; 56-percent dependent now; 65-percent, according to the Department of Energy, in the year 2015 to 2020. Does it behoove us to take action now? I think so.

I told you a little bit about exploration and production. Here is what happened in our employment in energy: 405,000 employed is down to 293,000. That is the position we are in.

Our oil production domestically dropped from about 7 billion to about 6 billion in this period of time because we don't have an aggressive posture. It is not that we do not have oil and gas. This administration will declare victory, I guess, on the 27th if OPEC releases more oil. But I think Americans are going to have to ask a basic question, a simpler question, and that is: Will the administration's actions decrease our oil dependence or increase it? That is the basic question, and the American people ought to understand it.

Next Monday is March 27, and they say there will be an increase in foreign production of another 1 million to 2 million barrels. Then the administration—the Secretary of Energy and the President—is going to claim victory. They will say: We have more oil.

How hollow, because it is going to increase our dependence, it is going to give them more leverage. We are going to have another crisis. They said OPEC could never get together and did not have the discipline. They did. They got together. They would rather sell their oil at a higher price than sell less oil, obviously. They would like to see it somewhere at \$20 to \$25 to keep us on the hook. That is the thought.

I encourage the American people to ask: Is this in our national interest to swallow the administration's claim of victory? If indeed there is a significant increase coming, if we swallow the administration's claim of victory that it is in the Nation's interest to become more dependent on imported oil, or

strike out with an aggressive posture based on American technology and American can-do spirit to develop resources at home in the overthrust belt in my State of Alaska?

I implore my colleagues who want to speak on behalf of America's environmental community, to know what they are talking about. I ask them to get up to ANWR and Prudhoe Bay and take a look at it. See what we have done and look at some other oil fields. Just do not take the word of the self-anointed environmental groups that have a mission. That mission is membership, dollars, and a cause.

I am not suggesting they do not make a significant contribution. The problem is that they refuse to recognize that we are going to be needing crude oil—petroleum products—for a long time. They refuse to recognize that we are better off developing domestically than importing it. They refuse to recognize where we are getting our imports, the significant role of our rock. They refuse to recognize the role of the lives we lost in the Persian Gulf war. They refuse to recognize we have done a pretty good job in developing oil and gas resources. We can do a better job, if given the opportunity.

I do appreciate the time that has been allotted to me today.

I think it is important to recognize that, in all honesty, we do not have an oil policy, we do not have an energy policy. I fear my colleagues from the Northeast are going to be exposed to substantial increases in electricity.

I have the obligation to proceed with electric reliability bills, electric restructuring. But the fact is, they are going to be dependent on fuel oil making electricity. The price is going to be a lot higher than they have ever had before. People are going to be asking, What are you doing about it to relieve the problem? I hope their answer is not solely to increase imports.

I again extend my willingness to travel to the Northeast corridor, my willingness to meet with the editorial writers of the Northeast papers that continually misrepresent facts. I encourage them to give us an opportunity to be heard. I encourage them to come on up and take a look and spend the money so they can objectively make recommendations and decisions upon those to whom they and their papers and their media extend themselves.

I would like them to know that our Governor, and our delegation would love to have you. We will treat you with a level of hospitality that you will find quite suitable and quite comfortable. You might want to bring some long underwear though.

Give us an opportunity to contribute to this country.

The last thing I want to say is, we became a State in 1959. That was 41 years ago, or thereabouts. The rest of the country established their land patterns 100, 150 years ago. We are still trying to develop an economy. We have 700,000 people. We are trying to develop a uni-

versity. We don't have any roads across our State. The Federal Government owns it. We are dependent on natural resources. Our fish are renewable. Our timber is renewable. We also have a lot of oil and gas.

MEASURE RETURNED TO CALENDAR—S. 2251

Mr. MURKOWSKI. Mr. President, on behalf of the leader, I ask unanimous consent that S. 2251 be placed back on the Senate calendar.

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

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 14

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that at 1:30 p.m. on Monday the Senate begin consideration of S. J. Res. 14 regarding the flag desecration and it be considered under the following time agreement:

At 1:30 p.m. Monday, following the reporting of the resolution by the clerk, Senator MCCONNELL be recognized to offer an amendment in the nature of a substitute regarding a statute, and it be limited to 2 hours equally divided in the usual form, and an additional 30 minutes under the control of the Senior Senator from West Virginia, Mr. BYRD, with no amendments in order to the substitute, and, if agreed to, it be considered original text for the purpose of further amendments;

Further, following the debate on the McConnell amendment, Senator HOLLINGS be recognized to offer his first-degree amendment regarding campaign spending limits, with no amendments in order to the amendment and time limited to 4 hours equally divided in the usual form, with 1 of the 4 hours under the control of Senator MCCAIN;

Further, that no motions to commit or recommit be in order or any additional amendments;

Further, that at 9:30 a.m. on Tuesday, the Senate resume the Hollings amendment for up to 2 hours of their designated debate time, equally divided;

Further, that at 11:30 a.m. on Tuesday, there be up to 60 minutes equally divided between the chairman and the ranking minority member of Judiciary for general debate on the joint resolution;

And, finally, that following the debate on the amendments, the amendments be laid aside, with votes to occur on or in relation to the amendments in the order in which they were offered, beginning at 2:15 p.m. on Tuesday, with 4 minutes for debate prior to each vote.

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

ORDER OF BUSINESS

Mr. MURKOWSKI. In light of this agreement, there will be no further

votes today. The next vote will occur on Tuesday, at 2:15 p.m.

Mr. President, let me again thank you for your courtesy, and that of the clerks, who listened to me intently. I understand there may be some more morning business time available. I invite my colleagues to engage in the debate on the subject of ANWR at any time they appear on the floor, in my office, or outside.

Mr. President, I yield the floor and 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. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NUCLEAR WASTE STORAGE

Mr. MURKOWSKI. Mr. President, I alert my colleagues that an extraordinary thing happened yesterday in the House of Representatives. The House accepted the Senate bill on nuclear waste without amending the Senate bill.

As the occupant of the Chair knows, oftentimes the House has a little difference of opinion on what is good for the country. The bill we passed in the Senate on nuclear waste had certainly a vigorous debate in this body. There were 64 votes recorded for the legislation which would resolve what to do with our high-level nuclear waste and how to proceed with the dilemma associated with the reality that the Federal Government had entered into a contract in 1998 to take this waste from the electric-power-generating units that were dependent on nuclear energy. This is the high-level rods that have partially reduced their energy capacity and have to be stored. We have had this continued buildup of high-level waste adjacent to our reactors.

The significance of this is that this industry contributes about 20 percent of our power generation in this country. There are those who don't favor nuclear energy and, as a consequence, would like to see the nuclear industry come to an end. But they accept no responsibility for where the power is going to be made up. Clearly, if you lose a significant portion, you will have to make it up someplace else.

The point of this was to try to come to grips with a couple of things. One is that the ratepayers have paid the Federal Government \$15 billion over an extended period of time to take the waste in 1998. The second issue is the cost to the taxpayers because since the Federal Government has failed to meet the terms of the contract and honor the sanctity of the contract agreement, there are damages and litigation from the power companies to the Federal Government. That cost is estimated to be somewhere in the area of \$40 to \$80 billion to the taxpayer in legal fees as-

sociated with these claims that only the court will finally adjudicate.

By passing the Senate bill in the House—I believe the vote was 275—indeed, it moved the issue closer to a resolve. Many in this body would like to not address it. That is irresponsible, both from the standpoint of the taxpayer and from the standpoint of the sanctity of a contractual commitment. If we don't do it, somebody else is going to have to do it on a later watch.

The difficulty is, nobody wants the nuclear waste. But if you throw it up in the air, it is going to come down somewhere.

France reprocesses theirs. The French learned something in 1973, during the Arab oil embargo. They learned that they would never be held hostage by the Mideast oil barons and be subservient to whatever the dictates of those oil nations were and what it cost the French economy in 1973. As a consequence, they proceeded towards the development of a nuclear power capability second to none. About 92 percent France's power is generated by nuclear energy. They have addressed the issue of the waste by reprocessing it through recycling, recovering the plutonium, putting it back in the reactors, and recovering the residue. The residue, after you take the high-level plutonium out, has a very short life. It is called vitrification.

In any event, we are stuck still. We can't resolve what to do with our waste. But we have a bill that has moved out of the House. It is our bill. I have every belief it will go down to the White House. We will have to see if the President wants to reconsider his veto threat in view of the energy crisis we have in this country now and the fact that the administration does not have an energy policy, let alone the willingness to address its responsibility under the contractual terms to accept the waste. If the administration chooses to veto it, we have the opportunity for a veto override. In this body, we are two votes short.

I encourage my colleagues, particularly over this weekend as they go home, to recognize that this issue is going to be revisited in this body. If they have nuclear reactors in their State and they don't support a veto override, they are going to have to wear the badge, the identification of being with those who want to keep the waste in their State. That is where it will stay. It will stay in temporary storage near the reactors that are overcrowded and that were not designed for long-term storage. It will never get out of their State unless we come together and move this legislation, if the President does not sign it now that it has gone through the House and Senate.

Unfortunately, this would put the waste ultimately in Nevada where we have had 50 years of nuclear testing out in the desert, an area that has already been pretty heavily polluted. We have spent over \$7 billion in Nevada at Yucca Mountain where we are building

a permanent repository. Quite naturally, the Nevadans, my colleagues, will throw themselves down on the railroad track to keep this from happening.

But the point is, you have to put it somewhere. In my State of Alaska, we don't currently have any reactors.

As chairman of the Energy Committee, my responsibility is to try to address this national problem, with a resolve. What we have, obviously, is this legislation that has passed both the House and the Senate. It will be back. It will be revisited. I encourage my colleagues to recognize that we have a responsibility to address this on our watch. If we put it off, somebody else is going to have to address it. It is going to cost the taxpayer more. Now is the time, since we finally have a bill that has gone through the House and Senate.

The interesting thing is, had the House taken up our bill and amended it, we would be hopelessly lost because there would be a filibuster on appointment of conferees. It would take 9 days or something like that. It could not be done.

That didn't happen in the House. I commend the Speaker, Denny Hastert, for keeping a commitment. I commend our leader, Senator LOTT, who made a commitment that we were going to bring this up. Not only did we bring it up but we passed it.

I alert my colleagues, again, what goes around comes around. We are going to get this back. If you are against it, you had better come up with something else that is a better idea. Otherwise, it will stay in your State. If you want to get it out of your State in a permanent repository, you had better get behind this bill, if we have to go for a veto override.

I thank the Chair and 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. CRAIG. 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. CRAIG. Mr. President, are we in morning business at this time?

The PRESIDING OFFICER. We are in morning business, and the Senator from Idaho controls 60 minutes.

ENERGY CRISIS

Mr. CRAIG. Mr. President, earlier today I came to the floor, as did several of my colleagues, to discuss what I believe is now nearing a crisis in our country; that is, the tremendous runup in the price of energy that we have watched for well over 3 months creep up on the reader boards at the local gas station or in fuel bills for those in homes heated with fuel oil.

A lot of Americans are scratching their heads and saying: What is happening? Last year, at this time out in

Northern Virginia, I purchased regular gasoline for 78 cents a gallon. There was a bit of a price war going on at that time that probably bid the price down 10 or 12 cents, but there is no question that America's driving public a year ago was paying at least 100 percent less, in some instances, than they are paying today.

It is right and reasonable to ask why? What has happened? What happened is obvious to many who watched the energy issue. I serve on the Energy Committee. For the last several years, we have become quite nervous about the fact that we as Americans have grown increasingly dependent on foreign sources of crude oil to fuel the economy of this country. Several speakers on the floor today, and over the past several days, have talked about a dependency that has gone up from 30-plus percent in the 1970s to over 55 percent today for oil flowing in from outside the United States.

Why is that happening? Why don't we have a policy stopping it? Why are all these things happening at a time when our economy is doing so well?

This morning I joined some of my colleagues to discuss some of the whys. This country, for at least the last 8 years, has been without an energy policy. When the current Secretary of Energy, Bill Richardson, came to that seat, I asked him in his confirmation hearing: If we don't have an energy program, can't we at least have an energy policy that looks at all aspects of the energy basket—both, of course, crude oil for the hydrocarbons and for all that it provides for our country, a recognition of electrical generation in this country, both nuclear, hydro, and certainly coal fired and oil fired? He assured me that would be the case.

Of course, today, that simply isn't the case. In the budgets this Department of Energy has presented to this Congress in the last 2 years, there has been a tremendous increase in the money the Clinton-Gore administration has wanted to allocate for solar and wind, but they have constantly dropped the research dollars on hydro production or clean coal production for the use of coal in the firing of our electrical generating facilities.

While all of that has been going on, there has been something else that I find fascinating and extremely disturbing: a progressive effort to lock up exploration and development of our public lands and public areas where the last of our oil reserves exist. The administration has not tried to encourage domestic production. In most instances, they have openly discouraged it or they have set the environmental bar so high that no one company can afford to jump over it.

Over the course of the last 5 or 6 years, we have seen a tremendous number of our production companies leave this country. In fact, the CEO of one company sat in my office 5 years ago in a rather embarrassing way saying: Senator, after having been in this country

drilling, developing, and producing oil and gas for almost 100 years, my company is being forced to leave the United States if we want to stay profitable or productive.

Of course, that company did largely go overseas. That is an American company and they will be producing oil and gas. But they are, in most instances, producing for a foreign government, and they don't control their supply. Most importantly, that supply is not a U.S. supply. It is a foreign supply being brought into this country, dramatically changing our balance of trade. Of course, many of those nations are members of OPEC or are other oil-producing nations that are, in part, causing the problems our consumers are currently experiencing.

I have found it fascinating over the last several years as we have watched this administration refuse to acknowledge our vast reserves of oil and gas, offshore, and in Alaska. The Senator from Alaska, chairman of the Energy and Natural Resources Committee, was on the floor to speak for the last hour about one of the great remaining reserves in northern Alaska that could be tapped, and tapped in a sound and safe environmental way so the beautiful area would not be damaged. Literally, tens of thousands of barrels a day of oil could be produced from that region of our country and brought into the lower 48 to be refined and sold.

The Rocky Mountain overthrust belt in my area of the country is largely now off limits to further exploration and production. Yet in the 1970s and the early 1980s a lot of the new domestic production in our country came from the overthrust belt areas of Wyoming and Colorado.

We have seen the Clinton administration recently announced a ban on any future exploration of many areas of the Outer Continental Shelf, where some of the largest oil reserves exist today, all in the name of the environment. Even though some of the great new technologies have allowed the kind of development in the Gulf of Mexico and other areas where the chance of a spill is almost nonexistent today. In fact, the greatest concern for a spill is not drilling and development and transfer onshore of crude oil; it is the shipping in the great supertankers from all around the world. That is where the greater risk to our oceans exist, not offshore oil production. Yet this administration, all in the name of the environment, says, no, we will not develop our offshore capabilities.

In 1996, the administration resorted to the little-used Antiquities Act. I mentioned that earlier this morning. They made 23 billion tons of low-sulphur mineable coal off limits to production in southern Utah. The U.S. Forest Service issued road construction policies designed to restrict the energy industry's ability to explore for gas and oil on Forest Service lands. The Clinton-Gore administration has vetoed legislation that would have

opened the coastal plain, as I mentioned, in the remote Alaska National Wildlife Refuge, where an estimated 16 billion barrels of domestic oil may be found.

The administration has ignored a report prepared by the National Petroleum Council requested by the Energy Secretary explaining how the Nation can increase production and use of domestic natural gas resources from about 22 trillion cubic feet per year to more than 30 trillion cubic feet per year over the next 10 to 12 years.

Doable? Yes. Environmentally sound? Yes. A clean fuel source? Yes. Then why aren't we doing it? Because we have an administration that is hostile to the idea of actually producing in this country and providing for this country, and their 8 years of record clearly show that.

The Clinton-Gore administration has shown little interest in solving these kinds of domestic problems and, as a result, as I mentioned earlier, we have watched our dependence on foreign crude tick up to 56 percent of our total crude demand. The price last year of a barrel of crude was around \$10 and peaked last week at somewhere near \$34 a barrel.

Did we see it coming? You bet we did. Has the administration known it? Yes, they have. On two different occasions, and in two very well-developed reports over the last several years, that message has been so clearly sent to this administration.

Why would they ignore it? There are probably a lot of reasons, and I have already expressed some of those reasons why this country cannot use its energy resources.

Yesterday, my distinguished friend from West Virginia, Senator ROBERT BYRD, spoke eloquently on the floor on this very subject. Of course, his State of West Virginia is a great coal State, a great producing State. The United States has the world's largest demonstrated coal reserve base and accounts for more than 90 percent of our total fossil energy reserve. In other words, we have more coal than any other country. Yet we have an administration that truly wants to deny the use of it or the development of technologies that will cause it to be burned in an ever increasingly clean way.

At the present rate of recovery and use, U.S. coal reserves can last us for more than 270 years. Let me repeat that. For 270 years, we can be self-sufficient at our current level of coal consumption. Of course, we all know the technology that will develop over that period of time that might well make the use of fossil fuels unnecessary at some point in the distant future.

Coal is used to generate over 56 percent of our electrical supply and about 88 percent of the Midwest's electrical needs. Coal use for electrical power has risen more than 250 percent since 1970, while sulfur dioxide emissions has decreased to 21 percent below the 1970 level.

While there has been a dramatic increase in the use of coal, there has been a dramatic drop in coal-fired emissions. Why? Technology, the application of technology, the kind of combustion technology that has continued to drive down emissions and make continued use of coal economically attractive.

Why shouldn't we be putting more research dollars into even better technology? Of course, we should, but it does not show up in this administration's budget. Not at all. They want windmills and solar cells. The last I checked, to provide electricity for Los Angeles with solar energy, one has to cover the whole State of Arizona with solar panels. President Clinton, don't you understand that would be environmentally unsound? It would not make a lot of sense and would not be a very, shall we say, aesthetically valuable thing to do.

Somehow they are caught in this mythical illusion: Pop up a solar cell, put a propeller on the end of a stick, tie a generator to it, and the world is going to light up. We simply know that is not the case when it comes to the kinds of energy we need to fuel our households and drive our industries. That kind of energy has to be of large capacity. It has to have the ability to peak and supply our needs during high-demand periods. Of course, it says little for the need of America's farmers and ranchers when they go to the pump this year to find out their energy costs have now doubled.

What about nuclear? Nuclear drives 20 percent of our electrical needs, and yet this administration is the most antinuclear administration in the history of this country. They have on every occasion attempted to block the effective storage of nuclear waste, high-level waste, the kind that comes from nuclear generation of electricity. They are basically saying to the electricity industry, the power industry, at least the generating industry: Don't build any more nuclear plants, even though there are no emissions from such plants. If you want to strive to get to the clean air standards that we want in our unattainment areas, you cannot do it any other way than to assure that we at least maintain the 20 percent of our electricity being generated by nuclear power.

What does that mean? It means we have to bring newer reactors online, safer reactors with new technology. Yet this administration will not invest in the necessary research.

In November of 1999, the Environmental Protection Agency sued several coal-burning utilities claiming they made major modifications in their facilities without applying for new source review permits. Utilities maintain that the modifications fell within the routine maintenance provisions that had been provided and grandfathered into the Clean Air Act in 1990.

What kind of a message does a central government send to the generating

industries of this Nation? It tells them: We will not stick by the rules; we will not play by the rules; we are interested in politics at this moment, EPA politics, environmental politics; we are not interested in the pocketbooks of the consumer or, more important, the strength of the economy, even though the utility industries are providing ever cleaner sources of energy.

EPA is discussing the notion that new-source review should include voluntary regulation of CO₂, which is not a poisonous gas and which is not regulated under the Clean Air Act. President Clinton, don't you understand that you cannot keep beating this economy and our energy supplies over the head with these silly notions and expect the economy to remain productive?

EPA recently changed the toxic release inventory, or the TRI, to require electric utilities to report chemical release data. The level at which reporting is required for mercury was lowered by an order of magnitude. In making these changes, EPA presented no studies or supporting rationale for why nearby communities should suddenly be concerned about such releases. Nevertheless, the reports will be widely published, thereby placing utilities at the top of the "dirty" facilities list.

Again I say to the President: From where are you coming? What is the game? Because it appears you are attempting to game this issue.

In 1993, EPA staff concluded that coal combustion waste, or fly ash, bottom ash, slag waste, or other combustion products, from electric utility generation do not warrant hazardous waste regulation. Yet, EPA at the behest of the environmental community seems to be about to overrule the staff recommendation. The story goes on and on.

Here is the other message. Out in my area of the country, a very large portion of the electric generating capacity comes from hydropower. We dam up rivers and we put generators in the face of the dams and we generate large quantities of renewable clean electricity.

Ever since Secretary Babbitt took office, he has been running around the country trying to find a dam to blow up. On numerous occasions, he said: I would like to blow up a really big dam. That is what the Secretary of Interior wants as his legacy. What kind of a legacy is that? I think it is called a cave man mentality legacy. Give everybody a candle and send them to a cave? Come on, Bruce Babbitt. You know the tremendous value of clean hydroelectric generation. Some 15 to 18 percent of our market blend today is hydro.

In my area, it is much larger than that. Do we need to modify our dams to save fish? Do we need to make them operate more efficiently with new technology? Absolutely we do. And we are doing that. Already we are putting in new fish-friendly turbines at Bonne-

ville Dam at the lower end of the Columbia River. We are going to work our way up the Columbia-Snake Rivers system and that marvelous hydro facility that fuels the States of Washington, Oregon, Idaho, and Montana. No, Mr. Babbitt, we "ain't" going to blow up any really big dams.

It is going to be kind of refreshing when that man leaves office to leave that silly mentality by the wayside.

Technology? Yes, you bet. Bring on the new technology. But shouldn't we be encouraging clean fuel, renewable resource technology of the kind that is so abundant in the West today?

I could talk a good deal more about this, but what I hope we accomplish is a reduction in the overall fuel cost of this country by eliminating the 4.3-cent Gore tax. That is right, that is AL GORE's tax. He is the one who sat in the Chair and broke the tie and caused the tax to become law. I want him to get the credit for raising the cost of energy in this country by that vote.

Here is something else I want to close with today that is added frustration as to why this country finds itself increasingly in an energy dilemma. The Clinton-Gore administration embraces the Kyoto Protocol. What is the Kyoto Protocol? It is the misguided result of concern by scientists around the world—and by all of us—that our world may be getting warmer as a result of the generation of greenhouse gases.

We all know that we have phenomenal long-term cycles in our country of warming and cooling. Once upon a time ago, there was an ice age. Prior to that, there was a warm period. Those 5,000- to 10,000-year cycles are very evident throughout geologic time. We know, as a fact, we get warmer. We know, as a fact, we get colder. Right now we are getting warmer.

The question is, Does the presence of man on the globe and what we are doing to our climate cause us to get warmer or does it cause us to get a little warmer under a normal warming cycle? We don't know that yet. Yet this administration, in the absence of science, and in the full-blown presentation of world environmental politics, said: Let me tell you what we are going to do. We are going to put all kinds of restrictions on the United States and other developed nations. We are going to tax the use of hydrocarbons. We want those lessened in their use. To do that, we are going to drive up the cost. AL GORE thinks the internal combustion engine is a really bad idea. He's said so on numerous occasions.

But what they did not recognize was the double kind of impact that would result from driving up the costs through taxes and limiting production at a time when the world was not ready to shift away from conventional forms of energy.

The Kyoto Protocol would require the United States to vastly reduce the use of oil, natural gas and coal, and achieve emission reduction standards when, frankly, the rest of the world

would not have to play—or at least the rest of the newly developing world that will be the largest generators of greenhouse gases.

Thank goodness this Senate, in July of 1997, stood up, in a very bipartisan way, and said: No, Mr. President. No, Mr. Vice President. Your idea and the protocol is wrongheaded. We are going to stand together as a nation. More importantly, we are going to convince the rest of the world to go with us. If we are going to develop this kind of policy, we will all share equally.

What we ought to be doing, with our tremendous talents, is developing the technology for the rest of the world to use to clean up their air and to clean up their water. We should not ask them to sacrifice. We should not ask the people of developing nations to live with less than we have simply because we do not want them to use their resources for the purpose of advancing their economies. Yet that is exactly what this President and this Vice President have said by the proposal of and the endorsement of the Kyoto Protocol.

Our Senate said no, on a vote of 95-0. Thank goodness we did. It had a chilling effect. In fact, I have not heard AL GORE mention Kyoto once in the last 6 months. Why? Because he knows he has created a tremendous liability for himself politically, when the American public really understands what would have happened if the protocol had become law, and those kinds of standards and those kinds of taxes had been placed on the American consumer on the eve of a dramatic runup in the cost of crude oil that has resulted from our OPEC neighbors getting their political act together.

We will be back next week. Stay tuned.

On Monday of this coming week, on the 27th, the OPEC nations meet. Bill Richardson has been running around, all over the world, with his tin cup, begging them to turn on the oil. They turned them off 6, 8 months ago—or turned them down by several millions of barrels of production a day. They may open them a little bit. But my guess is, their goal is to keep crude oil prices well above \$20 a barrel, which means the price at the pump will remain high. It may come down some this summer—and I hope it does. I hope we can jawbone them. I hope we can convince them, through good foreign policy, that wise economic policy dictates that they ought to increase production.

Yesterday, the House spoke very clearly. It said to the OPEC nations: If we are going to provide for your defense, as we have in the past, maybe you need to help us provide for some of our energy needs. All of that is a part, in combination, of what we ought to be involved in and what we ought to be talking about. I think our consumers would expect nothing less of us because, clearly, energy policy is a Government responsibility in this country, especially if there is policy that is neg-

ative in its impact on the ability of the private sector to produce an abundant source of low-cost energy to the consuming public.

This is an issue that will not go away because every day, when the consumer goes to the gas pump, and sticks his or her credit card in it, and pulls out 10, 12, 15, 20 gallons of gas, they are going to feel the impact. If you go out to buy new carpeting, if you go out, as a farmer, to buy pesticides, herbicides, and insecticides—all with a hydrocarbon base—you are going to find out that this runup in cost is having a dramatic impact on the economy and, ultimately, could have an impact on the lifestyle of all American citizens.

We must act. I hope we act both with short-term and long-term policy that is sensible, environmentally sound, but recognizes that energy abundance in this country has been the key to our tremendous economic successes down through the decades.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. VOINOVICH). The Democratic leader.

THE MINIMUM WAGE

Mr. DASCHLE. Mr. President, today the distinguished and esteemed Senator from Massachusetts and I are reintroducing the Democratic proposal to raise the minimum wage.

For those familiar with the legislation, they know that our legislation—the bill being reintroduced this afternoon—raises the minimum wage by \$1 over 2 years, to \$6.15 an hour. It is a modest but badly needed bill. It is overdue. It has already passed in the House, as most of our colleagues know, by an overwhelming margin, with strong bipartisan support. It deserves equally strong and bipartisan support in this Chamber.

Among the many people who support our proposal are America's religious leaders—the U.S. Catholic Conference, the United Church of Christ, the Jewish Council for Public Affairs, the American Friends Service Committee, the Unitarian Association of Congregations, the Episcopal Church, the Methodist Church, and many more religious organizations. There are Republicans and Democrats in this coalition of religious leaders, and all have joined together in supporting the effort to raise the minimum wage by \$1 an hour over 2 years.

A job isn't only a source of income. A job, frankly, is a source of pride—or it should be. The Catholic Conference tells us that the minimum wage ought to reflect the principles of human dignity and economic justice. That is what it ought to reflect. There ought to be more to a minimum wage than simply what pay you get. There ought to be a sense of dignity and a sense of pride and a sense of accomplishment. There ought to be a feeling of goodwill in a workplace. But today's minimum wage precludes much of that. The U.S. Catholic Conference is right, the min-

imum wage today denies dignity, it denies economic justice.

When you adjust the increased cost of living, the real value of the minimum wage today is almost \$2.50 below what it was in 1968. This chart reflects, very graphically, what we are talking about. This shows the value of the minimum wage over the years.

We started in 1968, with a value of the minimum wage, in today's dollars, at \$7.66. But look what has happened. We come down now to the year 2000, and we have a minimum wage value of slightly over \$5.

But look what has been happening to the trendline representing the value of the minimum wage, in the last couple years. While there have been peaks the trend is actually going down. Next year, the value of the increase, in constant dollars, will be \$4.90—almost \$3 below what it was 30 years ago.

Is it any wonder people are working two and three jobs? Is it any wonder we have lost some of the value, some of the dignity, some of the economic justice that was concomitant with the minimum wage of 30 years ago?

What is remarkable is that all we are asking with this increase is to bring it to \$5.85 next year. This proposal, as you can see, is still below the value of the minimum wage in 1968. That is what is disconcerting. If we do not raise the minimum wage by the end of the year, every single penny of the value of the 1996 increase will be erased by increases in the cost of living.

As the chart shows, at one time we were able to increase the value of the minimum wage. Now, we would like to bring the wage back to its value in 1996. But look what happens. If we do not raise the wage, we will have eliminated entirely the previous increases of the minimum wage.

I think people ought to remember, all we are trying to do is to maintain virtually the status quo. We are not even able to bring it up to where it should be. So forget economic justice, dignity—working families are living in poverty.

The Senate passed the welfare reform legislation several years ago. We said we want to dignify work. We want to reward work. We want to ensure that people who work get the rewards that otherwise they would get on welfare. Look what has happened. As the minimum wage continues to decline, the poverty line continues to go up. So even with the minimum wage increase, minimum wage workers are going to be below the poverty line. How does that reward work? How does that keep people off welfare? If this gap continues to spread, where is the economic justice?

Under our proposal, a full-time minimum-wage worker would earn \$12,792 a year. That is an increase of \$2,000. That doesn't sound like a lot of money. As I noted, right now minimum wage workers are below the poverty line. But the fact is, \$2,000 would buy 7 months of groceries for a family of four.

I was in a grocery store not long ago. Somebody came up to me, a total

stranger, and said: I know you are Senator DASCHLE. I hate to interrupt. I know you are out there buying your groceries. I am just one person, but I want to thank you. I want to thank you for trying to fight for the minimum wage increase because I am a minimum wage worker. I have two jobs. I have no health insurance. I have a daughter who is very sick. You don't know me, and you may never see me again. I'm telling you, Senator DASCHLE, I need that money, without it I don't know what I am going to do.

You remember conversations like that. That brings life to charts like this.

It is very troubling to me that, as we fight over the minimum wage this year, we are fighting about that worker, working two jobs, trying to stay above the poverty line with a sick daughter. We are trying to decide in the Senate today whether we are going to make this worker wait another year and lose \$1,200 over that period of time in this era of economic growth and vitality.

What do we say to that man in that grocery store: Look, I am glad you are working two jobs. I am sorry your daughter is sick? We want you to stay off welfare? And while we have more and more people becoming billionaires in this country, we are going to make you wait 1 more year to get that full \$1 increase in minimum wage, even though it is \$3 below what it was in 1968?

I can't do that. I don't know how anybody can do that. But that is what we are asking. That is why we care so much about this fight now. We didn't have the chance to bring it up last year. We forced it on the bankruptcy bill. Now the House, because I believe we forced that action last year, has acted, as they should, on minimum wage. I have some real problems with the House-passed tax package, but they acted appropriately on the minimum wage.

Why, in Heaven's name, given the economic strength we have in this economy, given the extraordinary increase we have seen in income at just about all levels but the lowest, why would we make that man, or anybody like him, wait 3 years rather than 2 to get a \$1 increase so that he might be able to stay above the poverty line?

Recently, my State created 17,000 new jobs. Unemployment is lower now than it has been in 30 years. Yet we hear our colleagues say this somehow is going to hurt small business. This age-old argument has been so totally ripped apart by virtually every credible source. The Wall Street Journal, Business Week—hardly the mouthpiece of a liberal agenda—now say the 1996 predictions about job loss, the last time we increased the minimum wage, could not have been further from the truth. They were wrong. We have created more jobs in my State and in every State. Unemployment is lower, not higher. There is no question whatso-

ever, we can create more jobs and still provide dignity in the workplace.

Of what value is a job if you need four of them to survive? Of what value can a job be if you can't even buy health insurance for your children?

The other argument we hear so often is that minimum-wage workers are teenagers, or that they are part-time people, who pay for cars and CD players, who will be working in a high paying job someday. Again, the facts could not be more the opposite: Seventy percent of all minimum-wage workers are in their twenties or older; 60 percent of minimum-wage workers today are women in that age category; 40 percent of minimum-wage workers today are the sole breadwinners in their families.

You hear these arguments over and over again: The minimum wage costs jobs. These jobs are for teenagers. That is just bunk. There is absolutely no truth to these assertions that we hear over and over again. We are talking about people who walk up to me in grocery stores telling me about their kids, telling me they have more than two jobs, telling me that unless they get this increase in the minimum wage, they don't know how they are going to survive. What an irony—talk of survival in a period of unprecedented growth and prosperity.

I am hopeful that somehow over the course of the next couple of weeks we can reach an agreement. The House has acted on an overwhelmingly bipartisan basis. The Senate ought to go to conference. We ought to resolve this minimum wage issue. But we ought to accept the fact that we have no real argument to ask that person or anybody else to wait 3 years for a \$1 increase in the minimum wage when they need it so badly right now. I am very hopeful that we can work out a procedural arrangement whereby every single person this year can count on a minimum wage increase within 2 years.

The average family now works an additional 265 hours a year just to maintain the same standard of living they had at the beginning of this decade. That is an additional 6 weeks a year that parents could be spending with their children that they are not. How much more in that direction should we be going? Three hundred hours more a year to maintain the status quo; 7 or 8 weeks a year that parents ought to be spending with their kids that they are now spending on a second or third job?

The distinguished Senator from Massachusetts and I, and so many of our colleagues, have said if we do anything this year, if we really mean what we say about economic justice and about dignity in the workplace and keeping people off welfare and addressing the real needs of working families, there is nothing more important than ensuring an increase in the minimum wage, this year, over 2 years. It ought to be over 1 year, but if we can't do it in 1 year, the compromise was, well, then let us at least try it in 2. If we can't do it in 2 years, I don't know how we turn to

those working those extra hours, those extra weeks, with any sense of compassion or understanding for their circumstances.

I ask whether or not it could be a bipartisan goal that we sign and pass a measure before Mother's Day this year. What better opportunity to tell those women who make up 40 percent of the minimum wage workforce and who head households that we are going to give you some help. We are going to do all we can to keep you off welfare. We are going to try to put a little more dignity into the workplace, and we are going to provide the kind of economic justice we all say is important to us.

I have admired Bob Dole for a lot of reasons, but one thing he once said, while he was the Republican leader, is something we ought to remember again and again. He said:

I never thought the Republican Party would stand for squeezing every nickel out of the minimum wage.

That wasn't something Senator KENNEDY or I said or anybody else on our side said. That was the Republican leader who said it wasn't the role of the Republican Party to squeeze every nickel out of the minimum wage.

I hope the majority will not squeeze every last nickel from this minimum wage either. I hope they will join us. I hope they will remember the families below the poverty line. I hope they will remember where we are and from where we have come, when it comes to dignity, economic justice, and the minimum wage today. I hope they will join us in passing this 2-year bill before Mother's Day.

Let's sign it into law. Let's send the right message.

Mr. KENNEDY. Will the Senator yield?

Mr. DASCHLE. I am happy to yield to the senior Senator from Massachusetts.

Mr. KENNEDY. Does the Senator agree with me that here we are on Thursday afternoon, early afternoon, 2:45, most Americans are out working. The Senate, as I understand the schedule, will not be voting until next week on Tuesday. It is Thursday afternoon. Does the Senator agree that we have an opportunity to debate this this afternoon, and, if there were additional questions, we could debate it on Friday where, again, most Americans are working? We could stay here, doing our business, and then vote sometime on Friday or Friday afternoon, that we could dispose of this issue in a timely way? Will the Senator not agree with me that someone who bears a responsibility—as well as the majority leader, in terms of a schedule—that this particular issue could be easily disposed of this afternoon, or on tomorrow, without interrupting the Senate schedule?

Mr. DASCHLE. The distinguished Senator from Massachusetts is absolutely right. We have declared now an end of official business. We are in morning business this afternoon. We are not going to be in session tomorrow. We will be taking up the flag

amendment on Monday and voting on it on Tuesday. But we are told there is not time to bring this matter to the floor. Yet tomorrow is a perfectly opportune time for us to be debating and talking about this. We would love nothing more than to have a good debate. Let's talk about whether or not this affects jobs. Let's talk about whether or not this is for teenagers or for working mothers and working families. Let's entertain amendments.

The fact is, we wouldn't have debated this last year were it not for the extraordinary efforts made by the Senator from Massachusetts who offered this amendment to a bankruptcy bill. That is what triggered the action in the Senate. I believe that is what triggered the action in the House. Now we are in a situation where we are prepared to split the bankruptcy conference from the minimum wage conference. But unless we have a vehicle with which to go to conference, it is very hard for us to conference a minimum wage that has never been considered in the Senate.

How can we go to conference without a vehicle? That is unheard of. I think Daniel Webster would be rolling over in his grave trying to understand what the modern Senate has done to the process. The process, as I used to understand it is you pass a bill in the Senate, you pass it in the House, it goes to conference, you work out the differences, and you bring it back. We haven't passed a minimum wage bill in the House.

The distinguished Senator is right. We are introducing this bill. We could bring it up today. We could have a vote on it tomorrow.

Mr. KENNEDY. Mr. President, if the Senator will yield, this is an issue on which I believe every Member of this body has voted at one time or another. It is not an extraordinary, complex issue, as issues go that we deal with. This is a rather basic issue and a rather fundamental issue. As the leader pointed out, it is basically a question of whether we are going to respect the dignity of those who want to work and can work, who are willing to work 40 hours a week, 52 weeks of the year.

Institutionally, we have voted, if my memory serves me correctly, over the history of this, probably 10 to 14 times. It is not a new issue. Members know what the dimensions of this particular question are really about.

The Senator, as I understand it, would agree with me that it wouldn't take a very long period of time to permit the Senate to express its will on whether they believe there should be an increase in the minimum wage.

As I understand the leader's position, he introduced this legislation. It is 50 cents this year; it is 50 cents next year. If we don't see this increase, we will see that the increase we provided in the 1996-1997 period will effectively be wiped out. It will be about the lowest period in the history of the country in terms of the purchasing power of the

minimum wage at a time perhaps of greatest prosperity.

Does the Senator find that is something that is difficult to explain to people back in his own State of South Dakota, as I do in Massachusetts, and who wonder why we aren't willing to take some action?

Mr. DASCHLE. Mr. President, the Senator is so right. This is a \$2,000 increase. That \$2,000 increase is probably made, in the case of many American entrepreneurs, in a matter of moments, minutes, or hours. We are talking about a \$2,000 increase over the course of a couple of years. That is what we are talking about. These people are already struggling to retain some form of dignity in the workplace. They are determined not to go back on welfare. They are determined to try to find ways to ensure that their children have the quality of life we all dream about as Americans.

As the Senator said, how ironic it is that at a time when we have more billionaires in this country than we have ever had in our Nation's history, at a time when income has gone up exponentially for the top 20 percent of those in this country, at that very time we see potentially the lowest level of purchasing power the minimum wage has ever brought about in our Nation's history. What an incredible irony that is.

The Senator is absolutely right. I appreciate his calling attention to that.

Mr. BAUCUS. Mr. President, if the Senator will yield for a question, something perplexes me.

Is the Senate in session tomorrow?

Mr. DASCHLE. The Senate is not in session tomorrow.

Mr. BAUCUS. Are there going to be votes on Monday?

Mr. DASCHLE. There are not any votes on Monday. We will not have any votes now until Tuesday afternoon.

Mr. BAUCUS. Has the Senate had many votes lately on Mondays or Fridays?

Mr. DASCHLE. I do not recall the last time we had a vote on Monday or Friday.

Mr. BAUCUS. Is there any reason the Senate cannot meet, do its business, and vote on matters of importance on Mondays and Fridays?

Mr. DASCHLE. The Senator from Montana raises a very good point. It used to be that we considered a workweek working 5 days. The workweek is becoming more and more 3 days. Not only that; our work periods are only 3 weeks. Then there is no workweek at all. It is a remarkable juxtaposition.

First of all, we have a limited time each week. Then we have these periods for which there is no legislative work. Then we are told we don't have time to bring up the minimum wage. We don't have time to bring up issues that are of importance to families all across this country.

The Senator is absolutely right.

Mr. BAUCUS. Maybe the Senator can answer another question.

I think the Senator may have a good answer for this. But I don't. Why is it

that the Senate spends so much time debating campaign contributions and campaign expenses at such astronomical and almost exponential rates so they can get elected but doesn't want to be here to do the Nation's work?

Can the Senator explain that discrepancy?

Mr. DASCHLE. I wish I could. All I know is that if you take what it costs to get elected to the Senate and divide it over the number of legislative days, it comes out to millions of dollars per day. It is a remarkable change in the circumstances we face since I have come to the Senate.

Mr. BAUCUS. Isn't it true that people at home who elect us want us to do the Nation's work? Isn't that what the people at home expect us to do?

Mr. DASCHLE. We are talking about minimum-wage workers working 40 hours and sometimes 80 hours a week. If we are not in session long enough to address the concerns they have, it seems to me, we will have a lot of explaining to do to a lot of those people who are wondering: If they are working that long, why can't we work a 5-day week?

Mr. BAUCUS. Didn't we just get a pay raise that went into effect this year?

Mr. DASCHLE. It was a cost-of-living increase.

Mr. BAUCUS. It went into effect this year.

I compliment the Senator. I compliment both Senators for what they want to do. I want to join them. To me, it is a tragedy that the Senate is not doing the Nation's work, particularly on an issue such as the minimum wage. I commend the Senators.

Mr. DASCHLE. The Senator makes a good point. I defended the cost-of-living adjustment. I think there are times when we have to recognize we want people in public service. But if we want to bring about the kind of cost-of-living increases that we understand we need at our salary level, I think everyone would also understand the need for a cost-of-living adjustment for minimum-wage workers to at least stay equal to the poverty line, and to at least give them some encouragement not to go back on welfare.

I appreciate very much the Senator from Montana pointing out that matter.

Mr. KENNEDY. Mr. President, I see others who wish to address the Senate.

On this issue of the scope of what we are talking about and increasing the minimum wage 50 cents and 50 cents, as I understand it, all Americans combined earn about \$4.2 trillion per year. The impact of a \$1 wage increase over 2 years would be one-fifth of 1 percent of the national payroll. This is effectively what we are talking about.

If the leader has given up the floor, I ask for recognition on my own right.

Mr. DASCHLE. Mr. President, I yield the floor.

Mr. KENNEDY. Mr. President, I see others who desire to be recognized. But

I want to at this time join with our leader, Senator DASCHLE, in the introduction of this measure. He has pointed out that it is 50 cents this year and 50 cents next year. That is a very modest increase.

We have been debating this issue for the last 2½ years. We have been denied the opportunity to bring this up to the Senate. We have been told by Republican leadership, day in and day out, that we haven't the time to debate this issue, that this is a complex issue that will impact inflation, that it will impact employment.

These are very important macroeconomic issues. We need time to debate.

Let the record show that our Democratic leader and others introduced this measure this afternoon. We are prepared this afternoon, on a Thursday in late March, to consider this legislation and deal with amendments, as we have done day in and day out over the period of the last 2 and a half years since we introduced minimum wage legislation. But we are prepared to deal with those arguments and finally take action.

We are being denied the opportunity as elected officials of our respective States to be able to have a vote on the increase in the minimum wage because of process, because of procedures, and because of the rules of the Senate. That is so today. But it isn't always going to be that way. As the leader pointed out, we are strongly committed to getting a vote on this measure as soon as we possibly can. We would like to do it in an orderly way so Members can participate in the debate and offer amendments. We can reach a final resolution. But if we are denied that opportunity, we are going to find a way or means to insist that the Senate address this particular issue.

I will just take a few moments to review exactly where we are in terms of the people about whom we are talking and those who would be the beneficiaries of this particular action.

We have taken action at other times in our history in order to provide for and to say to those who are working at different levels of our economy 40 hours a week for 52 weeks of the year that they are not going to have to live in poverty. That is what this is all about.

Are we going to say in the United States of America that men and women who work 40 hours a week, 52 weeks of the year, who play by the rules, are not going to have to live in poverty in the year 2000 and 2001, when we have this extraordinary prosperity? We say yes; the other side says no. That is a principal difference between our two parties on this issue. The American people ought to understand it.

If TOM DASCHLE were the majority leader, we would be debating and acting on this issue this afternoon in the Senate. But we are not. We are denied it because of the Republican position. Our leader has pointed out, all Mem-

bers, Republicans and Democrats, were quite willing, without delay, without any kind of prolonged debate, to take the cost-of-living index increase of \$4,600 without delay, which is what our Republican friends want us to do, delay the increase of the \$1 minimum wage over 3 years. We didn't hear any of them say during the debate on the increase in the cost of living of \$4,600: Spread that out.

No, no, no, we took that quickly.

We want for those working, who are needy and who are poor and who are struggling, we are saying we will spread out your increase of \$1 over 3 years. How does anyone dignify that position?

We can see what has happened. The bottom fifth of families have fallen behind some 6 percent. This is from 1979 through 1999, over the last 20 years. Middle-income families are working harder. Generally, additional members of the family are going into the workforce. These middle-income families have seen a 5 percent increase in income. But most of them are working longer.

The United States of America today has workers working over 50 hours more a year than any other industrial society in the world. They are working harder and barely hanging on. Look what has happened to the top 5 percent of income families, those earning \$246,000 versus the bottom 20 percent earning \$12,500. Of the bottom 20 percent, many are minimum wage earners, with incomes of \$10,000 or less.

Look what has been happening in the workforce during this period. People have always said the real issue in question for wage increase is productivity. There must be an increase in productivity for a wage increase. Look what has happened regarding productivity and the American worker. The real value of the minimum wage drops as productivity grows. We have had one of the greatest spurts in American productivity in the history of this Nation by American workers in recent years. At the same time, the real value of the minimum wage has collapsed. We have a dramatic increase in productivity, with more goods being produced by these workers, and they are still getting paid less and less.

What is the possible justification for that? Every indicator we have—the size of employment, the impact on inflation, the issues of productivity—all come to the same conclusion, that this Nation at this time as never before can afford an increase in the minimum wage. That is what this is about.

Finally, as the leader has pointed out, we have found now in order to get some action in the House of Representatives in the Senate of the United States, our Republican leader said we are going to "piddle" out an increase in the minimum wage over 3 years. We will take 3 years. However, we will provide \$75 billion in unpaid for tax expenditures.

I hope we don't hear from the other side about being responsible economi-

cally. Mr. President, that is \$75 billion for 3 years.

That wasn't good enough for the House of Representatives. Do you know what they said? We will give you 2 years, but we have \$122 billion in unpaid-for tax cuts where 94 percent of the benefits go to the top fifth. Is that not interesting? We have to take care of the small little mom-and-pop stores; we have to help them out. We are interested in doing that. We would work with our Republican friends in terms of the mom-and-pop stores. Our Democratic leader indicated a willingness to do that. We did it in the last minimum wage increase. We are glad to take modest steps in order to be able to do that. We heard we are going to have some tax expenditures in order to protect the mom-and-pop stores. Except under this tax cut, mom-and-pop stores aren't helped; 94 percent goes to the top fifth.

Maybe that goes over in some areas of the country, but we want our friends on the other side to know this issue will not go away.

When we have that kind of action that has been taken previously, a delayed minimum wage increase spread out over 3 years, added to a \$75 billion in unpaid-for tax expenditures, it makes me wonder. How many times have we come on the floor of the Senate saying: Let's do something about Head Start; let's do something about immunization, or on mental health. How much will it cost? Is it paid for? Is it paid for? Is it paid for? Well, you are not getting that, Senator.

I don't know what happened to that particular position where we have now \$75 billion and \$122 billion in play, holding that minimum wage hostage to benefit the wealthiest individuals in this country.

Can we justify that? Is it a position that is defensible? I don't believe so. It is wrong. Fundamentally, it is wrong.

This issue is basically a women's issue because the majority of those who receive the minimum wage are women. It is a children's issue because many women who are receiving the minimum wage have children. This is about the quality of life. As the Council of Economic Advisers has pointed out, the children in minimum-wage families spend 22 hours a week less with their parents than they did 20 years ago.

When we talk about the minimum wage, it is a family issue. It is a civil rights issue because many of the people who earn the minimum wage are people of color. And it is a fairness issue because it says in the United States we stand for men and women who work hard, play by the rules, and they ought not to live in poverty. We believe the overwhelming majority of Americans support it.

I thank our leader for bringing this matter to the Senate again and for all of the leadership he has provided. I am proud to stand with some of my colleagues on this side who have stood for

that kind of increase and for the brave few on the other side who have joined. As the leader has pointed out, we will have this issue up one way or the other. It will come back again and again and again until we get fairness in our society for working men and women.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I hope people listened to the words of the Senator from Massachusetts. He couldn't be more right on; namely, it is the right thing to do. Purely and simply, it is the right thing to do. For that reason only I urge Members of the Senate and my colleagues to take requisite action to get to the issue, pass the minimum wage, and do the right thing, which is pass this very significant increase in minimum wage.

TRIBUTE TO SEAN-MICHAEL MILES

Mr. BAUCUS. Mr. President, I want to pay tribute to a young man, Sean-Michael Miles. Slightly over a year ago, his life was taken tragically in an automobile accident in Bozeman, MT, while he was home celebrating the Christmas holidays with his family. Everyone privileged to know Sean was touched by his contagious zest for life. He was among the very best to emerge from our State, from "The Last Best Place." He was a shining star. He is my friend.

Sean's father and I grew up as neighbors. We went to school together and remained close friends ever since. I might add, Sean's grandmother, affectionately known as Granny Miles, was one of my baby sitters. I know this family well. Their strength and love for one another is an inspiration to all of us who know them. Sean-Michael's future was as bright as one could imagine. He graduated at the top of his class in Bozeman High School in 1997 and was selected by his classmates to deliver the commencement address. That same address, filled with familiar compassion for our Native American heritage, is still talked about today. Such was its honesty, its power, its celebration of promise.

At Princeton University, where Sean was in his second year, he was admired as an exceptional writer, an accomplished artist and musician. Perhaps a classmate put it best: Sean was totally brilliant and completely humble, a cool combination.

Following his graduation from Princeton, Sean intended to return to his beloved Montana and commit himself to a career dedicated to writing and the preservation of our last remaining wildlands. Sean enjoyed considerable gifts, and was truly living up to them.

Sean wanted to make the world a better place, and believed completely that one person can truly make a difference. There was no cynicism in his life. He befriended the friendless, and

remembered the forgotten. Above all, he was making a difference. It is a loss beyond Montana's boundaries as well. Professor John McPhee of Princeton echoed such sentiments:

By my lights, Sean-Michael Miles was the best that we can do—bright, responsive, hardworking, clear in expression, clear in thought, and with a personality immediately likable, immediately demanding respect. We will all miss him terribly.

Sean enjoyed a way with words. I would like to share a small piece of his brilliant work.

After climbing atop a remote buffalo jump, he discovered the "drive lines" that the Native tribes of our region used centuries ago to funnel herds of bison over the cliff's edge. Looking out beyond that edge, toward the vast expanse of the Absoorka Beartooth Wilderness, Sean wrote:

Whenever I think of the changes sweeping over Montana like a spring storm, a lump forms in my throat. My first breath was drawn from mountain air.

Yet I know that this land may pay a price for being beautiful, as change advances, carrying with it the prospect of loss. It is a land I desperately love. It is a part of me. It hurts so much to care so much. Yet as a Westerner, I am invited to breathe it all in deeply each day.

Despite change and loss, a drive line containing wisdom offered through memories stretches before me. For now I am satisfied to walk along its path, eyes fixed on what remains a geography of hope.

Sean-Michael Miles was proud to live his entire life surrounded by the majestic spine of mountains that he fondly referred to with the Blackfeet phrase, "the backbone of the world."

Sean's death casts a dark shadow over the future of those of us who knew and loved him. Yet it is the light he offers that we commemorate today.

I have risen today to announce that I will create a fellowship in Sean's name that will focus on the conservation issues that were so dear to him. I am also pleased and honored to announce that the first Congressional Fellow serving in this prestigious position will be Sean's beloved sister Michelle. Her younger sister, Shaleen, once served as Democratic page on the floor of the Senate. So today, Michelle, who is sitting behind me, I welcome you to my staff, and I know that you bring with you your brother's finest qualities. May the legacy of Sean-Michael Miles, who walked with the silent feet of reverence through the wilds, forever serve as a source of inspiration for generations to come.

The PRESIDING OFFICER. The Senator from Georgia.

MEDICARE PRESCRIPTION DRUG COVERAGE

Mr. CLELAND. Mr. President, prescription drugs currently constitute the largest out-of-pocket health care cost for seniors. Over 85 percent of Medicare beneficiaries take at least one prescription medicine, and the average senior fills eighteen prescriptions per year.

Because prescription drug coverage was not a standard part of health insurance when Medicare was enacted 35 years ago, many seniors must pay for the high cost of prescription drugs out of their own pockets. We are now facing a crisis of monumental proportion for many older Americans.

The simple fact is, the high cost of today's modern medicines and the absence of Medicare coverage have placed needed medications out of reach for too many seniors. Most older Americans must juggle daily costs like groceries and utilities with paying for medicine. They are being forced to compromise by buying only a portion of the needed medications, too often making their treatment regimens incorrect and ineffective. Without the proper medication and dosage for conditions such as high blood pressure, diabetes, and heart problems, seniors may find themselves faced with even more costly hospitalizations and compromised health.

Recently, I received a letter from Reverend Lois Congdon of Decatur, Georgia. Reverend Congdon wrote to me about her impending retirement. She told of her expensive drug treatment costs and the coverage she was currently receiving under her employer-based insurance plan. Without her current salary, and once she is placed on Medicare, Reverend Congdon will no longer be able to afford her expensive prescription drugs. Even supplemental prescription coverage such as medigap offers only limited benefits and is too expensive for most seniors. Currently only one-fourth of Medicare enrollees have supplemental drug insurance and the number of firms offering such coverage has declined by 25 percent in the last four years alone.

Last month, I cosponsored legislation to provide similar prescription drug coverage for military retirees. The bill would enable military retirees over age 65 to use the National mail order pharmacy program for drug coverage. However, affordable prescription drug coverage is a benefit that all seniors should be able to obtain, not just armed service men and women. Seniors make up 12 percent of our nation's population and they purchase over one-third of all prescription drugs in America. Most older Americans live on fixed incomes of \$15,000 a year which is adjusted slightly for inflation each year. However, for far too long, the rate of increase in prescription drug costs has exceeded the rate of inflation. This situation has created a need more urgent than ever to strengthen the Medicare Program with a prescription drug plan, and thereby protect millions of American seniors from more costly hospitalizations and treatments.

Expanding Medicare by adding a prescription drug benefit will bring the program in line with the realities of modern medicine. Prescription drug coverage is essential to the delivery of 21st century medicine. These medicines keep people healthy, independent, and out of the hospital. To not include prescription benefits in Medicare today is

akin to not including a major form of treatment such as a surgical procedure when Medicare was established in 1965. It is absolutely unthinkable. Too many seniors lack dependable drug coverage and their health is being compromised. I am committed to providing Medicare coverage for prescription drugs, and promise to continue fighting for America's seniors. The Congress must move forward expeditiously to adopt legislation to accomplish this important objective.

I yield the floor.

THE PRESIDING OFFICER (Mr. FITZGERALD). The Senator from Delaware.

Mr. ROTH. I thank the Chair.

(The remarks of Mr. ROTH and Mr. MOYNIHAN pertaining to the introduction of S. 2277 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

MEASURE READ THE FIRST TIME—S. 2284

Mr. MOYNIHAN. Mr. President, I understand that S. 2284, introduced earlier today by Senator DASCHLE, and others, is at the desk, and I ask for its first reading.

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

The assistant legislative clerk read as follows:

A bill (S. 2284) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

Mr. MOYNIHAN. I thank the always generous clerk.

I now ask for its second reading and object to my own request on behalf of the other side.

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

Mr. MOYNIHAN. If the distinguished Chair understands that, he understands more than I do. But the matter is now concluded. Once again, I suggest the absence of a quorum. And thank Heaven for Mr. Dove.

THE PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GORTON. 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. GORTON. Mr. President, what is the business before the Senate?

THE PRESIDING OFFICER. The Senate is in morning business.

Mr. GORTON. With any time limitations?

The PRESIDING OFFICER. There are none.

PIPELINE SAFETY

Mr. GORTON. Mr. President, last week the city of Bellingham was the site of a Senate field hearing on pipeline safety. This hearing comes after the unspeakable tragedy that took place when three young boys were killed after a gasoline pipeline exploded in Bellingham on June 10.

I want to share with you my thoughts from the hearing and outline future congressional action as the Senate Commerce Committee prepares to reauthorize the Office of Pipeline Safety this year.

Unfortunately, my Senate Commerce Committee colleagues were unable to attend last Monday's hearing in Bellingham, but I believe the committee has no greater priority than to making sure the pipelines running underneath our schools, neighborhoods, churches, and senior centers are safe.

Pipeline safety concerns aren't unique to Washington. We're seeing States such as Texas, Wisconsin, Florida, New Jersey, and Pennsylvania respond to various local pipeline issues from oil spills and leaks to siting battles. In the last decade, there were 3,917 liquid fuel spills and natural gas leaks, averaging roughly one per day. These accidents resulted in 201 deaths, close to 3,000 injuries and \$778 million in property damage. And for the first time, a National Pipeline Safety Conference will be held in Washington, D.C. next month.

Though the sacrifice is one that no family and no community should have to make, the tragedy in Bellingham would be even worse if we did not learn from it and apply those lessons to try to prevent other accidents. To this end, last week's hearing was invaluable.

While the cause of the explosion remains under investigation, here's what we do know:

We know that many people in Bellingham were unaware that a pipeline was even running through their neighborhood.

We know that the Office of Pipeline Safety ignored enhanced safety requirements, including increased inspections inside pipes, in highly populated and environmentally sensitive areas as Congress required in 1992 and 1996.

We learned that cities through which the Olympic Pipelines Company line runs have tremendous concerns with the integrity of the pipelines, and have had problems getting information and cooperation from the company.

We know that the National Transportation Safety Board has criticized OPS for its poor record of responding to NTSB recommendations. NTSB Chairman Jim Hall has even said, "There's no indication that the Office of Pipeline Safety is in charge or that its regulations, its inspections, its assets, its staffing and its spirit are adequate to the task."

We know that right now, the power to oversee and regulate the safety of the millions of miles of pipelines running underneath our communities rests with the federal Office of Pipeline Safety under the supervision of the Department of Transportation. And in the case of implementing pipeline safety standards in Washington State they have failed miserably.

We learned that only a handful of States have the power to implement tougher safety standards, and when States are given this authority, their safety record is equal if not greater to that of OPS.

So, where does this leave us?

State government, local government, and citizen groups in Washington State were quick to answer the wake-up call from Bellingham and examine what they could do to improve pipeline safety. What they found was that while there are significant actions Washington can take to prevent and respond to accidents, such as improving the State's call-before-you-dig requirements, increasing public awareness, and training emergency response personnel, there is a lot the state cannot do with respect to prescribing safety standards because Federal law pre-empts state regulations.

Today is already March 23. We know this is going to be a short legislative year. Many will say we won't have the time to address this issue this year. I disagree. Congress is due to reauthorize the Office of Pipelines Safety and we've been told the administration will submit its proposal to Congress any day now.

Senator MURRAY and I are supporting legislation to give states greater authority in adopting tougher pipeline safety standards. Given the Office of Pipelines Safety's failure to make pipeline safety a priority, its reluctance to cede any authority to states, I feel we must move forward.

When I asked both the Office of Pipeline Safety and the NTSB last week to take a position on our pipeline legislation, the answer was less than clear. After listening to the painful and damaging testimony that scoured OPS's safety record and failure to comply with congressionally-mandated safety requirements, I was speechless at their unwillingness to relinquish oversight authority to the states. The State of Washington, the people of Bellingham and communities along the pipeline route are ready and capable of implementing tougher safety standards. I demand OPS to take a firm position on this pipeline legislation.

I also request that my good friend and colleague, Senator JOHN MCCAIN, chairman of the Senate Commerce Committee, schedule a vote on the various pipeline safety proposals.

As I have said before, this pipeline legislation may not be perfect, and I believe we need to do some more listening before we arrive at the final pipeline safety proposal. NTSB officials highlighted the complexities of regulating pipelines that pass through a

number of States. They made their case as to why they should retain sole authority to regulate interstate pipelines. But it was an unpersuasive case. I encourage the Office of Pipeline Safety to consider my proposal to allow States which have at least 90 percent of a pipeline passing through their borders, to have greater authority in setting and implementing its own safety and inspection standards.

As Senator MURRAY and I await the administration's proposal, we agree that the following proposals must be included in the final legislation:

Allow States greater authority to adopt and enforce safety standards for interstate pipelines, particularly in light of the absence of meaningful federal standards.

This increase in authority should be accompanied by an increase in grants to States to carry out pipeline safety activities.

Improve the collection and dissemination of information about pipelines to the public and to local and State officials responsible for preventing and responding to pipeline accidents. This includes ensuring that operators are collecting the information necessary to accurately assess and respond to risks. The public should be informed about where pipelines are, what condition they are in, when they fail and why they fail.

Adopt more stringent national standards for pipeline testing, monitoring, and operation.

Ensure congressional mandates are followed, and make sure there are sufficient resources to enforce regulations.

Invest more in research and development to improve pipeline inspections.

Create a model oversight oil spill advisory panel in Washington State. This body would have the authority to not only respond, but to initiate the development of pipeline safety measures.

I have long believed that those closest to the problem are in a better position to help develop the solution. Families in Washington state, and across the country, have already paid to high a price for us to miss this opportunity to put higher federal safety standards into law.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, is the Senate currently in morning business with Senators permitted to speak for up to 10 minutes?

The PRESIDING OFFICER. Yes.

OIL PRICES AND ENERGY POLICY

Mr. GRAMS. Mr. President, I rise to talk this afternoon about this country's overall energy policy or, more truthfully, to talk about the lack of this country's overall energy policy.

With fuel prices continuing their rise to levels that threaten farmers, truckers, families, and, in fact, our entire economy, I felt I needed to come to the Senate floor for a few minutes to discuss this very important issue.

As my colleagues know, I come from a rural State that is heavily dependent on agriculture. When farmers in Minnesota are hurting, it has an impact on businesses, on families, and individuals far removed from the fields of our family farms. Because Minnesota is a large State and so heavily reliant upon agriculture, it is also reliant upon truckers to move products to market and to bring products to communities. It is also important to note that Minnesota is well known as one of our Nation's coldest States, a State where many residents rely on fuel oil to heat their homes. These realities are a few examples of why crude oil prices and supplies are so important to the people of my State. They are also examples of why, since coming to the Congress in 1993, I have been a strong critic of the Department of Energy's failure to strengthen our Nation's energy policies.

In the late 1970s, our Nation responded to the energy crisis by creating the Department of Energy and charging it with developing a stable energy policy that would decrease our reliance on foreign sources of energy. At the time, our Nation was reliant on foreign oil for about 35 percent of our needs. When DOE was created, with its charge to create an energy policy to make us more energy independent, our reliance on foreign fuels was 35 percent. Despite the countless billions of dollars taxpayers have invested in the Department of Energy over the past two decades, our Nation is now roughly 60 percent reliant on foreign energy sources, and that reliance is growing and growing rapidly.

That's one of the reasons why I'm an original cosponsor of S. Res. 263, which calls on both the administration and Congress to undertake steps which will lead to a long-term reduction of our reliance on foreign sources of energy. Among those steps, the resolution calls on the administration to review all programs, policies, and regulations that place an undue burden on domestic oil and gas producers. I believe this is an important aspect of the DOE's failure to reduce reliance on foreign energy sources. Sadly, this administration's opposition to virtually all exploration and production activities on public lands has rendered our nation's domestic producers incapable of responding to supply shortages. That is why we are in the position we are in today. In fact, since 1992, U.S. oil production has been reduced by 17% while our consumption of oil has increased by 14%. In 1990, U.S. jobs in oil and gas exploration and production were roughly 405,000—today those jobs have been reduced to roughly 290,000 a 27% decline in jobs in energy-related fields. In 1990, the United States was home to 657 working oil rigs. Today, there are only 153 working oil rigs scattered across the Nation—a decline of 77 percent; again, a reason the United States did not respond to shortages in supply. During a recent hearing before the Sen-

ate Budget Committee, I asked Energy Secretary Bill Richardson if he would consider supporting the exploration of the Arctic National Wildlife Refuge (ANWR), which is estimated to hold enough oil to offset 30 years of imports from Saudi Arabia. In his response, he indicated that he believes we have sufficient areas for exploration on federal lands without developing ANWR. We have opportunities, he says, to go onto other Federal lands and do the exploration. If we do, the question is, Why haven't we? If that is the case, then why has the Clinton administration failed to move forward in allowing expanded exploration and production activity on those Federal lands instead of leaving us vulnerable to the OPEC nations?

Why has this administration waited until an oil price crisis has gripped our nation before suggesting increased development of domestic oil and gas reserves on public lands? Why does this administration still maintain its opposition to exploring our nation's most promising oil reserves like ANWR? And why does this administration maintain opposition to exploration in the United States based on environmental considerations but has no reservations about calling on other nations to do so?

For some reason, this administration seems to believe that it is an environmentally friendly proposition to expect other nations to produce our oil for us. The United States has some of the most stringent environmental standards for oil exploration and production—standards that aren't embraced by many of the oil producing nations of the world. I simply cannot see how sending our nation's energy secretary across the world to beg for increased oil production every time we have a supply problem is sound energy, economic, or environmental policy. I do not connect the two.

I believe it's also important to note that this administration is currently engaged in a number of other activities that severely limit our nation's ability to increase our energy independence. First, this administration's failure to remove nuclear waste from civilian nuclear reactors threatens to shut down nuclear power plants across the country. In Minnesota, the DOE's inaction may force the premature closure of the Prairie Island Nuclear Generating Facility. If it should close, Minnesota will lose 20% of its generation capacity. At the same time, this administration is attempting to breach hydropower dams in the Pacific Northwest—dams that are crucial to the energy needs of that region. In each of these situations, consumers will be forced to rely more heavily upon fossil fuels to replace the loss of clean energy technologies. As if that weren't enough abuse of America's energy consumers, the Clinton administration has undertaken a number of activities that have severely impacted the ability of utilities to turn to coal-fired plants to meet the energy demands of consumers. And I need not remind any of my colleagues of the lack

of infrastructure in our nation to dramatically increase our use of natural gas as a reliable, base-load source capable of replacing hydropower, nuclear, and coal-fired generation.

What continues to amaze me is how this administration sends its "yes men" in front of Congress to pledge support for each of these generation technologies. I do not hear the administration telling Congress they want to eliminate coal-fired generation. But the EPA is doing its best to regulate coal plants out of business. I have never heard the administration say they want to close down nuclear plants, but I have yet to see them lift a finger to keep them operating. When anyone in this body confronts the administration with the impending brown outs and energy price increases its policies are going to force, all its representatives can say is that they're working on it and they support renewable energy technologies.

Well, I too, am a strong supporter of renewable energy technologies. I've been a strong proponent of the development and promotion of ethanol and biodiesel as a means of reducing our reliance on foreign oil and improving the environment. I was a cosponsor of legislation signed into law last year extending the tax credit for electricity generated from wind and expanding that tax credit to electricity generated from poultry waste. I have written letters in each of the past two years to Senate appropriators supporting significant increases in renewable energy programs, and I was one of 39 Senators to vote in support of a \$75 million increase for renewable energy programs last year. I wrote to President Clinton this year asking him to include more money for renewable energy programs in his budget. However, I know that simply calling for increased funding for renewable energy can't even approach the loss of generation in hydropower, nuclear, coal, and other sources that this administration has pursued through its energy policies.

I'd like to believe that this administration has a grasp on the long-term energy needs of our nation and has plans for meeting those needs, but the actions of the administration and the DOE's failures on the spectrum of energy challenges prove otherwise.

That's why, in a letter to Secretary Richardson last week, I urged him to take immediate actions to allow for both on and offshore oil and gas exportation and production in states that want to do so. I urged him to take immediate steps to ensure that nuclear power plants such as Minnesota's Prairie Island Facility are not forced to shut down due to DOE inaction. I urged him to work with the Department of Interior to resist attempts to reduce the use of hydropower. And I urged him and the administration to undertake an immediate review of all regulations that impose undue burdens on the development of domestic energy sources that could reduce our reliance on foreign oil.

Long ago, the Congress charged the U.S. Department of Energy with the job of reducing our nation's reliance on foreign oil and establishing a long-term, stable energy policy to guide our economy for decades to come. It goes without saying that the Department has failed miserably in that, its most basic mission.

I look forward to working with my colleagues in the coming days, weeks and months in enacting a number of both short-term and long-term responses to the needs of farmers, truckers, the elderly, and all energy consumers. I've been a strong supporter of renewable energy technologies and increased funding for the Low Income Home Energy Assistance Program—or LIHEAP. I strongly support the efforts of my colleagues to increase domestic oil and gas exploration and production on public lands, including offshore reserves and the tremendous potential of ANWR. I remain committed to finding a resolution to our nation's nuclear waste storage crisis—as crisis that threatens to shut down nuclear plants and further weaken our nation's domestic energy security. And I'll continue to be one of the Senate's strongest critics of the Department of Energy's unbelievable neglect of the long-term energy needs of our nation.

The PRESIDING OFFICER. the Senator from Tennessee.

THE 17TH ANNIVERSARY OF PRESIDENT REAGAN'S STRATEGIC DEFENSE INITIATIVE

Mr. THOMPSON. Mr. President, seventeen years ago today President Reagan first committed his administration and the country to the concept of a National Missile Defense. He rightfully viewed the concept of Mutually Assured Destruction—the prevailing strategic concept of the day—as dangerous to this Nation. President Reagan understood that the only way to protect the American people and our homeland was through common sense, straight talk, and a strong, credible defense, not threats of mutual annihilation. While President Reagan and his Strategic Defense Initiative were mocked by critics, he remained steadfast in his vision and his belief that the American people could achieve anything they committed themselves to doing.

Seventeen years later the United States remains vulnerable to missile attack, but from newer and more likely threats, some of which we may not be able to deter: accidental launches, terrorist groups, and rogue states. The United States Intelligence Community and outside expert groups like the Rumsfeld Commission tell us that the threats are real and growing. Less than two years ago North Korea launched a three-stage missile over Japan, demonstrating a North Korean capability to send a missile with a nuclear, biological or chemical weapon to the United States. Meanwhile, other rogue

states like Iran, Iraq, and Libya are developing similar capabilities.

Despite these real dangers, the current administration has kept the American people vulnerable to attack by failing to vigorously pursue missile defense programs started by previous Republican administrations. It has put the fate of our country and our people in the hands of the 1972 ABM Treaty—a treaty signed with a country that no longer exists, which was written for a vastly different strategic environment, and which codified the concept of Mutual Assured Destruction.

It is imperative that the United States aggressively pursue Ronald Reagan's vision of an American homeland free and safe, protected from intimidation, blackmail, and attack by missile-armed adversaries. We can start by putting greater effort and resources into programs like the National Missile Defense program—which has already demonstrated through actual tests that missile defense is technologically feasible—a fact acknowledged privately by defense officials, and publicly by Secretary of Defense Bill Cohen following the most recent test when he stated that "the technology is certainly proving to be on the right track."

The United States should also continue to develop other initiatives which will complement our ground based system and provide for a multi-layered defense. I'm talking specifically about a sea-based system mounted on Navy Aegis cruisers that can be placed off an adversary's coast and destroy enemy missiles immediately after launch; or the Airborne Laser program that seeks to destroy missiles during their ascent; and a space-based system that can shoot down ballistic missiles in the outer atmosphere and vacuum of space.

I might also take this opportunity to compliment the Center for Security Policy and the Heritage Foundation that made valuable contributions in the discussion toward these alternatives.

The key to such a system is working with the Russians to allay their concerns, address their fears, and modify the ABM treaty to accommodate a robust, multi-layered national missile defense. We must try to convince the Russians that they share the threats we face—limited attacks or threats by rogue states—and that our missile defense plans in no way undercut their strategic deterrent. But ultimately, whether Russia is convinced or not, America must do what is necessary to protect itself.

I am concerned that the Clinton administration is currently negotiating changes to the ABM Treaty that will not allow us to fulfill these plans; that they are negotiating to make limited changes to the treaty that will sound good in an election year but will prevent us from building the robust, multi-tiered missile defense we need. This would be unsatisfactory and irresponsible. Marginal changes to the

ABM Treaty will only keep America vulnerable to missile attack, mislead the public about their safety, and tie the hands of the next Administration that may choose to do what is right, not politically or diplomatically expedient.

Finally, we must work with our Allies to address their concerns, interests, and our mutual defense obligations. We stood guard together during the dark days of the Cold War and eventually defeated communism. We must stand together again now and face the threats of the post-cold-war era.

Only through a sustained commitment to a national missile defense system—which can defend the American people from these horrible weapons of mass destruction—can the government fulfill its first responsibility of defending the United States. This is the right and sensible thing to do, and the American people are capable of achieving it. President Reagan understood that almost twenty years ago today.

Mr. COCHRAN. Mr. President, on several occasions I have discussed missile defense programs and the importance of moving as quickly as possible to develop and deploy missile defense systems—both theater and national—to protect forces that are deployed around the world and our citizens here at home. Of all the programs designated as “Major Defense Acquisition Programs” by the Office of the Secretary of Defense, only the Airborne Laser program has distinguished itself by being on schedule and on budget while meeting or exceeding all of its technical requirements. The spectacular performance of this program is the standard all defense programs should aspire to.

Our debates on defense programs usually focus on budgets, schedules, performance, requirements, and threats, but seldom do we pause to recognize success; more specifically, we hardly ever acknowledge the human component of success.

The many accomplishments of the Airborne Laser program did not just happen by accident. Rather, the program has succeeded because of the human element; because of the many people who, over the course of the last three decades, have advanced our science and engineering to the point where the United States will be able to put chemical lasers on 747 aircraft and use them to defend America, its interests, and its deployed forces.

Most recently, the Airborne Laser program has succeeded because of the leadership of Col. Mike Booen and Dr. Paul Shennum, both of whom will be leaving the program in April after having driven the Airborne Laser program forward for the last four years. They deserve special recognition for their efforts.

Colonel Booen was named Deputy Airborne Laser Program Director in the summer of 1996 and promoted to Director in November of that year. While

Colonel Booen has been an energetic and tireless advocate for the Airborne Laser program and its people, his latest achievements are just the most recent in a notable career that includes early promotions, academic recognition as a distinguished graduate of the Air Force Academy, and assignments as a Defense Department Manned Space Flight Engineer and Deputy Chief of the Secretary of the Air Force's Staff Group. In recognition of his success Colonel Booen has been selected to become the next Director of the Air Force's System Program Office for the Space-Based Infrared System. It is an assignment of critical importance to our nation's security, and I look forward to continuing to work with Colonel Booen as he resuscitates that program.

Over a distinguished career of 40 years with Boeing, Dr. Paul Shennum has developed a reputation as a leader who leads with energy and integrity, embraces change, encourages innovation, and challenges people to contribute more than they thought they could. Dr. Shennum is one of the rare program managers who can be counted on to provide factual answers when asked a question. He does not give evasive responses, however convenient they may sometimes be for his company or the Pentagon. His straightforward approach with the Pentagon, Congress, and within his industry team has been instrumental in the Airborne Laser's outstanding program performance. I wish him the best in his well-deserved retirement.

The Booen-Shennum team has succeeded because both of these men understand what the word “leadership” means. They know it involves fixing on an objective, setting high, but realistic, standards, and leading the government and industry components of the Airborne Laser team effectively to that objective. They have refused to accept excuses for work that hasn't met their standards. They have inspired their colleagues to accomplish more than many thought possible. They appreciate effort, but expect results.

And it is results, unparalleled in any other defense program, that Mike Booen and Paul Shennum have given us.

Colonel Booen and Dr. Shennum have demonstrated how a government-industry team should act. This program is not a team in name only, thanks to the constant efforts of Colonel Booen and Dr. Shennum. They have caused the team members, including the various defense contractors, industry and government employees to really work together to achieve a common goal.

In their relentless pursuit of excellence, Col. Mike Booen and Dr. Paul Shennum have reminded us that America's defense programs will ultimately succeed or fail because of the people involved. I congratulate them and thank them for doing such a great job.

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

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

MILLENNIUM DIGITAL COMMERCE ACT

Mr. THOMPSON. I ask that the Chair lay before the Senate a message from the House to accompany S. 761.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. THOMPSON. I ask unanimous consent that the Senate disagree to the amendments of the House, agree to the request for a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

Mr. REID. I object.

The PRESIDING OFFICER. The objection is heard.

MEASURE READ THE FIRST TIME—S. 2285

Mr. THOMPSON. Mr. President, I understand that S. 2285 is at the desk, and I ask for its first reading.

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

The bill clerk read as follows:

A bill (S. 2285) instituting a Federal fuels tax holiday.

Mr. THOMPSON. Mr. President, I now ask for its second reading, and I object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

ORDERS FOR MONDAY, MARCH 27, 2000

Mr. THOMPSON. Mr. President, I ask unanimous consent that when the Senate completes its business today it adjourn until the hour of 12 noon on Monday, March 27, 2000. I further ask consent that on Monday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate begin a period of morning business until 1:30 p.m. with Senators permitted to speak for up to 10 minutes each, with the exception for the following: the first 45 minutes under the control of Senator DURBIN, or his designee; the second 45 minutes under the control of Senator THOMAS, or his designee.

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

PROGRAM

Mr. THOMPSON. For the information of all Senators, following the morning business period at 1:30 on Monday, the Senate will begin consideration of S.J. Res. 14 regarding the desecration of the flag. Under the agreement reached earlier, two amendments will be debated during Monday's session of the Senate.

As announced, no rollcall votes will occur on Monday, and therefore the votes in relation to those amendments are scheduled for 2:15 on Tuesday. Any Senators interested in debating this important measure should be prepared to do so on Monday or early Tuesday.

Again, the next scheduled rollcall vote will occur beginning at 2:15 on Tuesday.

Mr. REID. Mr. President, prior to leaving the floor, I hope the leader gets the message that we have a lot of work to do. There was a dialog that went on in the Chamber today talking about the many things that need to be done. Minimum wage was talked about at some length. I also remind the majority that there are other things we need to get to work on. We are not doing anything related to education. We have health care delivery problems that need to be addressed, including Patients' Bill of Rights, prescription drugs for seniors, and Medicare.

There are other things that may not sound as important but are just as important. I met again today with some high-tech people. I know the Senator from Tennessee has spent some time on the Export Administration Act. I hope the majority will allow us to move forward on that legislation. It is extremely important to the high-tech industry, which is the flagship that is now driving this economy.

The minority is ready to work day and night on all these issues. The reason I am so concerned is I have worked since my time in the Senate with Senator BYRD. He has been whip, he has been majority leader, minority leader, chairman as well as ranking member of the Appropriations Committee, and many other positions, but I have worked with him my entire 14 years in the Senate on the Appropriations Committee. I know how long it takes to work the appropriations process. We have 13 appropriations bills we must move, and it must be done before October 1.

We don't have a budget yet. We have 13 subcommittees with the appropriators waiting to move their bills. We cannot do it until we get a budget. I don't think we are at a point of desperation yet, but there is a lot of work to do and not much time to do it. I hope the majority allows the Senate to move forward on all these important things as quickly as possible.

TRIBUTE TO RICHARD BEST—AN AMERICAN HERO

Mr. HELMS. Mr. President, Tom Brokaw's recently released a best-sell-

ing book, "The Greatest Generation" is a tribute to the contributions of the millions of Americans who grew up during the Great Depression, then went on to fight and win WWII.

I suggest that most Americans will agree that Mr. Brokaw's father's generation is one of unique and lasting significance.

Having lived through that dark hour when totalitarian regimes in Europe and Asia threatened the survival of our republic, and having witnessed the sacrifices unhesitatingly borne by our servicemen, I must confess that I, like most of that generation, can never take our liberties for granted.

More than a half-century removed from victory in WWII, in retrospect I am convinced that far too many Americans have forgotten (or perhaps never learned) how bleak the prospects for our success appeared to be in the spring and early summer of 1942.

Victory was not preordained, and our fate might well have been vastly different had it not been for the heroic actions of U.S. Navy Lieutenant Richard Best and others like him who won that decisive victory at the Battle of Midway in June 1942, reversing a decade of previously unchecked (and largely unchallenged aggression) by the Japanese Imperial Navy.

Mr. President, to understand fully the heroic nature of Lieutenant Best's heroism, it is essential to understand the events leading up to the battle. Prior to Midway, American forces in the Pacific had endured a devastating series of losses and withdrawals that had crippled the U.S. Pacific Fleet.

Beginning with almost 3,600 casualties at Pearl Harbor in December 1941, Americans witnessed the fall of Hong Kong, Singapore, and Rangoon to battle-hardened Japanese forces; the collapse of a spirited defense of Battan by American and Filipino forces; and finally, the devastating loss of Corregidor, the island at the entrance of Manila Bay—an island that the United States had heavily fortified and which had been dubbed the "Gibraltar of the East."

These losses led many Americans to the conclusion that Japan's success in the Pacific was inevitable. Some voices at home began to call for the withdrawal of U.S. forces from the Pacific theater so that we could first concentrate on winning the war against fascism in Europe.

After the selfless and courageous action of Lieutenant Best on June 4, 1942, and the American victory at the Battle of Midway, it became clear that America would not abandon the Pacific theater to an unprovoked aggressor. Instead, America would stand and fight.

Mr. President, the Japanese plan of attack on Midway was designed as part of the largest operation in the history of the Imperial Japanese Navy. Anticipating complete surprise and equipped with four fast carriers, *Kaga*, *Akagi*, *Soryu*, and *Hiryu*, the First Carrier Striking Force had reason to expect a

crushing victory. The early action of the battle seemed to justify that confidence.

The first action saw three successive waves of American torpedo bombers attack the Japanese carriers. While avoiding damage to their carriers, Japanese fighters and anti-aircraft guns quickly managed to shoot down 35 of the 41 American aircraft.

Following these devastating losses, two squadrons of United States dive bombers from the U.S.S. *Enterprise* swooped down on the Japanese carriers. Leading the *Enterprise's* Bombing Squadron Six, a group of 15 Dauntless SBD aircraft was their commanding officer, Lieutenant Richard Best (later lieutenant commander).

Regarded as one of the Navy's most skilled dive-bomb pilots, Lieutenant Best took the point attacking the well-defended Japanese flagship, the *Akagi*. With precision, he delivered his bomb on the flight deck of the powerful carrier, scoring the first direct hit, one that would eventually lead to the sinking of the ship.

Of the 15 planes in his squadron, only Lieutenant Best and four others returned to the *Enterprise* that day. After refueling and rearming, Lieutenant Best soared into the air again. This time he was searching for the *Hiryu*, the one Japanese carrier that had managed to survive the day's earlier fighting.

According to the Naval Historical Center, Richard Best scored a second direct hit against the *Hiryu*, helping to deliver a devastating blow the overconfident and seemingly invincible Japanese Navy.

In addition to being the only American pilot to score two successful direct hits on Japanese carriers at the Battle of Midway, there was something else remarkable about Lieutenant Best's courage that day. At the time of the attack, he was physically weakened and suffering from severe lung damage. Doctors later diagnosed him as suffering from tuberculosis, a condition that would (1) prevent him from ever flying again and (2) would cause him to spend the next two years recovering in Navy hospitals.

For his actions at Midway, Lieutenant Commander Best received the Navy Cross in 1942, the second highest military award presented to members of the Naval Service. It now appears that this award was based on incomplete information and that at the time, the Navy was not aware (1) that Best was the only pilot who scored two direct hits and (2) that he was suffering from tuberculosis.

Since then, a number of distinguished retired Naval officers, including Admiral Thomas H. Moorer, have "weighed-in" in support of awarding Dick Best the Congressional Medal of Honor. Should the Department of the Navy and the Department of Defense determine that an upgrade of the Navy Cross is appropriate I will unhesitatingly support it.

Mr. President, tomorrow night, at a dinner in New York City, the International Midway Memorial Foundation, will celebrate the 90th birthday of Dick Best and honor him for his selfless and courageous conduct in the Battle of Midway. While I am unable to be present, I certainly extend my gratitude and respect for his incredible heroism that day.

HONORING THE DEDICATION OF RICE-TOTTEN STADIUM, MS VALLEY STATE UNIVERSITY

Mr. LOTT. Mr. President, I rise to recognize the importance of this weekend in my home State of Mississippi. On March 25th, Mississippi Valley State University (MVSU) will rededicate and rename its football complex. Formerly known as Magnolia Stadium, the Rice-Totten Stadium will honor two of MVSU's great athletes and two ambassadors for the Itta Bena school.

Jerry Rice is a legend—not only in Mississippi, but throughout the world. After completing an extraordinary career at Valley, Jerry went on to become the greatest professional wide receiver ever. During his time with the San Francisco 49ers, Jerry dazzled fans with his ability to make the impossible look easy, broke numerous NFL reception records, and led his team to multiple Super Bowl Championships.

Willie Totten is one of collegiate athletics's greatest competitors. From 1983–1986 Willie led Valley to the top of Division I-AA football. He also raised the bar by which all college offenses are now judged. Today, almost every college football team utilizes a strong pass-oriented offense game plan, but that hasn't always been the case. Football fans have Willie to thank for showing us how exciting passing over 50 times a game can be. Following a solid career with the Buffalo Bills, Willie served the future of competitive athletics as a college and high school coach.

I believe it's only fitting that MVSU recognize and honor Jerry Rice and Willie Totten for their accomplishments and achievements by naming Magnolia Stadium after them. Although I will not be able to attend the rededication ceremony, I wish MVSU, Jerry Rice, Willie Totten, their families, and those associated with the University they celebrate this occasion.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, March 22, 2000, the Federal debt stood at \$5,727,734,275,348.06 (Five trillion, seven hundred twenty-seven billion, seven hundred thirty-four million, two hundred seventy-five thousand, three hundred forty-eight dollars and six cents).

One year ago, March 22, 1999, the Federal debt stood at \$5,642,227,000,000 (Five trillion, six hundred forty-two billion, two hundred twenty-seven million).

Five years ago, March 22, 1995, the Federal debt stood at \$4,844,513,000,000 (Four trillion, eight hundred forty-four billion, five hundred thirteen million).

Ten years ago, March 22, 1990, the Federal debt stood at \$3,022,412,000,000 (Three trillion, twenty-two billion, four hundred twelve million).

Fifteen years ago, March 22, 1985, the Federal debt stood at \$1,708,934,000,000 (One trillion, seven hundred eight billion, nine hundred thirty-four million) which reflects a debt increase of more than \$4 trillion—\$4,018,800,275,348.06 (Four trillion, eighteen billion, eight hundred million, two hundred seventy-five thousand, three hundred forty-eight dollars and six cents) during the past 15 years.

KEEP OUR PROMISES TO AMERICA'S MILITARY RETIREES ACT OF 2000

Mr. BURNS. Mr. President, I rise today in support of S. 2003, Keep our Promises to America's Military Retirees Act of 2000.

This is an important step in providing the men and women who serve our nation with a benefit our government promised them when they entered the military and, a promise that our government broke. It is our duty to restore these benefits.

There are still a few of us who serve in the Senate that wore our country's uniform in time of war and in time of peace that know of the hardships placed on the military people and their families. We also know, first-hand, of the promises made by our government to our service men and women. This bill is just a small step in restoring one of those most important promises—health care for military retirees. There are military retirees in my State of Montana that drive hundreds of miles to get their health care. There are some living a few miles from Malmstrom AFB, who cannot get an appointment on base. Mr. President, these are the folks that we promised to take care of it they spent 20 years of their lives defending our freedom.

We have a long way to go and much more to be done for our military personnel, active duty, retired, as well as our veterans. As chairman of the Appropriations subcommittee on Military Construction, I place a high priority on providing the active duty men and women and their families with adequate homes and facilities to work and live in. Mr. President, we have the best trained and the most highly educated military in the world—we must make a commitment to provide them with the tools necessary to do their jobs, with the salaries and benefits to recruit and retain them and with adequate homes and facilities to live and work. Just as these people honor their country with their commitment, this country must honor our commitment to them. With anything less, we lose these valuable people.

I encourage my colleagues to support S. 2003.

ADDITIONAL STATEMENTS

DAY OF HONOR OBSERVANCE

• Mr. SANTORUM. Mr. President, I rise today to wholeheartedly support a resolution to designate May 25 as "Day of Honor 2000," to recognize African American and other minorities who fought so valiantly during World War II. I would like to take this opportunity to encourage nationwide participation in this Day of Honor Observance.

African Americans and other minorities fought and died in World War II to protect the freedom and liberty that we so often take for granted. Too often during the war and in years since, these brave men and women were subjected to unfair discrimination and have never received the recognition they deserve.

In 1941, we lived in an era in which African Americans could not eat at a lunch room counter with others, or drink from the same water fountains. Yet, we felt no hesitation in asking these same Americans to fight for democracy. As a member of the Senate Armed Services Committee, I see firsthand the sacrifices that our men and women in the armed forces make to preserve America's freedom. How much harder must it have been to make these same sacrifices fifty years ago. We owe them more than we can ever repay, and for this reason I wholeheartedly support a resolution and encourage nationwide participation in recognizing those African Americans who helped to preserve the liberty that has made our country great.

Pittsburgh will be joining cities across the nation who will host a "Day of Honor Observance" on March 15, 2000, as part of the effort to recognize these citizens to whom we owe so much. I will be participating in this observance and I encourage you to join me in honoring those who put their lives on the line so that we might be free. •

JOHN AND MICHAEL DONOGHUE—FATHER & SON NEW ENGLAND PRESS ASSOCIATION HALL OF FAMERS

• Mr. LEAHY. Mr. President, today I am pleased to recognize two outstanding Vermont journalists, both affiliated with my alma mater, St. Michael's College, and both recently elected to the New England Press Association Hall of Fame. This prestigious honor recognizes lifetime achievements in journalism. I am well acquainted with the work of both, and know that this recognition is well deserved.

The late John D. Donoghue was the first Public Relations/Sports Information Director at St. Michael's, the first chairman of the Journalism Department there, was a music and arts critic for 35 years at the Burlington Free Press, and Executive Editor of the Vermont Catholic Tribune. During his

tenure as professor and journalist, John Donoghue worked through his association with the New England Press Association and Vermont Press Association to improve professionalism within the industry, and fought for the public's right to know. He was a trailblazer among journalists from my home state, and his legacy continues in Vermont, across the United States, and in the foreign press, through his students who have successfully pursued journalism careers.

Michael Donoghue has served Vermonters for three decades as a journalist at the Burlington Free Press, and in the tradition of his father, teaches journalism at St. Michael's College. During Mike's tenure at the Free Press, he has been at the center of efforts to improve reporters' access to information, thus increasing Vermonters' access to their government. Mike helped lead the effort to allow cameras into Vermont courts, was a leader in efforts to improve the Vermont Public Records Law, has successfully fought to keep court records open, and recently was one of four Americans invited to Ireland to make presentations on Freedom of Information after that country adopted such a law. He is a past President of the Vermont Press Association, and active in several national journalism organizations. At the Burlington Free Press, he has proven to be among Vermont's most versatile reporters, covering everything from sports to politics to the court beat with expertise.

In honor of this outstanding father and son duo, I ask that the article *Dedication Runs in the Family* for Donoghues, from the Saturday, February 12, issue of the New England Press Association Daily News, be printed in the RECORD.

[From the NEPA Daily News, Feb. 12, 2000]

DEDICATION RUNS IN THE FAMILY FOR DONOGHUES

(By Jaclyn Tammara)

They have always said "like father like son," and NEPA board member Mike Donoghue and his late father, John D. Donoghue, are a perfect example.

Both were honored by NEPA last night for their strong commitment and contributions to community journalism.

Mike Donoghue, who lives in Vermont, has written for the Burlington Free Press for 30 years, covering a variety of news. Recently, he began specializing in sports reporting.

In what Donoghue calls his "spare time," he teaches journalism classes at St. Michael's College in Vermont. In 10 of the 15 years he has taught there, he has been a co-advisor to the award-winning student newspaper, *The Defender*.

Aside from his work with NEPA, the Burlington Free Press and St. Michael's College, Donoghue has also served as an officer of the Vermont Press Association for 20 years, mainly pressing the issue of camera use in Vermont's courtrooms.

The last 13 years, he has taken the position of volunteer executive director. In this seat, he ran meetings and dealt with newspaper comments.

"I've tried to improve professionalism in Vermont and move it to the rest of New England," Donoghue said.

On a national level, Donoghue is state chairman of Project Sunshine, a society for professional journalists. As chairman, he has testified for the release of public records and has tried to improve various laws.

His job as journalism educator at St. Michael's College has allowed him to become a member of the Journalism Education Committee.

A member of NEPA since 1996, Donoghue has served as chairman of the Publications Committee, and has chaired the legislative and membership services committees.

"NEPA is a vital organization," he said. "Approximately 1,500 people come to Boston each winter to hear topnotch speakers and to see the best work in six neighboring states being honored. The convention is a tribute to the organization and a highlight of New England journalism each year."

Donoghue said he is strongly motivated by his wife, Ann Marie. "If it wasn't for her, I wouldn't be doing this," he said.

Donoghue shared some memories about the contributions of his father, John D. Donoghue. A former NEPA board member, John Donoghue was an arts and entertainment critic for the Burlington Free Press for 35 years. He also worked as an editor for the Vermont Catholic Tribune for four years, before retiring.

Involved in journalism education like his son, John Donoghue served as the first chairman of journalism at St. Michael's College.

Both father and son have shown a strong dedication to the field of journalism and their contributions have been recognized by NEPA's Hall of Fame.●

ANNIVERSARY OF JONESBORO TRAGEDY

● Mr. HUTCHINSON. Mr. President, tomorrow, March 24, is the 2-year anniversary of the day on which Natalie Brooks, Paige Ann Herring, Stephanie Johnson, Brittheny Varner, and Shannon Wright were the victims of senseless violence at the Westside Middle School in Jonesboro, AR. Today, I rise simply to offer my condolences to their families and friends and to the other victims of that tragedy. They are, and will continue to be, in my thoughts and prayers.●

COMMEMORATION OF GREEK INDEPENDENCE

● Mr. REED. Mr. President, I am honored to rise today to acknowledge and celebrate the 179th anniversary of Greek Independence. On March 25, 1821, courageous Greeks, poorly armed but imbued with an ancient calling for democracy, initiated a revolution that would successfully end 400 years of oppression by the Ottoman Empire. I am proud to join my distinguished colleagues as a cosponsor of Senator SPENCER's Senate Resolution 251 which designates Saturday "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

The achievements of Greek civilization in art, architecture, science, philosophy, mathematics, and literature became legacies for succeeding generations living around the world. But it was the idea of democracy, born in Athens over two thousand five hundred years ago, that signaled the beginning

of a lasting revolution to which we as Americans are eternally grateful.

As citizens of the United States, we are proud to recognize the contributions of Greek culture in the creation of our great nation. The Founding Fathers, deeply inspired and influenced by Hellenic ideals, developed our representative democracy from the example of the ancient Greeks. As U.S. democracy flourished, its principles inspired citizens in other nations, sparking revolutions across time and space, from France in 1789 to Portugal in 1974.

As vital as the culture of ancient Greece was to the formation of our nation, modern Greek culture continues to enrich our society today. I can speak firsthand of the significant contributions that Greek-Americans make in my home state of Rhode Island. They serve our communities in many professions and continue to contribute to the state through their hard work and active citizenship.

Greece's commitment to democracy has been essential in fostering stability and supporting the ideals of freedom and equality among its neighbors in the Balkans and in the Mediterranean region. Today, the United States supports Greece in its call for fellowship and peace in the Balkan peninsula and on the divided island of Cyprus. I applaud the Greek people for their commitment to the protection of democratic principles in these regions.

Therefore, on the day marking the 179th anniversary of the revolution for independence, I congratulate all Greeks and Greek-Americans and express my appreciation for their contributions and those of their ancestors.●

IN RECOGNITION OF TC DRAYTON

● Mr. HOLLINGS. Mr. President, I take this opportunity to recognize one of Charleston, South Carolina's finest and feistiest community activists, Thelma "TC" Drayton. People who have known my friend TC over the years will tell you that nothing, and I mean nothing, stands in her way in spurring the East Side community to action. Thanks in large part to TC's hurricane-force commitment, the at-risk neighborhood where she has lived for 53 years is cleaner, safer and more in control of its destiny. Last week, the community acknowledged her many contributions when Agape Ministries established the TC Drayton Award for volunteerism to be presented each year.

Volunteers in search of encouragement during tough times need look no further than TC's example. Like Charleston's East Side, which developers have begun to acquire an appetite for, TC Drayton is up against a formidable foe these days. She is fighting her battle against lung cancer with characteristic force and optimism. She hopes to retire from her job as community liaison with the city of Charleston and devote more time to volunteer

projects. One that is closest to her heart is a new Agape project known as COAT—Coalition of Older Americans Task Force. TC has always been quick to lend a hand to older members of her church family at Friendship Baptist and would like to extend her reach to other seniors in need.

We all wish TC a speedy recovery and a chance to touch even more lives in Charleston. She is a credit to South Carolina, deserving of all the accolades that she receives.●

CALVIN COLLEGE KNIGHTS

● Mr. LEVIN. Mr. President, I rise today to congratulate the Calvin College Knights on their recent athletic success. On Saturday, March 18, 2000, Calvin College's Men Basketball team completed their "storybook" season by winning the Division III Men's National Championship. The National Championship is the Men's second since 1992 and the third for Calvin College in the last two years. The Calvin Women's Cross Country team captured the National Title in 1998 and 1999.

With only two seniors on their roster, the young Knights opened the season by winning the Lee Pfund Classic in Wheaton, Illinois. After the tournament, Calvin began play in the competitive Michigan Intercollegiate Athletic Association, the nation's oldest athletic conference, where they compiled a perfect 17-0 record. Included in this total were two thrilling victories over arch-rival Hope College. For the uninitiated, this intrastate rivalry has the ability to make or break either school's season. Sports Illustrated has noted that the rivalry between these "two Division III schools in Western Michigan, is the equal of Duke-North Carolina, Georgetown-Syracuse or any of the big Division I rivalries," and Tim Russert announced the outcome on "Meet the Press" this year.

The drama and success of the regular season served as a prelude to the NCAA Tournament. Calvin's first tournament game was an overtime cliff-hanger against Franklin in which Nate Burgess, of Grand Rapids, MI, tipped in the winning basket with 3.6 seconds left. This basket allowed Calvin to advance to the "Sweet 16" for the first time since 1993. After two lopsided victories, Calvin relied on the last minute of heroics of Bryan Foltice, of Grandville, MI, who hit a running jumper as time expired to propel Calvin into the National Championship game.

The Championship game against the University of Wisconsin Eau Claire featured a torrid first half, clutch plays in the waning minutes and a well-balanced attack in which five Knights scored in double figures. With this 79-74 victory, Calvin concluded the season with a 22-game winning streak, and became only the sixth Division III school to have won two national championships.

The season became even sweeter when Jeremy Veenstra, of Kalamazoo,

MI, and Aaron Winkle, of Lake City, MI, were named to the Final Four All-Tournament team. In addition, Winkle was both an All-American and Academic All-American. I know my Senate colleagues will join me in saluting Calvin College for their extraordinary individual achievements and their National Championship. Go Knights!

Mr. President, I ask that the team roster be printed in the RECORD.

The material follows:

CALVIN COLLEGE MEN'S ROSTER

Name	Yr	Ht	Wt	P	Hometown
No. 4. Kyle Smith	Fr.	6-0	175	G	Jenison, MI
No. 10. Bryan Foltice	Fr.	6-0	165	G	Wyoming, MI
No. 12. Jon Potvin	So.	5-11	165	G	Gladstone, MI
No. 14. Aaron Winkle ¹	Sr.	6-6	195	F	Lake City, MI
No. 20. Dave Bartels	Fr.	6-3	175	G	Kalamazoo, MI
No. 22. Nate Burgess	Jr.	5-11	170	G	Byron Center, MI
No. 24. Nate Karsten ¹	Sr.	6-2	190	G	Zeeland, MI
No. 30. Tim Bruinsma	So.	6-3	190	G	Grand Rapids, MI
No. 32. Jason DeKuiper	Jr.	6-2	190	G	Fremont, MI
No. 34. Jeremy Veenstra	Fr.	6-6	205	F	Kalamazoo, MI
No. 40. Brian Krosschell ¹	Jr.	6-8	215	F/C	Grand Rapids, MI
No. 42. Nick Ploegstra	So.	6-4	215	F	Cleveland, MI
No. 44. Jon VanderPlas	Fr.	6-6	210	F/C	Kalamazoo, MI
No. 50. Derek Kleinhessel	Jr.	6-6	200	F/C	Hamilton, MI
No. 52. Josh Tubergen	So.	6-7	205	C	Zeeland, MI
Rob Dykstra	So.	6-3	215	F	Byron Center, MI

¹ denotes tri-captains.

Head Coach: Kevin Vande Streek.
Assistants: Chris Fear, Tim VanDyke.●

TRIBUTE TO DAVE McDUFFEE

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Dave McDuffee on his receiving the Merrimack Chamber of Commerce Organization of the Year award. This award recognizes one organization or business which is dedicated to reaching out to the community.

At the helm of any corporation, there is always one individual who stands out as beacon which lights the path for fellow workers to follow. Dave is such an individual. As President of McDuffee Insurance, Dave has learned that a solid business structure rests on the surrounding community.

Dave's working career has been dedicated to both the insurance business and the community. In 1981, Dave started his own insurance agency with offices in Pepperell, Massachusetts and Merrimack, New Hampshire. A few years later, he added another office in Dover. Dave's business, which began with himself and a secretary, has grown to be the largest independently owned agency in New Hampshire with nearly 40 employees. With effort, dedication, and hard work, Dave has built a growing empire in its own right. Few men could do as he has done without his courage and drive.

Additionally, Dave has managed to place his agency at the forefront of community affairs. Dave is a firm believer in people and businesses coming together for the betterment of the

community. He strongly urges members of his board to participate in community events and activities. His agency has been a sponsor of the Merrimack Chamber's golf tournaments, MYA teams, and numerous other charities.

It is an honor to represent Dave McDuffee in the United States Senate. Mary Jo and I wish you the best of luck in your future endeavors. May you always continue to inspire those around you in their dedication to the community.●

TRIBUTE TO THOMAS PESCHKE

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Master Chief Thomas Peschke upon his retiring from the United States Naval and Marine Corps. Thomas has faithfully served his country and its citizens for more than thirty years. As a Navy veteran myself, I know firsthand the dedication and hard work that this entails. Thomas is one who has exhibited integrity, courage, honor, and leadership, and has gained the respect of his peers, and superiors. He is truly an example by which future generations can set their compass as they sail into the future.

I wish Thomas much happiness as he embarks upon his new journey in life. He will be greatly missed. Thomas, it has been a pleasure to represent you in the United States Senate. I wish you the best of luck in your future endeavors. May you always continue to inspire those around you.●

TRIBUTE TO THE ROCHESTER FIRE DEPARTMENT

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to the brave men and women of the Rochester Fire Department, whose quick thinking and willingness to put their lives on the line for their fellow citizens helped save the lives of three families trapped inside their burning apartment building.

The fire that engulfed the apartment building on 19 Sumner Street the night of January 11th could have resulted in the loss of many lives. Instead, the families that lived there, including two very young children, are alive and recovering today because the men and women of the Rochester Fire Department risked their lives to save these families. We often forget just how much these courageous people risk in the service of others. As they go to work each and every day, firefighters are taking the ultimate risk so they can protect and serve their neighbors.

Despite their heroic deeds, the men and women of the Rochester Fire Department remain humble about their amazing rescue. Ask any of them and they will tell you they were merely "doing their job", and they would do it again if someone else's family needed help. Their unselfishness, professionalism, and dedication keep all of us safe.

I thank the men and women of the Rochester Fire Department for their bravery and hard work. It is truly an honor to serve them and all of the firefighters in our great state.●

TRIBUTE TO CINDY TAYLOR

● Mr. SMITH of New Hampshire. Mr. President, I rise to pay tribute to Cindy Taylor upon the occasion of her being recognized as the Merrimack Chamber of Commerce 1999 Business Person of the Year. Cindy has faithfully served the chamber and its members for the past two years, and she has become an example for other volunteers to follow.

Her position with the Public Service Company of New Hampshire inspired Cindy to become involved with the chamber in 1998. She was almost immediately nominated as the ambassador at various chamber events. In 1999, Cindy became vice president of membership for the chamber. With Cindy at the helm, the committee increased its numbers by 20%. During this period, Cindy also co-chaired the annual banquet committee. This position required an extensive amount of effort in planning and executing the celebration. Cindy's participation in any project guarantees organization, dedication and quality. She is one whose input is valued on all projects, and who desires to hear the opinions of others. She is truly a team-player, and was subsequently nominated as Chamber President for the year 2000.

Cindy, it is a pleasure to represent such a valuable woman from New Hampshire in the United States Senate. Mary Jo and I wish you the best of luck in your future endeavors. May you always continue to inspire those around you.●

TRIBUTE TO TERRY WHELOCK

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Terry Wheelock upon the occasion of his receiving the Merrimack Chamber's Presidential Award. Terry has been with the Chamber for many years, and he has proven himself to be an integral asset. Terry has invested much effort, time, and dedication to chamber events and meetings. His love of the game of golf has aided the chamber through fund-raising tournaments. His personality fills the group with enthusiasm, and his talents constantly gain praise from his peers. His warmth and personality have been a constant positive influence for those around him. Mary Jo and I applaud his devotion and hard work for the Merrimack Chamber.

Terry, it is a pleasure to represent you in the United States Senate. I wish you the best of luck in your future endeavors. May you always continue to inspire those around you.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to

the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:47 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3822. An act to combat international oil price fixing.

The message also announced that the House has passed the following bill, without amendment:

S. 1287. An act to provide for the storage of spent nuclear fuel pending completion of the nuclear waste repository, and for other purposes.

MEASURE REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 3822. An act to combat international oil price fixing; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time and placed on the calendar:

H.R. 3081. An act to amend the Internal Revenue Code of 1986 to provide tax benefits for small businesses, to amend the Fair Labor Standards Act of 1938 to increase the minimum wage, and for other purposes.

S. 2267. A bill to direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing substances by athletes, and for other purposes.

The following bill, received previously from the House of Representatives for concurrence, was read twice and placed on the calendar:

H.R. 1725. An act to provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

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-8129. A communication from the Acting General Counsel, Department of Defense transmitting, pursuant to law, a report of proposed legislation relative to appropriations and military personnel strengths for

fiscal year 2001; to the Committee on Armed Services.

EC-8130. A communication from the Secretary of Defense, transmitting, pursuant to law, a report on the event-based decision making for the F-22 aircraft program for FY 2000 and on event-based decisions planned FY 2001; to the Committee on Armed Services.

EC-8131. A communication from the Deputy Director, Defense Research and Engineering, Department of Defense transmitting, pursuant to law, the FY 1999 annual report of the Scientific Advisory Board of the Strategic Environmental Research and Development Program; to the Committee on Armed Services.

EC-8132. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report entitled "Multi-Technology Automated Reader Card Demonstration Program-Smart Cards in the Department of the Navy"; to the Committee on Armed Services.

EC-8133. A communication from the Under Secretary of Defense, Acquisition and Technology, transmitting, pursuant to law, the annual report on contingent liabilities under Title XII, Vessel War-Risk Insurance Program for 1999; to the Committee on Armed Services.

EC-8134. A communication from the Secretary of Labor, transmitting, pursuant to law, a report relative to the Department's certification of employers' labor condition applications; to the Committee on the Judiciary.

EC-8135. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Exempt Anabolic Steroid Products" (RIN1117-AA51), received March 21, 2000; to the Committee on the Judiciary.

EC-8136. A communication from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice transmitting, pursuant to law, the report of a rule entitled "Irish Peace Process Cultural and Training Program" (RIN1115-AF51) (INS No. 2000-99), received March 22, 2000; to the Committee on the Judiciary.

EC-8137. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice transmitting, pursuant to law, the report of a rule entitled "Temporary Exemption from Chemical Registration for Distributors of Pseudoephedrine and Phenylpropanolamine Products" (RIN1117-AA46), received March 21, 2000; to the Committee on the Judiciary.

EC-8138. A communication from the Assistant Attorney General, Legislative Affairs transmitting an analysis of proposed legislation regarding police powers for Inspector General Agents engaged in official duties; to the Committee on the Judiciary.

EC-8139. A communication from the Administrator, General Services Administration, transmitting a draft of proposed legislation relative to travel expense for Federal employees; to the Committee on Governmental Affairs.

EC-8140. 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 relative to additions to and deletions from the Procurement List, received March 21, 2000; to the Committee on Governmental Affairs.

EC-8141. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate System; Change in the Survey Cycle for the Orleans, LA, Non-appropriated Fund Wage Area" (RIN3206-

AJ05), received March 22, 2000; to the Committee on Governmental Affairs.

EC-8142. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Agency Use of Appropriated Funds for Child Care Costs for Lower Income Federal Employees" (RIN3206-A193), received March 21, 2000; to the Committee on Governmental Affairs.

EC-8143. A communication from the Administrator, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Final Rule: 1999-Crop Peanuts National Poundage Quota" (RIN0560-AF48), received March 22, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8144. A communication from the Inspector General, Department of Agriculture transmitting a report entitled "Office of Civil Rights Management of Employment Complaints"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8145. A communication from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Housing Act of 1949; to the Committee on Agriculture, Nutrition, and Forestry.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated.

POM-442. A concurrent resolution adopted by the Legislature of the State of West Virginia relative to an amendment to the Constitution regarding taxation; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 5

Whereas, Separation of powers is fundamental to the United States' form of government; and

Whereas, Section eight, article one of the Constitution of the United States of America vests the Congress, the legislative branch of government, with the power to lay and collect taxes; and

Whereas, The duty and responsibility of the judiciary is to interpret law, not to create law; and

Whereas, Recent federal court decisions, including *Missouri v. Jenkins* of 1990, have resulted in the judicial branch levying taxes or increasing the amount of taxes imposed upon our citizenry to raise revenue sufficient to support various court orders or federal mandates; and

Whereas, These federal courts, through their mandates, have strayed from the provisions of the Constitution of the United States of America and the separation of powers doctrine and have intruded into the legitimate public policy making function of the states; and

Whereas, Taxation is and must remain the exclusive prerogative of elected representatives in the legislative branch of government, and not be subject to imposition by an appointed judiciary; and

Whereas, Numerous other states have petitioned the Congress of the United States to propose an amendment to the Constitution of the United States of America reiterating that the federal courts are prohibited from levying or increasing taxes without the representation of the people; and

Whereas, The Legislature of the State of West Virginia reaffirms in no uncertain terms that the power and authority to levy or increase taxes is and should continue to be retained by the citizens, who do delegate that power and authority explicitly to their duly elected representatives in the legisla-

tive branch of government, with such representatives being responsible and accountable to those who have elected them; therefore, be it

Resolved by the Legislature of West Virginia: That in accordance with the provisions of article five of the Constitution of the United States of America, the West Virginia Legislature hereby petitions the Congress of the United States to adopt an amendment to the Constitution of the United States of America, for submission to the states for ratification, a new article providing substantially as follows:

"Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or a political subdivision thereof, or an official of such a state or political subdivision, to levy or increase taxes"; and, be it

Further Resolved, That the West Virginia Legislature requests the Legislatures of the states who have not yet done so to make a similar petition to the Congress of the United States; and, be it

Further Resolved, That the Clerk of the house of Delegates is directed to send copies of this resolution to the presiding officers of both houses of the legislature in each of the other states in the union, to the Clerk of the United States House of Representatives, to the Secretary of the United States Senate, to the President of the United States, to the Vice president of the United States and to members of West Virginia's congressional delegation.

POM-443. A joint resolution adopted by the Legislature of the State of Washington relative to Migratory bird predation on salmonid stocks; to the Committee on environment and Public Works.

HOUSE JOINT MEMORIAL 4026

Whereas, The state of Washington has embarked on a major salmon recovery effort as reflected in significant legislation enacted in 1998 and 1999; and

Whereas, The state of Washington has formulated a state-wide strategy to recover salmon; and

Whereas, The state of Washington has spent and is prepared to spend millions of dollars to protect and restore salmon populations; and

Whereas, The state of Washington is aggressively pursuing salmon recovery through a comprehensive undertaking in partnerships with federal agencies, Indian tribal nations, local governments, nonprofit organizations, and others; and

Whereas, The national marine fisheries service has listed under the federal endangered species act a number of salmon species that live in evolutionarily significant units within Washington state; and

Whereas, Predation by certain migratory birds such as the Caspian Tern is widely viewed as a significant issue for recovery of listed fish species throughout Washington inland and coastal waters; and

Whereas, The federal migratory bird treaty act of 1918, 16 U.S.C.A. Sec. 703 et seq., has proven ineffective in managing migratory bird predation on salmonids; and

Whereas, Washington's efforts toward salmon recovery, while addressing nearly all the factors that have led to the decline of salmon, cannot currently, because of federal law, effectively address predation by these migratory birds; and

Whereas, Public confidence and support of Washington's salmon recovery efforts will be diminished unless the interaction among migratory birds and salmonid populations is better understood and site-specific conflicts are addressed;

Now, Therefore, Your Memorialists respectfully pray that Congress pass legisla-

tion that amends the federal migratory bird treaty act of 1918, 16 U.S.C.A. Sec. 703 et seq., to provide a more effective means to allow for the protection and restoration of salmonid populations.

Congress is further urged to:

(1) Fund joint federal and state research on migratory and resident predatory bird interactions with salmonids, especially site-specific investigations to determine the significance of migratory and resident bird predation on adult and juvenile salmonids for stock recovery, and to develop a cohesive conservation plan that balances protection of both migratory and resident birds and salmonids;

(2) Grant at least limited management authority for state and federal agencies to remove those migratory and resident birds preying on listed fish stocks at areas of restricted fish passage;

(3) Prohibit the relocation of predatory bird nesting areas that could result in shifting predation to salmonid stocks that need recovery in other geographic areas.

Be it Resolved, That copies of this Memorial be immediately transmitted to the Honorable William J. Clinton, President of the United States, the United States House of Representatives Committee on Resources, the United States Senate Committee on Commerce, Science, and Transportation, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-444. A resolution adopted by the Legislature of the State of Michigan relative to the low-income housing tax credit; to the Committee on Finance.

SENATE RESOLUTION NO. 138

Whereas, The Congress of the United States created the low-income housing tax credit as an incentive for developers and investors to provide affordable rental housing. Under this program, states are authorized to allocate federal tax credits in block grant form. The awarded tax credits may be taken annually for 10 years by developers and investors to offset federal taxes otherwise owed on their income; and

Whereas, Low-income families cannot afford to construct and rehabilitate apartments. The low-income housing tax credit program leverages about \$7 billion in investments each year and produces approximately 75,000 apartments. These apartments rent at prices affordable to low-income working families, the elderly, and people with special needs; and

Whereas, Low-income housing tax credit apartments help stabilize neighborhoods by improving housing quality and supply. They rent out quickly because the need for them is so much greater than the supply created under the present housing credit volume limit; and

Whereas, Despite rapid growth in the economy and in states' low-income housing needs, the present housing credit limit, \$1.25 per state resident, has not been adjusted for inflation since the program was created in 1986. Consequently, states are severely short-changed in their capacity to produce badly needed urban and rural low-income apartments. Every year, another 100,000 low-cost apartments, more than the housing credit replaces, are demolished, abandoned, or converted to market rate use; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to increase the cap on the low-income housing tax credit and index it in accordance with the Consumer Price Index; and be it further

Resolved, That a copy of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.

Adopted by the Senate, March 15, 2000.

POM-445. A concurrent resolution adopted by the Legislature of the State of Arizona relative to federal redesignations of land in Arizona; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT MEMORIAL 2003

Whereas, efforts are underway within the current administration to redesignate millions of acres of western lands as National Monuments or Forest Service roadless areas, including more than one million acres in Arizona alone. The Secretary of the Interior has requested the President to designate nearly a dozen sites in the West as National Monuments under the 1906 Antiquities Act. Additionally, there is a recent proposal to redesignate forty million acres of federal lands under a "roadless areas" policy within the United States Forest Service; and

Whereas, these proposals, which would bypass input and consent from the public, the states and even the Congress, would result in the redesignation of lands in Arizona without any consideration of state or local interests. The people of Arizona, the Arizona Legislature and the Congress of the United States have not considered, debated or approved the federal redesignations that are proposed by the administration; and

Whereas, instead of working as a partner to help local communities define and achieve their conservation goals, the federal government proposes unilateral actions that would affect this state and exclude citizens from determining or even having a voice in land management decisions in their communities; and

Whereas, land management and conservation efforts are best administered and managed at state and local levels of government. Failure by the federal government to recognize and respect this basic tenet would leave this state no recourse but to turn to the judicial system to halt the further redesignations of federal land in this state.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the President, the Secretary of the Interior and the Congress of the United States take action to prevent the designation of any additional National Monuments or Forest Service roadless areas in this state without full public participation and an express act of Congress.

2. That the recipients of this Memorial convey to the Arizona Legislature their plan to consider this request.

3. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the President of the United States, the United States Secretary of the Interior, the President of the United States Senate, the Speaker of the United States House of Representatives and each member of Congress from the State of Arizona.

POM-446. A joint resolution adopted by the Assembly of the State of California relative to Sudan; to the Committee on Foreign Relations.

ASSEMBLY JOINT RESOLUTION NO. 38

Whereas, According to the United States Committee for Refugees an estimated 2,000,000 people have died over the past decade due to war and war-related causes and famine, while millions have been displaced from their homes and separated from their families; and

Whereas, The National Islamic Front government's war policy in southern Sudan, the Nuba Mountains, and the Ingessena Hills has brought untold suffering to innocent civilians and is threatening the very survival of a whole generation of southern Sudanese; and

Whereas, The people of the Nuba Mountains and the Ingessena Hills are at particular risk, because they have been specifically targeted and, as a consequence, they are deliberately prevented from receiving international food aid, resulting in manmade famine, and are the targets of routine bombing of their civilian centers, including schools, hospitals, and areas where religious services are being held; and

Whereas, The Convention for the Prevention and the Punishment of the Crime of Genocide, adopted by the United Nations General Assembly in 1948, defines "genocide" as official acts committed by a government with the intent to destroy a national, ethnic, or religious group, and this definition also includes "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction, in whole or in part"; and

Whereas, By that definition, the National Islamic Front government is deliberately and systematically committing genocide in southern Sudan, the Nuba Mountains, and the Ingessena Hills; and

Whereas, The National Islamic Front government has systematically and repeatedly obstructed peace efforts of the Intergovernmental Authority for Development over the past several years; and

Whereas, The Declaration of Principles put forth by the Intergovernmental Authority for Development mediators is the most viable negotiating framework to resolve the problems in Sudan and to bring lasting peace; and

Whereas, Humanitarian conditions in southern Sudan, especially in Bahr al-Ghazal and the Nuba Mountains, deteriorated in 1998, largely due to the National Islamic Front government's decision to ban United Nations' relief flights from February through the end of April in that year and the government continues to deny access to certain locations; and

Whereas, an estimated 2,600,000 southern Sudanese have been at risk of starvation in southern Sudan and the World Food Program currently estimates that 4,000,000 people are in need of emergency assistance; and

Whereas, The United Nations-coordinated relief effort, Operation Lifeline Sudan, failed to respond in a timely manner at the height of the humanitarian crisis and has allowed the National Islamic Front government to manipulate and obstruct the relief efforts; and

Whereas, The relief work in the affected areas is further complicated by the National Islamic Front's repeated aerial attacks on feeding centers, clinics, and other civilian targets; and

Whereas, Relief efforts are further exacerbated by looting, bombing, and killing of innocent civilians and relief workers by government-sponsored militias in the affected areas; and

Whereas, these government-sponsored militias have carried out violent raids in Aweil West, Twic, and Gogrial counties in Bahr el Ghazal/Lakes Region, among others, killing hundreds of civilians and displacing thousands; and

Whereas, The National Islamic Front government has perpetrated a prolonged campaign of human rights abuses and discrimination throughout the country; and

Whereas, The National Islamic Front government-sponsored militias have been engaged in the enslavement of innocent civil-

ians, including children, women, and the elderly; and

Whereas, The now common slave raids being carried out by the government's Popular Defense Force militias are undertaken as part of the government's self-declared jihad (holy war) against the predominantly traditional and Christian south; and

Whereas, According to the American Anti-Slavery Group of Boston, there are tens of thousands of women and children now living as chattel slaves in Sudan; and

Whereas, These women and children were captured in slave raids taking place over a decade by militia armed and controlled by the National Islamic Front regime in Khartoum—they are bought, sold, branded, and bred; and

Whereas, The Department of State, in its report on Human Rights Practices for 1997, affirmed that "reports and information from a variety of sources after February 1994 indicate that the number of cases of slavery, servitude, slave trade, and forced labor have increased alarmingly"; and

Whereas, The enslavement of people is considered in international law to be a "crime against humanity"; and

Whereas, Observers estimate the number of people enslaved by government-sponsored militias to be in the tens of thousands; and

Whereas, Former United Nations Special Rapporteur for Sudan, Gaspar Biro, and his successor, Leonardo Franco, reported on a number of occasions the routine practice of slavery and the complicity of the Government of Sudan; and

Whereas, The National Islamic Front government abuses and tortures political opponents and innocent civilians in the north and many northerners have been killed by this regime over the years; and

Whereas, The vast majority of Muslims in Sudan do not subscribe to the National Islamic Front's extremist and politicized practice of Islam and moderate Muslims have been specifically targeted by the regime; and

Whereas, The National Islamic Front government is considered by much of the world community to be a rogue state because of its support for international terrorism and its campaign of terrorism against its own people; and

Whereas, According to the Department of State's Patterns of Global Terrorism Report, "Sudan's support to terrorist organizations has included paramilitary training, indoctrination, money, travel documentation, safe passage, and refuge in Sudan"; and

Whereas, The National Islamic Front government has been implicated in the assassination attempt of Egyptian President Hosni Mubarak in Ethiopia in 1995 and the World Trade Center bombing in 1993; and

Whereas, The National Islamic Front government has permitted Sudan to be used by well-known terrorist organizations as a refuge and training hub over the years; and

Whereas, The Saudi-born financier of extremist groups and the mastermind of the United States embassy bombings in Kenya and Tanzania, Osama bin-Laden, used Sudan as a base of operations for several years and continues to maintain economic interests there; and

Whereas, On August 20, 1998, United States Naval forces struck a suspected chemical weapons facility in Khartoum, the capital of Sudan, in retaliation for the United States embassy bombings in Nairobi and Dar es Salaam; and

Whereas, Relations between the United States and Sudan continue to deteriorate because of human rights violations, the government's war policy in southern Sudan, and the National Islamic Front's support for international terrorism; and

Whereas, In 1993, the United States government placed Sudan on the list of seven states

in the world that sponsor terrorism and imposed comprehensive sanctions on the National Islamic Front government in November 1997; and

Whereas, The struggle by the people of Sudan and opposition forces is a just struggle for freedom and democracy against the extremist regime in Khartoum; and

Whereas, On June 16, 1999, the United States House of Representatives adopted House Concurrent Resolution 75, introduced by Representative Don Payne (D-NJ), with only one dissenting vote, condemning the Government of Sudan for "deliberately and systematically committing genocide"; and

Whereas, In Congress, both the Senate and House of Representatives have introduced the Sudan Peace Act, a bill to facilitate famine relief efforts and a comprehensive solution to the war in Sudan that would, among other specific measures, condemn slavery and other human rights abuses by the Government of Sudan; support the Inter-Governmental Authority on Development sponsored peace process; increase pressure on combatants to end slavery and human rights abuses; and protect humanitarian operations, separating civilians from combatants, and reducing food diversion; and

Whereas, This act passed in the Senate by unanimous consent on November 19, 1999; and

Whereas, Representative Christopher Smith (R-NJ), Chairman of the Subcommittee on International Operations and Human Rights has written that, in addition to sponsoring terrorism, mass murder, enslavement, and other grave crimes against its own people, "the regime has also been identified as among the world's most egregious violators of the fundamental right to freedom of religion"; and

Whereas, Secretary of State Madeleine Albright has stated that the Sudanese regime has an "... appalling human rights record, including torture, religious persecution, and forced imposition of sharia (Islamic) law. And it has prolonged a vicious and inhumane war, not hesitating to enslave, starve and bomb civilians in violation of international humanitarian law"; and

Whereas, The Los Angeles Times stated on October 23, 1999 that "The Clinton Administration considers the Sudanese government to be a brutal dictator and by far the worst offender in an atrocity-filled regional, religious and ethnic war that has claimed as many as two million lives"; and

Whereas, The Center for Religious Freedom of Freedom House, a vigorous proponent of democratic values and a steadfast opponent of dictatorships of the far left and far right founded in 1941 by Eleanor Roosevelt, Wendell Willkie, and others, declares that "the religious and ethnic genocide now occurring in Sudan has destroyed many . . .

* * * * *

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute.

H.R. 1658. A bill to provide a more just and uniform procedure for Federal civil forfeitures, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. HATCH, for the Committee on the Judiciary.

Nicholas P. Godici, of Virginia, to be an Assistant Commissioner of Patents and Trademarks.

(The above nomination was reported with the recommendation that it be confirmed.)

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. ROTH (for himself and Mr. MOYNIHAN):

S. 2277. A bill to terminate the application of title IV of the Trade Act of 1974 with respect to the People's Republic of China; to the Committee on Finance.

By Mrs. LINCOLN:

S. 2278. A bill to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 2279. A bill to authorize the addition of land to Sequoyia National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCONNELL:

S. 2280. A bill to provide for the effective punishment of online child molesters; to the Committee on the Judiciary.

By Mr. SMITH of New Hampshire:

S. 2281. A bill to name the United States Army missile range at Kwajalein Atoll in the Marshall Islands for former President Ronald Reagan; to the Committee on Armed Services.

By Mr. CAMPBELL (for himself, Mr. THOMPSON, and Mr. INOUE):

S. 2282. A bill to encourage the efficient use of existing resources and assets related to Indian agricultural research, development and exports within the United States Department of Agriculture, and for other purposes; to the Committee on Indian Affairs.

By Mr. CAMPBELL (for himself, Mr. JOHNSON, and Mr. INOUE):

S. 2283. A bill to amend the Transportation Equity Act for the 21st Century to make certain amendments with respect to Indian tribes; to the Committee on Indian Affairs.

By Mr. DASCHLE (for himself, Mr. KENNEDY, Mr. AKAKA, Mrs. BOXER, Mr. DURBIN, Mr. SARBANES, Mr. WELLSTONE, and Mr. REED):

S. 2284. A bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; read the first time.

By Mr. LOTT (for himself, Mr. MURKOWSKI, Mr. CRAIG, Ms. SNOWE, Mrs. HUTCHISON, Mr. ABRAHAM, and Mr. GRAMS):

S. 2285. A bill instituting a Federal fuels tax holiday; read the first time.

By Mr. COCHRAN:

S. 2286. A bill to establish the Library of Congress Financial Management Act of 1999, and for other purposes; to the Committee on Rules and Administration.

By Mr. L. CHAFEE (for himself and Mr. REID):

S. 2287. A bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ABRAHAM:

S. 2288. A bill to amend the Internal Revenue Code of 1986 and the Social Security

Act to repeal provisions relating to the State enforcement of child support obligations and the disbursement of such support and to require the Internal Revenue Service to collect and disburse such support through wage withholding and other means; to the Committee on Finance.

By Mr. GRASSLEY:

S. 2289. A bill for the Relief of Jose Guadalupe Tellez Pinales; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself and Mr. REID):

S. 2290. A bill to amend the Internal Revenue Code of 1986 to clarify the definition of contribution in aid of construction; to the Committee on Finance.

By Mr. DASCHLE:

S. 2291. A bill to provide assistance for efforts to improve conservation of, recreation in, erosion control of, and maintenance of fish and wildlife of the Missouri River in the State of South Dakota, and for other purposes; to the Committee on Environment and Public Works.

By Mr. INHOFE:

S. 2292. A bill to amend the Atomic Energy Act of 1954 to renew the authority of the Nuclear Regulatory Commission to indemnify its licensees, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CAMPBELL (for himself, Mr. MCCAIN, Mr. JOHNSON, and Mr. INOUE):

S. Res. 277. A resolution commemorating the 30th anniversary of the policy of Indian self-determination; to the Committee on Indian Affairs.

By Mr. DEWINE (for himself, Mr. THURMOND, Mr. WARNER, Mr. ROCKEFELLER, Mr. ROBB, Mr. THOMAS, Mr. DODD, Ms. LANDRIEU, Mr. HATCH, and Mr. STEVENS):

S. Con. Res. 98. A concurrent resolution urging compliance with the Hague Convention on the Civil Aspects of International Child Abduction; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROTH (for himself and Mr. MOYNIHAN):

S. 2277. A bill to terminate the application of title IV of the Trade Act of 1974 with respect to the People's Republic of China.

PERMANENT NORMAL TRADE RELATIONS WITH THE PEOPLE'S REPUBLIC OF CHINA

Mr. ROTH. Mr. President, I rise today for myself and Senator MOYNIHAN to introduce legislation that will make normal trade relations with the People's Republic of China permanent when China accedes to the World Trade Organization. The legislation I am introducing is the same as that sent up by the administration. It is a clean bill, and I believe we should keep it that way.

Last year, the Chinese made a series of bold commitments to United States negotiators to open their market in return for WTO accession. In sector after

sector—and by a date certain—the Chinese have pledged to open their markets to foreign goods, investment and services. These openings represent an unparalleled opportunity for U.S. farmers, manufacturers, and service providers to expand their exports into a rapidly growing market.

Those commitments will help move the Chinese economy toward a rules-based system and end many forms of state control. In essence, China has conceded that its future depends on the replacement of its communist-style economy with an open, market-oriented system based on the rule of law. Indeed, in a number of sectors, economically backward China will be more open to American exports than some of our developed-country trading partners in Asia and Europe.

What must the United States give away in terms of access to our market in return for China's pledge to enact these sweeping reforms? The answer is as striking as it is simple: absolutely nothing. The cost of our access to China's market is simply to comply with our own WTO obligations. Indeed, for the United States to reap the benefits of China's open markets once it joins the WTO, the only act necessary is passage of this legislation. This legislation will thus end the annual normal trade relations renewal process required by the Jackson-Vanik provisions in current trade law.

Some believe we must retain the annual renewal process because it gives us leverage in checking China's conduct on a number of fronts. But the annual debate on renewing normal trade relations has not been a very effective means of achieving any of the goals we all share with respect to China: peaceful settlement of the Taiwan question; enhanced human rights, religious freedom and stronger worker rights for the Chinese people or curbing China's irresponsible behavior on security matters. But the active involvement of United States firms in China can only help open that society and reinforce the changes already under way in China toward free markets and a rules-based society.

The enormous benefits of enacting permanent normal trade relations, on the other hand, are clear. Just as clear is the huge cost of failing to do so. In passing PNTR, American workers, farmers and exporters will gain access to market-opening concessions the Chinese made to our negotiators after 13 long years of hard negotiations.

If we fail to pass PNTR, then every member economy of the World Trade Organization will gain such access except the United States. Our European, Japanese and Asian competitors could not hope for a more lucrative gift, and all at the expense of our farmers and workers.

Here is what Leonard Woodcock, many years the President of the United Auto Workers, had to say in support of PNTR 2 weeks ago:

American labor has a tremendous interest in China's trading on fair terms with the

U.S. The agreement we signed with China this past November marks the largest single step ever taken toward achieving that goal. The agreement expands American jobs. And while China already enjoys WTO-based access to our economy, this agreement will open China's economy to unprecedented levels of American exports, many of which are high-quality goods produced by high-paying jobs.

With that sentiment I most strongly agree.

What about the rights of Chinese workers themselves? On this point I agree with Mr. Woodcock, as well. To be sure, nothing in the U.S.-China trade agreement requires that free trade unions be formed in China. Yet the WTO does not require this of any of its 136-member countries, and the WTO is the wrong instrument to use to achieve that goal. We should, instead, be asking a more important question: Are Chinese workers better off with this agreement? The answer is a resounding yes.

With so little to lose in ending the annual renewal process and so much to gain by enacting PNTR, I would hope this body will pass this legislation overwhelmingly.

Mr. MOYNIHAN. Mr. President, I rise with enthusiasm to join our chairman in introducing this measure which is word for word as the President sent to us on March 8. In doing so, he put the matter clearly enough. He said:

The Agreement will dramatically cut import barriers currently imposed on American products and services. It is enforceable and will lock in and expand access to virtually all sectors of China's economy. The Agreement meets the high standards we set in all areas, from creating export opportunities for our businesses, farmers, and working people, to strengthening our guarantees of fair trade.

I point out, sir, that the negotiations that have led us to this point have taken 13 years. They began prior to the creation of the World Trade Organization, under its predecessor, the GATT. It has been hard slogging, painful, detailed work, but it has come to a conclusion.

China wants into the WTO, the World Trade Organization. The price is to give us access to her markets. She has access to ours; hence, the imbalance of our trade, which is enormous just now.

I say, sir—and I think it would be agreed to—this will be very likely the most important legislative decision we have made in a decade or will make for a decade. At issue is the opening of American and world markets, which followed the calamitous conditions brought about by the Smoot-Hawley tariff in 1930. The opening began by Cordell Hull, in the form of the reciprocal trade agreements.

Every President since has expanded and continued this process. You see it all around you in unprecedented prosperity in those countries which first participated.

Now China wishes to do so. The condition is that we share in the Chinese market. It could not be more simple. We are not giving them anything they

do not now have. They are giving us the treatment that is required by a member of the World Trade Organization.

Just this morning, the Wall Street Journal reported, in a Wall Street Journal/NBC poll, that a solid majority of Democrats—almost 2 to 1—is in favor of this legislation. I am hesitant to tell my revered chairman that Republicans do not do as well. But on balance, the American people sense this. They have had the experience of it for three generations now.

Let's do it.

We had a fine hearing today. We had wonderful testimony from respected scholars on the subject—Merle Goldman from the Fairbanks institution—well, from Boston University—Nelson Graham, East Gates Ministries International, who is the son of the Rev. Billy Graham, and Michael A. Santoro, a professor from Rutgers.

The case is so clear, it should not be obscured or delayed. It is up to us. I think there is going to be another hearing, at least. I believe it is the intention of the chairman to have a legislative markup and, as we say, actually reporting out a bill in about a month's time.

Mr. ROTH. I say to the distinguished leader, it is my intent to bring this up at least within a month.

Mr. MOYNIHAN. At least within a month.

Mr. ROTH. I think the sooner we can move on it, the better off we are. I expect this legislation to be adopted with overwhelming bipartisan support.

Mr. MOYNIHAN. Exactly so. It should. I do not think we can name it for you, but it certainly will be one of the great measures you have achieved in a long career, not yet concluded. I would observe that it took some prodigious to get the legislation sent up to us. In his State of the Union Address on January 27, 2000, the President called upon Congress to pass legislation authorizing PNTR for China "as soon as possible this year." It took almost two months to get the Administration to produce a draft of the legislation, which the President formally transmitted to Congress on March 8.

But we have it now, and the President is fully committed to this, and we ought to move swiftly.

I want to clarify one important point: passage of this legislation will not determine whether China enters the WTO. China will enter the WTO regardless of Congress' action with respect to PNTR. But until we grant China PNTR, we cannot enter in to a full WTO relationship with China, which means that we cannot reap the full benefits of the trade agreement.

This is because the WTO—under the General Agreement on Tariffs and Trade 1994, the General Agreement on Trade in Services and the Agreement on Trade-Related Aspects of Intellectual Property Rights—requires that WTO members grant each other immediate and unconditional normal trading

relations status. We do not do so now with respect to China.

China's trade status is conditioned on an annual review of China's compliance with the so-called Jackson-Vanik freedom-of-emigration provisions of the Trade Act of 1974. The President makes a determination by the third of June each year, which is then subject to review by the Congress. Because of this conditionality, the trade treatment that we currently accord China is insufficient under WTO rules. Until we grant China PNTR, we must invoke the WTO's so-called "non-application" provision—that is, Article XIII of the Agreement Establishing the World Trade Organization—meaning that WTO benefits will not apply.

Simply put, we must grant China permanent normal trade relations status in order to reap the benefits that the United States, its workers and its companies will gain from China's entry into the WTO. And we ought to do so promptly.

Mr. ROTH. Mr. President, I ask unanimous consent that the legislation be printed in the RECORD.

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

S. 2277

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

SECTION 1. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO THE PEOPLE'S REPUBLIC OF CHINA (CHINA).

(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(1) determine that such title should no longer apply to China; and

(2) after making a determination under paragraph (1) with respect to China, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(b) CHINA'S ACCESSION TO THE WORLD TRADE ORGANIZATION ("WTO").—Prior to making the determination provided for in subsection (a)(1) and pursuant to the provisions of section 122 of the Uruguay Round Agreements Act (19 U.S.C. 3532), the President shall transmit a report to Congress certifying that the terms and conditions for China's accession to the WTO are at least equivalent to those agreed between the United States and China on November 15, 1999.

SEC. 2. EFFECTIVE DATES.

(a) The extension of nondiscriminatory treatment pursuant to section 1(a)(1) shall be effective no earlier than the effective date of China's accession to the WTO.

(b) On and after the effective date under subsection (a) of the extension of nondiscriminatory treatment to the products of China, title IV of the Trade Act of 1974 shall cease to apply to that country.

By Mrs. LINCOLN:

S. 2278. A bill to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994; to the Committee on Environment and Public Works.

JUNIOR DUCK STAMP CONSERVATION AND DESIGN PROGRAM AUTHORIZATION ACT

Mrs. LINCOLN. Mr. President, I am pleased to be here today to introduce

the "Junior Duck Stamp Conservation and Design Program Authorization Act". The Junior Duck Stamp program gives youth a valuable opportunity to study waterfowl and learn about environmental conservatism through the arts.

I believe we have a unique opportunity to instill in our children a love of the outdoors and must encourage our children by example to protect our natural resources for future generations. Through my own personal experiences in the outdoors, I have learned to value and appreciate the joys of hunting and fishing and look forward to raising my twin boys with the proper respect for the environment so that they too will enjoy a lifetime of experiencing one of America's greatest treasures.

The Junior Duck Stamp Reauthorization Act provides us with one of these opportunities to instill the importance of conservation in our nation's children. This legislation will reauthorize a program which helps teach children to love and respect the environment, while encouraging artistic development. By concentrating on nature, students have an opportunity to appreciate our country's great natural resources and explore their own talents.

The Junior Duck Stamp program allows students from elementary to high school to research any species of North American waterfowl and portray it artistically. Students then may enter their design in a state contest. The "Best of Show" winners at the state level are then sent to Washington D.C. for a national competition. The first place national winner receives a \$2500 scholarship award and his/her design is used to create a Federal Junior Duck Stamp each year. Proceeds from the sale of the stamp, which costs \$5, are then invested back into the program.

The Junior Duck Stamp Program was originally developed through the Fish and Wildlife Service with a grant from the National Fish and Wildlife Foundation. The program was expanded by Congress in 1994 and authorized through the year 2000. In 1998, more than 42,000 students entered the art contest. It is estimated by educators who work with the program, that for every student who enters the contest, ten other students actually participate in the curriculum.

I encourage my colleagues to join with me in supporting legislation which will continue the Junior Duck Stamp Program and encourage conservation practices and appreciation of the outdoors in our children.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 2279. A bill to authorize the addition of land to Sequoia National Park and for other purposes; to the Committee on Energy and Natural Resources.

**DILLONWOOD SEQUOIA GROVE BILL
INTRODUCTION**

Mrs. BOXER. I am pleased to introduce legislation to expand the bound-

ary of Sequoia National Park to include Dillonwood Grove.

The 1,540-acre Dillonwood Grove is the largest privately owned stand of giant sequoias and borders the southern boundary of Sequoia National Park.

The Dillonwood and Garfield Groves together form one of the five largest giant sequoia groves in the world. The Garfield Grove is already in the Park. Management of these groves as a single unit as part of the National Park will reunite the 3,085-acre Dillonwood-Garfield Grove, historically separated in name only.

For more than one thousand years, the massive trunks of Dillonwood's giant sequoias have towered above the headwaters of the North Fork of the Tule River at the foot of Moses Mountain in California's southern Sierra Nevada.

Home to mountain lions and bears, Dillonwood's canyons and steep mountain ridges funnel wind currents flown by some of the last California condors seen in the wild.

More than a thousand years ago, Indians gathered at a high-elevation summer camp below Dillonwood's granite outcroppings.

In the late 1800s, early settlers operated a mill on the site. Today a healthy, 120-year-old giant sequoia forest is rising among the ancient monarch trees. No second-growth giant sequoia forest of this age is currently found anywhere in the Park.

The Save-the-Redwoods League has negotiated an option to purchase the Dillonwood Grove for \$10 million, based on its appraised value. This funding will be equally matched by federal and non-federal sources.

I am pleased that my Republican colleague Congressman RADANOVICH introduced the identical bill in the House last week. I also want to thank my colleague Senator FEINSTEIN for cosponsoring my bill.

Dillonwood's rich natural and cultural heritage will be an important and significant addition to the legacy of our national parks. I urge my colleagues to support this important legislation.

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

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

S. 2279

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

SECTION 1. ADDITION TO SEQUOIA NATIONAL PARK.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall acquire by donation, purchase with donated or appropriated funds, or exchange, all interest in and to the land described in subsection (b) for addition to Sequoia National Park, California.

(b) LAND ACQUIRED.—The land referred to in subsection (a) is the land depicted on the

map entitled "Dillonwood", numbered 102/80,044, and dated September 1999.

(c) ADDITION TO PARK.—On acquisition of the land under subsection (a), the Secretary shall—

- (1) add the land to Sequoia National Park;
- (2) modify the boundaries of Sequoia National Park to include the land; and
- (3) administer the land as part of Sequoia National Park in accordance with all applicable law (including regulations).

By Mr. McCONNELL:

S. 2280. A bill to provide for the effective punishment of online child molesters; to the Committee on the Judiciary.

CYBERMOLESTERS ENFORCEMENT ACT OF 2000

Mr. McCONNELL. Mr. President, as we are all aware, the Internet has revolutionized communication and business. However, it also provides a new tool for some very traditional villains: child molesters. Unfortunately, loopholes in the current law allow some of these predators to escape without any real consequences. For this reason I have introduced the Cybermolesters Enforcement Act to ensure that these new on-line molesters are brought to justice.

It is already a federal crime to cross state lines to sexually molest a minor. In recent years the number of people using the Internet to violate this law has skyrocketed. In the last two years alone the FBI's cybermolester caseload has increased by 550 percent.

Most cybermolesters are well-educated, middle-class, and have no previous criminal record. As a result, many judges are giving them laughably light sentences. Ironically, the purveyors of child-pornography receive a ten-year mandatory sentence, but those who use the Internet to meet children and act out pornographic fantasies often receive no jail time at all. We need to end the double standard that gives lighter sentences to a special set of privileged criminals. The Cybermolesters Enforcement Act takes a measured approach to this problem by imposing a five-year mandatory minimum sentence without changing the maximum sentence already contained in the law.

I would like to thank the high-tech industry for their help in drafting this bill. In particular, I would like to thank the Law Enforcement Security Council of the Internet Alliance. This broad-based internet industry coalition is doing important work in the fight against online crime, and helped to ensure that this bill will not burden Internet service providers.

The Cybermolesters Enforcement Act addresses a real and chilling threat to our children. It is supported by the FBI's "Innocent Images" program, which is on the front lines of the battle against on-line pedophiles. It doesn't create any new federal crimes or regulations. It simply takes a common sense step to ensure that we bring today's high-tech child molesters to justice. I hope my colleagues will join me in co-sponsoring this important legislation.

I ask unanimous consent that this article by George Will outlining this problem be printed in the RECORD.

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

[From the Washington Post, Jan. 23, 2000]

NASTY WORK

(By George F. Will)

To visit a crime scene, turn on your computer. Log on to a list of "bulletin boards" or real-time chat rooms, which come and go rapidly. Look for names like "Ilovemuchyoungerf" ("f" stands for females) or "vryvryvrybrlylegal" or "Moms'nsnons" or "likemyung."

The Internet, like the telephone and automobile before it, has created new possibilities for crime. Some people wielding computers for criminal purposes are being combated by FBI agents working out of an office park in Calverton, Md.

The FBI operation, named Innocent Images, targets cyber-stalkers seeking sex with children, and traffickers in child pornography. As one agent here says, "Business is good—unfortunately." Criminal sexual activity on the Internet is a growth industry.

In many homes, children are the most competent computer users. They are as comfortable on the Internet as their parents are on the telephone. On the Web, children can be pen pals with the entire world, instantly and at minimal cost. But the world contains many bad people. Parents should take seriously a cartoon that shows two dogs working on computers. One says to the other, "When you're online no one knows you're a dog."

A child does not know if the person with whom he or she is chatting is another child or a much older person with sinister intentions. The typical person that the agents call a "traveler"—someone who will cross state lines hoping to have a sexual encounter with a child—is a white male age 25-45. He has above-average education—often an advanced degree, and he can find his way around the Internet—and above-average income, enabling him to travel. Many "travelers" are married.

But these cyber-stalkers do not know if the person with whom they are chatting is really, as they think, a young boy or girl, or an FBI agent. Some "travelers" who thought they had arranged meetings with children have been unpleasantly surprised, arrested, tried and jailed.

Since the first arrest under Innocent Images in 1995, there have been 487 arrests of "travelers" and pornographers, and 409 convictions. Most of the 78 nonconvictions are in cases still pending. The conviction rate is above 95 percent. However, the FBI is distressed by light sentences from some judges who justify their leniency by the fact that the offenders are socially upscale and first offenders. (Actually, probably not: How likely is it that they get caught the first time they become predators?) Lenient judges also call the crime "victimless" because it is an FBI agent, not a child, receiving the offender's attention.

Agents are trained to avoid entrapment, and predators usually initiate talk about sexual encounters. But children implicitly raise the subject by visiting such chat rooms. Most children recoil when sexual importunings become overt. ("When you come to meet me, make sure you're not wearing any underwear.") But some importunings, including gifts and sympathetic conversation about the problems of children, are cunning, subtle and effective.

Publicity about Innocent Images may deter some predators, but most are driven to risk-taking by obsessions. America Online

and other service providers look for suspect chat rooms and close those they spot, but they exist in such rapidly changing profusion that there are always many menacing ones open.

Digital cameras, and the plunging price of computer storage capacity for downloaded photographs, have made this, so to speak, the golden age of child pornography. The fact that the mere possession of it is a crime does not deter people from finding, in the blizzard of Internet activities, like-minded people to whom they say things like, "I'm interested in pictures of boys 6 to 8 having sex with adults."

A booklet available from any FBI office, "A Parent's Guide to Internet Safety," lists signs that a child might be at risk online. These include the child's being online for protracted periods, particularly at night. Being online like that is the unenviable duty of FBI agents running Innocent Images.

Each of the FBI's 56 field offices has an officer trained to seek cyber-stalkers and traffickers in child pornography. Ten offices have Innocent Images operations. Agents assigned to Innocent Images can spend as many as 10 hours a day monitoring the sexual sewer that is a significant part of the "information superhighway." So the FBI looks for "reluctant volunteers" who, while working, are given psychological tests to see that they are not becoming "damaged goods." Whatever these agents are being paid, they are underpaid.

By Mr. SMITH of New Hampshire:

S. 2281. A bill to name the United States Army missile range at Kwajalein Atoll in the Marshall Islands for former President Ronald Reagan; to the Committee on Armed Services.

LEGISLATION TO RENAME KWAJALEIN TESTING ATOLL FOR PRESIDENT RONALD REAGAN

• Mr. SMITH of New Hampshire. Mr. President, twenty years ago, President Ronald Reagan took office with daunting tasks before him. A year before, the Soviet Red Army had invaded Afghanistan, and Soviet proxy forces were challenging U.S. allies and interests in Central America, in Africa, and elsewhere. American hostages were still being held in Tehran, and the United States was suffering an acute crisis of confidence. Faced with an expansionistic Soviet Union that intimidated the Free World with nuclear weapons and a Communist ideology spread by Soviet-supported insurgencies and armed coups, President Reagan dedicated his Administration to resisting this global menace and toward winning the Cold War.

President Reagan rejected the notion that the Soviet Union would modify its belligerence if only allowed to match U.S. military strength. He rejected the idea that the Evil Empire was indivisible, by implementing the Reagan doctrine, which met the Soviet proxy challenge in the Third World in Afghanistan, Nicaragua and Angola, and by funding Solidarity in Poland.

On March 23, 1983, President Reagan set forth a broad vision of building a space-based defense, the Strategic Defense Initiative (SDI), to free the American people from the threat of nuclear annihilation and to protect the public from an accidental nuclear

launch initiated by the Soviet Union or by a rogue state or actor. The critics labeled it "Star Wars" after the blockbuster hit by the same name and scoffed that it would never work. They publicly floated the notion that SDI was only a bargaining chip for arms control negotiations. America held its breath while President Reagan, remaining faithful to his vision, turned down President Gorbachev's offer at Reykjavik, because it would have meant the end of SDI. Reagan refused to give up his dreams of assured survival to replace assured destruction.

Yet only twenty years earlier, President John F. Kennedy, after the Soviet launching of Sputnik, promised to put a man on the moon, and the Apollo program was born. Today, as the technology to intercept incoming missiles is being tested, Reagan's vision, like that of John F. Kennedy, is being realized, and the irrational notion of mutual assured destruction (MAD) pushed by arms control zealots is being dealt a mortal blow.

Progress towards a national missile defense has not been impeded primarily by technical limitations, but rather by political obstruction, foot-dragging and by restraints of an imprudent treaty signed with a power that no longer exists. The ABM Treaty signed with the now-defunct USSR denies effective antimissile protections for the United States. As a result, the American people continue to remain undefended in the event of a missile attack.

Since the fall of the Berlin Wall more than 10 years ago, and the collapse of the Soviet empire, Russia continues to pursue programs and policies that place the U.S. in conflict with the Russian Government, especially in the area of weapons of mass destruction and nuclear war-fighting. There is also rapid proliferation of ballistic missile and nuclear technology world-wide.

In recognition of President Reagan's dedication to providing America with protection from her enemies, I ask my colleagues in the Senate to join with me in supporting the renaming of the Army Missile Testing Range in the Republic of the Marshall Islands as the Ronald Reagan Strategic Defense Initiative Test Site at Kwajalein Atoll.

I would like to point out that Kwajalein is a valuable national asset with a prime location for space surveillance, the ability to handle both long and short-range missions, and a suite of radars unsurpassed for assessing missile intercepts. In 1986, President Reagan issued Proclamation 5564, implementing the Compact of Free Association between the two nations, a key element of which granted the U.S. Department of Defense leasing rights to the Kwajalein Atoll for development of a national missile defense program, or the Strategic Defense Initiative. SDI was Ronald Reagan's greatest dream, and I believe that most of us look forward to its near-term fulfillment.

The Marshallese legislature in February of 1999 decided to commemorate

President Reagan in this manner by enacting Resolution 85. Therefore, I think it only fitting that the Senate concur in this tribute to a great President, leader and patriot, and a man, who because of his courage in attacking the conventional wisdom of his era, and because of his extraordinary and courageous vision, has changed the course of history.

I am also including in the RECORD a fitting tribute to President Reagan by Winston Churchill which describes the impact that SDI had on the Soviet empire.

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

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

S. 2281

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

SECTION 1. NAMING OF ARMY MISSILE TESTING RANGE AT KWAJALEIN ATOLL AS THE RONALD REAGAN STRATEGIC DEFENSE INITIATIVE TEST SITE AT KWAJALEIN ATOLL.

The United States Army missile testing range located at Kwajalein Atoll in the Marshall Islands shall be known and designated as the "Ronald Reagan Strategic Defense Initiative Test Site at Kwajalein Atoll". Any reference to that range in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Ronald Reagan Strategic Defense Initiative Test Site at Kwajalein Atoll.

FROM THE REMARKS OF WINSTON S. CHURCHILL, MP, AT THE OPENING OF AN EXHIBITION OF HIS GRANDFATHER'S PAINTINGS AT THE RONALD REAGAN PRESIDENTIAL LIBRARY, DECEMBER 1992

Mr. President, You have made reference to Sir Winston Churchill's Iron Curtain speech at Fulton, Missouri, in 1946, but more than any other single person, it was you who brought about the collapse of the Iron Curtain and the demise of the "evil empire."

Historians will ponder the intriguing fact that in 1979 electorates on both sides of the Atlantic simultaneously smelled a rat. They sensed that if things were allowed to drift on through the 1980s as they had so disastrously in the 1970s, with the West in full retreat in the face of Soviet expansionism in Africa, Asia and Latin America, the free world be heading for catastrophe.

Accordingly, the U.S. and British electorates placed you and Margaret Thatcher in office—and what a formidable partnership you forged! You inspired NATO with a new resolve. You strengthened the defenses of the West. You made clear that the bugle would no more sound "retreat!"

When you unveiled your Strategic Defense Initiative, it was mockingly dubbed "Star Wars" and dismissed by all too many in both our countries as pure Hollywood hype. Fortunately, there were a few people who believed it would work.

I believe that when the history of this cataclysmic period comes to be written, it will be seen that it was SDI—more than any other factor—that broke the Soviet camel's back by convincing the incumbents of the Kremlin that they could no longer afford to compete militarily with the United States as their economy could no longer bear the burden.

All mankind owes you a debt of gratitude for bringing the Cold War to an end, for put-

ting the arms race in reverse and for promoting reconciliation between East and West, so that today we all live in a safer world.●

By Mr. CAMPBELL (for himself, Mr. JOHNSON, and Mr. INOUE):

S. 2282. A bill to encourage the efficient use of existing resources and assets related to Indian agricultural research, development and exports within the United States Department of Agriculture, and for other purposes; to the Committee on Indian Affairs.

THE NATIVE AMERICAN AGRICULTURAL RESEARCH, DEVELOPMENT AND EXPORT ENHANCEMENT ACT OF 2000

Mr. CAMPBELL. Mr. President, today I am pleased to be joined by Senator TIM JOHNSON in introducing the Native American Agriculture Research, Development and Export Enhancement Act of 2000 to encourage the development of the Indian agricultural sector. This bill will help make efficient use of Federal agriculture research, development and export resources in the U.S. Department of Agriculture.

Agriculture has been a central part of the Native American culture, way of life, self sufficiency, and economies from time immemorial. This is still true today with many Indian tribes using agriculture and agribusiness to sustain their livelihoods and economies.

There are some 55 million acres of Indian lands in the United States, approximately 2 percent of all lands in the country, with nearly 47 million of these acres made up of crop and range land.

Indian agriculture production is not limited to just farming and ranching, it also includes such diverse products as timber and forest goods, fish and seafood, bison, wild rice, fruits and nuts, cotton and a host of other Native-made and gathered products.

Agriculture constitutes the second largest revenue generator and employer in Indian country but often takes a back seat to other initiatives in the development of tribal resources and economies. By reinvigorating the Indian agriculture sector we can develop the value-added industries to provide food security, as well as increase employment and raise incomes in Indian communities.

Although there are many programs within the Department of Agriculture for which tribal and individual Indian producers are eligible, Indian producers have not fully benefitted from these programs because of a lack of thoughtful coordination and attention within the Department.

In fact, these is now pending a class action lawsuit filed by Indian farmers against the Department charging discrimination and neglect in the availability and use of funds, programs, and services.

This bill will afford Indian farmers and producers the same benefits, assistance and organization that non-Indian producers currently enjoy by promoting the coordination of existing agriculture and related programs within

the Department to provide maximum benefit to Indian tribes and their members.

It is my hope that this initiative will encourage intertribal, regional, and international trade and business development in order to assist in increasing productivity, access to specialty markets, export promotion, marketing assistance, access to capital, and at the same time help facilitate agricultural ventures with non-Indian entities.

Under the provisions of this bill, a Native American Research, Development, and Export Office would be established within the Department and would have a Director appointed by the Secretary to ensure the intra-agency and inter-agency coordination of programs that assist Indian agriculture and economic development.

This bill is not intended to reduce, rather than create, more federal bureaucracy. Therefore, this office will be formed using funds already appropriated to the Department.

Within this office, the Director would establish the Native American Trade and Export Promotion Program to help coordinate and cooperate with the other appropriate Federal agencies to promote Indian agriculture and related value-added industries.

I ask unanimous consent that the bill be printed in the RECORD.

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

S. 2282

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 "Native American Agricultural Research, Development and Export Enhancement Act of 2000".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) Clause 3 of section 8 of article I of the United States Constitution recognizes the special relationship between the United States and Indian tribes.

(2) Beginning in 1970, with the inauguration by the Nixon Administration of the Indian self-determination era, each successive President has reaffirmed the special government-to-government relationship between Indian tribes and the United States.

(3) In 1994, President Clinton issued an executive memorandum to the heads of all Federal departments and agencies that obligated all such departments and agencies, particularly those that have an impact on economic development, to evaluate the potential impacts of their actions on Indian tribes.

(4) The United States has an obligation to guard and preserve the agricultural and related renewable resources of Indian tribes in order to foster strong tribal governments, Indian self-determination, and economic self-sufficiency among Indian tribes.

(5) Despite the availability of abundant natural resources on Indian lands and a rich cultural legacy that accords great value to self-determination, self-reliance, and independence, Native Americans suffer higher rates of unemployment, poverty, poor health, substandard housing, and associated social ills than those of any other group in the United States.

(6) Reservation-based Indians tend to be the most rural of any minority group. They tend to be geographically isolated, resource limited, and the least likely of any farm group to receive payment or loans from the United States.

(7) Indian land represents close to 55,000,000 acres, or about 2 percent of the United States land base, with nearly 47,000,000 of these acres consisting of range and cropland.

(8) Indian agriculture constitutes the second largest revenue generator and employer in Indian country and is not limited to farming and ranching, but often includes such products as forestry, bison, wild rice and fruits, cotton, tobacco and other Native-made or grown products.

(9) Because of the lack of Federal intra-agency and inter-agency coordination in agriculture programs and policies, the development of Indian agriculture and related tribal business and economic development potential has been hindered.

(10) It is estimated that about 20 percent of reservation grazing land and about 70 percent of cropland is leased to non-Indian producers.

(11) American Indians today use their lands and natural resources for agriculture and agribusiness to provide food and other staples for consumption, improving their economic self-sufficiency, agriculture income and reservation employment.

(12) Although there are many programs within Department of Agriculture for which tribal and individual Indian producers are eligible, Indian producers have not fully benefited from these programs because of insufficient coordination within the Department of Agriculture.

(13) The United States has an obligation to assist Indian tribes with the creation of appropriate economic and political conditions with respect to Indian lands to—

(A) encourage investment from outside sources that do not originate with the tribes; and

(B) facilitate economic ventures with outside entities that are not tribal entities.

(14) The economic success and material well-being of Native American communities depends on the combined efforts of the Federal Government, tribal governments, the private sector, and individuals.

(b) PURPOSE.—It is the purpose of this Act to—

(1) promote the coordination of existing agricultural and related programs within the Department of Agriculture to provide the maximum benefit to Indian tribes and their members;

(2) encourage intertribal, regional, and international trade and business development in order to assist in increasing productivity and the standard of living of members of Indian tribes and improving the economic self-sufficiency of the Indian tribes;

(3) through improving the administration of Federal program, improve the access of Indian tribes to capital, specialty markets, export promotions, and marketing assistance that non-Indian agriculture producers currently have access to;

(4) improve the development and coordination of Indian agriculture and related value-added industries to promote self-sustaining Native economies and communities; and

(5) promote economic self-sufficiency and political self-determination for Indian tribes and members of Indian tribes.

SEC. 3. DEFINITIONS.

In this Act:

(1) ELIGIBLE ENTITY.—The term "eligible entity" means an Indian tribe, a tribal organization, a tribal enterprise, a tribal marketing cooperative, or any other Indian-owned business.

(2) INDIAN.—The term "Indian" has the meaning given that term in section 4(d) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(d)).

(3) INDIAN GOODS AND SERVICES.—The term "Indian goods and services" means—

(A) goods produced or originated by an eligible entity; or

(B) services provided by eligible entities.

(4) INDIAN-OWNED BUSINESS.—The term "Indian-owned business" means an entity organized for the conduct of trade or commerce with respect to which at least 50 percent of the property interest of the entity is owned by Indians or Indian tribes (or a combination thereof).

(5) INDIAN TRIBE.—The term "Indian tribe" has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(6) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(7) TRIBAL ENTERPRISE.—The term "tribal enterprise" means a commercial activity or business managed or controlled by an Indian tribe.

(8) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given that term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)).

SEC. 4. NATIVE AMERICAN RESEARCH, DEVELOPMENT AND EXPORT OFFICE

(a) IN GENERAL.—

(1) ESTABLISHMENT.—There is established within the Department of Agriculture a Native American Agricultural Research, Development and Export Office (referred to in this Act as the "Office").

(2) DIRECTOR.—The Office shall be headed by a Director of the Native American Agricultural Research, Development and Export Office (referred to in this Act as "Director") to be appointed by the Secretary. The Director shall be compensated at a rate not to exceed that for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) DUTIES OF THE SECRETARY.—

(1) IN GENERAL.—The Secretary, acting through the Director, shall ensure the coordination of all programs that provide assistance to Native American communities within the following 7 mission areas of the Department of Agriculture:

- (A) Farm and foreign agricultural services.
- (B) Food, nutrition, and consumer services.
- (C) Food safety.
- (D) Marketing and regulatory programs.
- (E) Natural resources and environment.
- (F) Research, education and economics.
- (G) Rural development.

(2) ACTIVITIES.—In carrying out paragraph (1), the Secretary, acting through the Director, shall ensure the coordination of, or, as appropriate, carry out—

(A) activities to promote Indian agricultural programs, including the development of domestic and international trade programs;

(B) activities to facilitate water and waste programs, housing, utility and other infrastructure development with respect to Native American communities;

(C) activities to provide assistance to Indian tribal college programs;

(D) activities to implement rural economic development programs for Native American communities; and

(E) activities to promote food and nutrition services for Native American communities.

(3) INTERAGENCY COORDINATION.—In carrying out Department of Agriculture programs, the Secretary, acting through the Director, shall coordinate with other Federal agencies, including the Department of Energy, the Department of Housing and Urban

Development, the Department of the Interior, the Department of Justice, the Department of Commerce, or any other Federal agency responsible for administering related Indian programs.

(4) ASSISTANCE.—In conjunction with the activities described in paragraph (2), the Secretary, acting through the Director, shall provide—

(A) financial assistance, technical assistance, and administrative services to eligible entities to assist those entities in—

(i) identifying and taking advantage of business development opportunities; and

(ii) complying with appropriate laws and regulatory practices; and

(B) such other assistance as the Secretary, in consultation with the Director, determines to be necessary for the development of business opportunities for eligible entities to enhance the economies of Indian tribes.

(5) PRIORITIES.—In carrying out the duties and activities described in paragraphs (3) and (4), the Secretary, acting through the Director, shall give priority to activities that—

(A) provide the greatest degree of economic benefits to Indians; and

(B) foster long-term stable economies of Indian tribes.

SEC. 5. NATIVE AMERICAN TRADE AND EXPORT PROMOTION.

(a) IN GENERAL.—The Secretary, acting through the Director, shall establish and implement a Native American export and trade promotion program (referred to in this section as the "program").

(b) COORDINATION OF FEDERAL PROGRAMS AND SERVICES.—In carrying out the program, the Secretary, acting through the Director and in cooperation with the heads of appropriate Federal agencies, shall ensure the coordination of Federal programs and services that are designed to—

(1) develop the economies of Indian tribes; and

(2) stimulate the demand for Indian goods and services that are available from eligible entities.

(c) ACTIVITIES.—In carrying out subsection (b), the Secretary, acting through the Director, shall ensure the coordination of, or, as appropriate, carry out—

(1) Federal programs that are designed to provide technical or financial assistance to eligible entities;

(2) activities to develop promotional materials for eligible entities;

(3) activities for the financing of appropriate trade missions;

(4) activities for the marketing of related Indian goods and services;

(5) activities for the participation of appropriate Federal agencies or eligible entities in international trade fairs; and

(6) any other activity related to the development of markets for Indian goods and services.

(d) TECHNICAL ASSISTANCE.—In conjunction with the activities described in subsection (c), the Secretary, acting through the Director, shall provide technical assistance and administrative services to eligible entities to assist those entities in—

(1) identifying appropriate markets for Indian goods and services;

(2) entering the markets referred to in paragraph (1);

(3) complying with foreign or domestic laws and practices with respect to financial institutions concerning the export and import of Indian goods and services; and

(4) entering into financial arrangements to provide for the export and trade of Indian agricultural and related products.

(e) PRIORITIES.—In carrying out the duties and activities described in subsections (b) and (c), the Secretary, acting through the Director, shall give priority to activities that—

(1) provide the greatest degree of economic benefits to Indians; and

(2) foster long-term stable international markets for Indian goods and services.

By Mr. CAMPBELL (for himself, Mr. JOHNSON, and Mr. INOUE):

S. 2283. A bill to amend the Transportation Equity Act for the 21st Century to make certain amendments with respect to Indian tribes; to the Committee on Indian Affairs.

THE INDIAN TRIBAL SURFACE TRANSPORTATION ACT OF 2000

Mr. CAMPBELL. Mr. President, I am pleased to be joined by Senator TIM JOHNSON in introducing today a bill to make needed clarifications in the law to aid in the administration of the Indian Reservation Road and Bridge Program to better meet the transportation needs in Indian country.

There is an enormous need for physical infrastructure on Indian lands throughout the country. This infrastructure is necessary for Indian tribes and their citizens to carry out emergency services, law enforcement, and the transportation of goods and services.

In addition, physical infrastructure is just as important for Indian communities as it is for other communities because Indian economies are still in need of significant investment and private sector activity.

When entrepreneurs or investors are calculating whether to invest in any community they look first to see if basic building blocks are there: roads, highways, electricity, potable water, and other factors.

So for Indian communities an efficient federal roads financing and construction system holds the key to healthier economies and higher standards of living for their members.

In 1998, Congress enacted the Transportation Equity Act of the Twenty-First Century ("TEA-21") to authorize Federal surface transportation programs with the goals of improved highways, increased safety, protecting the environment, and increased economic growth.

In passing TEA-21, Congress approved several Indian amendments that I was happy to propose to require a negotiated rule-making to determine the allocation formula to allow the kind of flexibility needed for an Indian country-wide formula; as well as a provision to ensure that all TEA funds set aside for Indians would be made available to tribes that choose to enter contracts under the Indian Self-Determination and Education Assistance Act of 1975, P.L. 93-638, as amended.

On October 20, 1999, the Committee on Indian Affairs, which I chair, held an oversight hearing on the Indian reservation roads program and TEA-21. From testimony and other evidence presented it is evident that there remain serious obstacles to a more efficient functioning of TEA-21 in Indian communities. I am sorry to say that one of the obstacles appears to be the administration of the program by the Bureau of Indian Affairs itself.

The Indian reservation roads program is set up in such a way that the roads funding is transferred from the Department of Transportation's Federal Highway Administration [FHWA] to the Bureau of Indian Affairs, which in turn allocates the funds to Indian tribes based on a pre-existing formula.

Although reservation roads compose 2.63 percent of the Federal highway system, less than 1 percent of Federal aid had been allocated to Indian roads.

This bill would remove the so-called "obligation limitation" contained within TEA-21 and in effect would allow the already-authorized funds for Indians to reach the intended beneficiaries.

In 1999, the amount of funds that reached the Indian communities was \$34 million less than that authorized in TEA-21 because of the obligation limitation.

This bill also authorizes the Federal Lands Highway Program to establish a Pilot Program to contract directly with Indian tribes for the administration of these tribes' roads programs. By allowing tribes to voluntarily enter this program, it is intended that a better use can be made of existing resources and at the same time encourage Indian tribal self-determination.

Under current law, the BIA is authorized to use "up to 6 percent" of the roads funding for oversight and administration of the Indian roads program. If it was not clear in 1998, it should be clear now that these funds are not intended to be available to subsidize other BIA roads operations nor are they intended to be used for any other purposes.

The bill I am introducing today contains an amendment that clarifies the "up to 6 percent" language by reiterating Congress' intention that the figure was and is intended as a maximum, not a minimum, funding level with regard to BIA administrative costs.

Finally, with regard to the option to tribes to administer these funds and programs, the bill clarifies that all Indian reservation roads program funds are to be made available to Indian tribes which want to assume the administration of their reservation roads program under Public Law 93-638.

The bill also seeks to eliminate the current redundancy is required health and safety certification by allowing tribes the option of meeting statutorily required Health and Safety Standards without the need for a second, duplicative effort by the BIA. It is important to note that the standards themselves will not change, nor will the need for tribal compliance with those standards change.

Mr. President, that is a brief description of the amendments in this bill, and I urge my colleagues to support them.

I ask unanimous consent that the bill be printed in the RECORD.

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

S. 2283

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 "Indian Tribal Surface Transportation Act of 2000".

SEC. 2. AMENDMENTS RELATING TO INDIAN TRIBES.

(a) **OBLIGATION LIMITATION.**—Section 1102(b) of the Transportation Equity Act for the 21st Century (23 U.S.C. 104 note) is amended—

(1) in paragraph (7), by striking "and" at the end;

(2) in paragraph (8), by striking the period and inserting "; and"; and

(3) by adding at the end thereof the following:

"(9) under section 1101(a)(8)(A)."

(b) **PILOT PROGRAM.**—Section 202(d)(3) of title 23, United States Code, is amended by adding at the end the following:

"(C) **FEDERAL LANDS HIGHWAY PROGRAM DEMONSTRATION PROJECT.**—

"(i) **IN GENERAL.**—The Secretary shall establish a demonstration project under which all funds made available under this title for Indian reservation roads and for highway bridges located on Indian reservation roads as provided for in subparagraph (A), shall be made available, upon request of the Indian tribal government involved, to the Indian tribal government for contracts and agreements for the planning, research, engineering, and construction described in such subparagraph in accordance with the Indian Self-Determination and Education Assistance Act.

"(ii) **EXCLUSION OF AGENCY PARTICIPATION.**—In accordance with subparagraph (B), all funds for Indian reservation roads and for highway bridges located on Indian reservation roads to which clause (i) applies, shall be paid without regard to the organizational level at which the Federal lands highway program has previously carried out the programs, functions, services, or activities involved.

"(iii) **SELECTION OF PARTICIPATING TRIBES.**—

"(I) **PARTICIPANTS.**—

"(aa) **IN GENERAL.**—The Secretary may select not to exceed 12 Indian tribes in each fiscal year from the applicant pool described in subclause (II) to participate in the demonstration project carried out under clause (i).

"(bb) **CONSORTIA.**—Two or more Indian tribes that are otherwise eligible to participate in a program or activity to which this title applies may form a consortium to be considered as a single tribe for purposes of becoming part of the applicant pool under subclause (II).

"(II) **APPLICANT POOL.**—The applicant pool described in this subclause shall consist of each Indian tribe (or consortium) that—

"(aa) has successfully completed the planning phase described in subclause (III);

"(bb) has requested participation in the demonstration project under this subparagraph through the adoption of a resolution or other official action by the tribal governing body; and

"(cc) has, during the 3-fiscal year period immediately preceding the fiscal year for which participation under this subparagraph is being requested, demonstrated financial stability and financial management capability through a showing of no material audit exceptions by the Indian tribe during such period.

"(III) **PLANNING PHASE.**—An Indian tribe (or consortium) requesting participation in the project under this subparagraph shall complete a planning phase that shall include legal and budgetary research and internal

tribal government and organization preparation. The tribe (or consortium) shall be eligible to receive a grant under this subclause to plan and negotiate participation in such project."

(c) **ADMINISTRATION.**—Section 202 of title 23, United States Code, is amended by adding at the end thereof the following:

"(f) **INDIAN RESERVATION ROAD, ADMINISTRATION.**—

"(1) **IN GENERAL.**—Notwithstanding any other provision of law, not to exceed 6 percent of the contract authority amounts made available from the Highway Trust Fund to the Bureau of Indian Affairs shall be used to pay the administrative expenses of the Bureau for the Indian reservation roads program and the administrative expenses related to individual projects that are associated with such program. Such administrative funds shall be made available to an Indian tribal government, upon the request of the government, to be used for the associated administrative functions assumed by the Indian tribe under contracts and agreements entered into pursuant to the Indian Self-Determination and Education Assistance Act.

"(2) **HEALTH AND SAFETY ASSURANCES.**—Notwithstanding any other provision of law, an Indian tribe or tribal organization may commence construction that is funded through a contract or agreement under the Indian Self-Determination and Education Assistance Act only if the Indian tribe or tribal organization has—

"(A) provided assurances in the contract or agreement that the construction will meet or exceed proper health and safety standards;

"(B) obtained the advance review of the plans and specifications from a licensed professional who has certified that the plans and specifications meet or exceed the proper health and safety standards; and

"(C) provided a copy of the certification under subparagraph (B) to the Bureau of Indian Affairs."

By Mr. COCHRAN:

S. 2286. A bill to establish the Library of Congress Financial Management Act of 1999, and for other purposes; to the Committee on Rules and Administration.

THE LIBRARY OF CONGRESS FINANCIAL
MANAGEMENT ACT OF 1999

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

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

S. 2286

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 "Library of Congress Financial Management Act of 1999".

**TITLE I—LIBRARY OF CONGRESS
REVOLVING FUND**

SEC. 101. AVAILABILITY OF FUND FOR SERVICE ACTIVITIES.

The Librarian of Congress is authorized—

(1) to establish Fund service units to carry out Fund service activities; and

(2) to make the library products and services constituting Fund service activities available for purchase through Fund service units at rates estimated by the Librarian to be adequate to recover the direct and indirect costs of the activities, with respect to each Fund service unit, over a reasonable period of time.

SEC. 102. FUND SERVICE ACTIVITIES.

The Fund service activities that may be conducted by Fund service units are—

(1) preparation of research reports, translations, analytical studies, and related services for departments and other entities of the Federal Government;

(2) centralized acquisition of publications and library materials in any format, information, research, and library support services; training in library and information services; and related services for departments and other entities of the Federal Government;

(3) decimal classification development;

(4) gift shop and other sales of items associated with collections, exhibits, performances, and special events of the Library of Congress;

(5) location, copying, storage, preservation and delivery services for library document and audio-visual materials, not including basic domestic interlibrary loan services; and international interlibrary lending;

(6) special events and programs; performances, exhibits, workshops, and training; and

(7) cooperative acquisitions of foreign publications and research materials and related services on behalf of participating institutions.

SEC. 103. LIBRARY OF CONGRESS REVOLVING FUND.

(a) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the Library of Congress Revolving Fund. The Fund shall be available to the Librarian of Congress without fiscal year limitation, for the conduct of Fund service activities operated by the Library on a cost-recovery basis. Obligations for Fund service activities are limited to the total amounts specified in the appropriations act for any fiscal year. The Fund shall consist of amounts deposited under subsection (b) and credits under subsection (c).

(b) **CAPITAL; AMOUNTS DEPOSITED.**—The Fund shall consist of—

(1) amounts from funds appropriated to the Library of Congress that the Librarian may temporarily transfer to the Fund for capitalization of the Fund, in which case the Fund shall reimburse the Library for amounts so transferred before the period of availability of the Library appropriation expires;

(2) any amounts transferred as capital from the fund authorized under section 207(b)(2) of Legislative Branch Appropriation Act, 1998 (Public Law 105-55) (as such section was in effect on the day before the date of enactment of this Act);

(3) any obligated, unexpended balances existing as of September 30, 2000, or the date of enactment of this Act, whichever is later, attributable to the activities specified in section 102 that the Library conducts, which balances the Librarian may transfer to the Fund notwithstanding the requirements of section 1535(d) of title 31, United States Code;

(4) upon the transfer of an activity of the Library of Congress to a Fund service unit, the difference between—

(A) the total value of the supplies, inventories, equipment, gift fund balances, and other assets of the activity; and

(B) the total value of the liabilities (including the value of accrued annual leave of employees) of the activity; and

(5) any amounts appropriated by law for the purposes of the Fund.

(c) **CREDITS.**—The Fund shall be credited with all amounts received by Fund service units with respect to Fund service activities, including—

(1) fees, advances, and reimbursements;

(2) gifts or bequests of money or property for credit to the Fund;

(3) receipts from sales and exchanges of property;

(4) payments for loss or damage to property;

(5) receivables, inventories, and other assets; and

(6) amounts appropriated by law.

(d) **ADVANCES OF FUNDS.**—Participants in Fund service activities shall pay by advance of funds in all cases where it is determined by the Librarian that there is insufficient capital otherwise available in the Fund. Advances of funds also may be made by agreement between the participants and the Librarian.

(e) **INDIVIDUAL ACCOUNTING REQUIREMENT FOR FUND SERVICE UNITS.**—Separate accounts of the Fund shall be maintained with respect to individual Fund service units.

(f) **EXCESS FUNDS.**—Any unobligated and unexpended balances in the Fund that the Librarian determines to be in excess of amounts needed for activities financed by the Fund shall be deposited in the Treasury of the United States as a miscellaneous receipt. For the purpose of the preceding sentence the term "amounts needed for activities financed by the Fund" means the direct and indirect costs of the activities, including the costs of purchasing, shipping, and binding of books and other library materials; supplies, materials, equipment and service needed in support of the activities; salaries and benefits; general overhead; and travel.

(g) **MULTIYEAR CONTRACTING AUTHORITY.**—In the operation of Fund activities, the Librarian is authorized to enter into contracts for the lease and acquisition of goods and services (including severable services) for a period that begins in one fiscal year and ends in the next fiscal year, and to enter into multiyear contracts for the acquisition of property and services, in the same manner and to the same extent as the head of an executive agency may enter into such contracts under sections 303L and 304B, respectively, of the Federal Property and Administrative Services Act (41 U.S.C. 253l and 254c).

(h) **ANNUAL REPORT.**—Not later than March 31 of each year, the Librarian shall submit to Congress an audited financial statement for the Fund for the preceding fiscal year. The audit shall be conducted in accordance with Government Auditing Standards for financial audits issued by the Comptroller General of the United States.

SEC. 104. DEFINITIONS.

As used in this title—

(1) the term "departments and other entities of the Federal Government" means any department, agency or instrumentality of the United States Government, including executive departments, military departments, independent establishments, wholly owned Government corporations, and entities in the legislative and judicial branches, and includes any department, agency or instrumentality of the District of Columbia government;

(2) the term "Fund" means the Library of Congress Revolving Fund established under section 103;

(3) the term "Fund service activities" means the library information products and services described in section 102;

(4) the term "Fund service unit" means an organizational entity of the Library of Congress that, at the direction of the Librarian, is partially or fully sustained through the Fund; and

(5) the term "Librarian" means the Librarian of Congress.

SEC. 105. REPEAL.

Section 207 of the Legislative Branch Appropriations Act, 1998 (Public Law 105-55) is repealed.

SEC. 106. EFFECTIVE DATE.

This title shall take effect on October 1, 2000.

TITLE II—CATALOGING PRODUCTS AND SERVICES

SEC. 201. AVAILABILITY OF CATALOGING PRODUCTS AND SERVICES.

(a) **IN GENERAL.**—The Librarian of Congress is authorized to make cataloging products and services, created by the Library of Congress, available for purchase at prices that reflect as closely as practicable the cost of distribution over a reasonable period of time. The amounts received for such products and services shall be deposited in the Treasury of the United States to the credit of the appropriation for salaries and expenses of the Library of Congress, to remain available until expended for necessary distribution of such products and services.

(b) **DEFINITION.**—As used in this section, the term "cataloging products and services" means those bibliographic products and services, in any format now known or later developed, that are used by libraries and library organizations, including other Library-created data bases, and related technical publications.

SEC. 202. REPEAL.

The paragraph beginning "The Librarian of Congress" under the heading "PUBLIC PRINTING AND BINDING" in the first section of the Act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes", approved June 28, 1902 (2 U.S.C. 150), is repealed.

SEC. 203. EFFECTIVE DATE.

This title and the amendment made by this title shall take effect on October 1, 2000.

TITLE III—LIBRARY OF CONGRESS TRUST FUND BOARD AMENDMENTS

SEC. 301. ADDITION OF BOARD MEMBER.

The first sentence of the first paragraph of the first section of the Act entitled "An Act to create a Library of Congress Trust Fund Board, and for other purposes," approved March 3, 1925 (2 U.S.C. 154) is amended by inserting "and vice chairman" after "chairman."

SEC. 302. TEMPORARY EXTENSION OF BOARD MEMBER TERM.

The first paragraph of the first section of such Act (2 U.S.C. 154) is amended by inserting after the first sentence the following: "Upon the request of the chairman of the Joint Committee on the Library, any member whose term has expired may continue to serve on the Library of Congress Trust Fund Board until the earlier of (A) the date on which such member's successor is appointed, or (B) the end of the two-year period beginning on the date such member's term expires."

SEC. 303. TRUST FUND BOARD QUORUM.

The third sentence of the first paragraph of the first section of such Act (as amended by section 302) (2 U.S.C. 154) is amended by striking "Nine" and inserting "Seven".

By Mr. L. CHAFEE (for himself and Mr. REID):

S. 2287. A bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer; to the Committee on Health, Education, Labor, and Pensions.

BREAST CANCER AND ENVIRONMENTAL RESEARCH ACT OF 2000

Mr. L. CHAFEE. Mr. President, I am pleased to be joined today by Senator

HARRY REID in introducing the Breast Cancer and Environmental Research Act of 2000. This bill would establish research centers that would be the first in the nation to specifically study the environmental factors that may be related to the development of breast cancer. The lack of agreement within the scientific community and among breast cancer advocates on this question highlights the need for further study.

It is generally believed that the environment plays some role in the development of breast cancer, but the extent of that role is not understood. The Breast Cancer and Environmental Research Act of 2000 will enable us to conduct more conclusive and comprehensive research to determine the impact of the environment on breast cancer. Before we can find the answers, we must determine the right questions we should be asking.

While more research is being conducted into the relationship between breast cancer and the environment, there are still several issues that must be resolved to make this research more effective.

There is no known cause of breast cancer.—There is little agreement in the scientific community on how the environment affects breast cancer. While studies have been conducted on the links between environmental factors like pesticides, diet, and electromagnetic fields, no consensus has been reached. There are other factors that have not yet been studied that could provide valuable information. While there is much speculation, it is clear that the relationship between environmental exposures and breast cancer is poorly understood.

There are challenges in conducting environmental research.—Identifying links between environmental factors and breast cancer is difficult. Laboratory experiments and cluster analyses, such as those in Long Island, New York, cannot reveal whether an environmental exposure increases a woman's risk of breast cancer. Epidemiological studies must be designed carefully because environmental exposures are difficult to measure.

Coordination between the National Institutes of Health (NIH), the National Cancer Institute (NCI), and the National Institute of Environmental Health Sciences (NIEHS).—NCI and NIEHS are the two institutes in the NIH that fund most of the research related to breast cancer and the environment; however, comprehensive information specific to environmental effects on breast cancer is not currently available.

This legislation would establish eight Centers of Excellence to study these potential links. These "Breast Cancer Environmental Research Centers" would provide for multidisciplinary research among basic, clinical, epidemiological and behavioral scientists interested in establishing outstanding, state-of-the-art research programs addressing potential links between the

environment and breast cancer. The NIEHS would award grants based on a competitive peer-review process. This legislation would require each Center to collaborate with community organizations in the area, including those that represent women with breast cancer. The bill would authorize \$30 million for the next five years for these grants.

"Genetics loads the gun, the environment pulls the trigger," as Ken Olden, the Director of NIEHS, frequently says. Many scientists believe that certain groups of women have genetic variations that may make them more susceptible to adverse environmental exposures. We need to step back and gather evidence before we come to conclusions—that is the purpose of this bill. People are hungry for information, and there is a lot of inconclusive data out there, some of which has no scientific merit whatsoever. We have the opportunity through this legislation to gather legitimate and comprehensive data from premier research institutions across the nation.

According to the American Cancer Society, each year 800 women in Rhode Island are diagnosed with breast cancer, and 200 women in my state will die of this terrible disease this year. We owe it to these women who are diagnosed with this life-threatening disease to provide them with answers for the first time.

I urge my colleagues to join me in supporting and cosponsoring this important legislation, and ask unanimous consent that the legislation be printed in the RECORD.

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

S. 2287

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 "Breast Cancer and Environmental Research Act of 2000".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Breast cancer is the second leading cause of cancer deaths among American women.

(2) In 1999, 175,000 women will be diagnosed with breast cancer, and more than 43,000 are expected to die from this disease.

(3) The National Action Plan on Breast Cancer, a public private partnership, has recognized the importance of expanding the scope and breadth of biomedical, epidemiological, and behavioral research activities related to the etiology of breast cancer and the role of the environment.

(4) To date, there has been only a limited research investment to expand the scope or coordinate efforts across disciplines or work with the community to study the role of the environment in the development of breast cancer.

(5) In order to take full advantage of the tremendous potential for avenues of prevention, the Federal investment in the role of the environment and the development of breast cancer should be expanded.

SEC. 3. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES; AWARDS FOR DEVELOPMENT AND OPERATION OF RESEARCH CENTERS REGARDING ENVIRONMENTAL FACTORS RELATED TO BREAST CANCER.

Subpart 12 of part C of title IV of the Public Health Service Act (42 U.S.C. 285l et seq.) is amended by adding at the end the following section:

"SEC. 463B. RESEARCH CENTERS REGARDING ENVIRONMENTAL FACTORS RELATED TO BREAST CANCER.

"(a) IN GENERAL.—The Director of the Institute, after consultation with the advisory council for the Institute, shall make grants to public or nonprofit private entities for the development and operation of not more than 8 centers for the purpose of conducting multidisciplinary and multi-institutional research on environmental factors that may be related to the etiology of breast cancer. Each such center shall be known as a Breast Cancer and Environmental Research Center of Excellence.

"(b) RESEARCH, TRAINING, AND INFORMATION AND EDUCATION.—

"(1) IN GENERAL.—Each center under subsection (a) shall, with respect to the purpose described in such subsection—

"(A) conduct basic epidemiologic, population-based and clinical research outreach activities;

"(B) develop protocols and conduct for training, including continuing education programs, of physicians, scientists, nurses, and other health and allied health professionals; and

"(C) disseminate information to such professionals and the public.

"(2) STIPENDS FOR TRAINING OF HEALTH PROFESSIONALS.—A center under subsection (a) may use funds under such subsection to provide stipends for health and allied health professionals enrolled in programs described in subparagraph (B) of paragraph (1).

"(c) COLLABORATION WITH COMMUNITY.—Each center under subsection (a) shall establish and maintain ongoing collaborations with community organizations in the geographic area served by the center, including those that represent women with breast cancer.

"(d) COORDINATION OF CENTERS; REPORTS.—The Director of the Institute shall, as appropriate, provide for the coordination of information among centers under subsection (a) and ensure regular communication between such centers, and may require the periodic preparation of reports on the activities of the centers and the submission of the reports to the Director.

"(e) REQUIRED CONSORTIUM.—Each center under subsection (a) shall be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director of the Institute.

"(f) DURATION OF SUPPORT.—Support of a center under subsection (a) may be for a period not exceeding 5 years. Such period may be extended for one or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director of the Institute and if such group has recommended to the Director that such period should be extended.

"(g) GEOGRAPHIC DISTRIBUTION OF CENTERS.—The Director of the Institute shall, to the extent practicable, provide for an equitable geographical distribution of centers under this section.

"(h) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated \$30,000,000 for each of the fiscal years 2001 through 2006. Such authorization is in addition to any other authorization of appropriations that is available for such purpose."

tion to any other authorization of appropriations that is available for such purpose."

By Mr. ABRAHAM:

S. 2288. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to repeal provisions relating to the State enforcement of child support obligations and the disbursement of such support and the require the Internal Revenue service to collect and disburse such support through wage withholding and other means; to the Committee on Finance.

THE COMPASSION FOR CHILDREN AND CHILD SUPPORT ENFORCEMENT ACT OF 1999

Mr. ABRAHAM. Mr. President, I rise today to introduce the Compassion for Children and Child Support Enforcement Act. This important legislation would ensure that children from single parent households will have the financial support necessary for a healthy, happy and secure childhood.

Mr. President, over one quarter of today's American children live in a single-parent household. These children are more likely to live in poverty than children living in homes where both parents are present. Children growing up in a state of poverty suffer from far reaching, long-term effects: inadequate education, lack of access to quality health care and instability arising from lack of affordable housing frequently leads to poorer health, lower earning potential and greater instability as an adult.

Tragically, the financial hardship endured by many of these children is avoidable—simply put, Mr. President, these children are suffering because their absent parent has chosen to shirk his parental obligations and refuse to provide his child with the financial support he or she deserves and so desperately needs. According to the Federal Office of Child Support in its preliminary report for 1998, over \$50 billion in accumulated unpaid child support is due to over 30 million children in the United States. This dismal statistic is due to the 23 percent collection rate in cases handled by overwhelmed state agencies.

Of the children living in a household with only one present parent, 40 percent are not eligible for child support because paternity has not been established or a support order has not been issued by the courts. Of the remaining 60 percent with established paternity and a support order, only half actually receive any financial support from their absent parent and more than half will not receive the full amount of their support payments.

The Compassion for Children and Child Support Enforcement Act would work to decrease the rate of delinquent child support payments and increase the rate of paternity establishment.

Mr. President, the Department of the Treasury is in the unique position to address problems arising from a lack of resources, organization and communication which frequently arise in child support cases involving two or more jurisdictions, by allowing the Internal

Revenue Service to collect child support in the same manner that taxes are collected and then disburse the payments to the custodial parents with penalties and interest if applicable. The IRS is already the most effective means by which child support is collected under the entire state/federal child support program nexus through its system of federal tax intercepts.

By taking over responsibility of enforcing all child support orders through routine withholding of support from obligated parents and the use of the enforcement tools at its disposal to collect from delinquent parents, the Department of Treasury would significantly reduce the demands on State judicial resources now devoted to child support enforcement. And, Mr. President, by reducing the drain on State resources in the area of support enforcement, States would be able to better focus on establishing paternity for the 40 percent of children currently unable to even file for a support order due to lack of recognized paternity.

Congress failed again and again to find a way to ensure that families receive the child support that is owed to them by deadbeat parents. Despite reforms in 1984, 1988, 1993 and most recently in 1996, there have not been any significant improvements in the rate of child support collections.

The Compassion for Children and Support Enforcement Act represents a unique opportunity to pass effective and efficient child support enforcement legislation which creates state /federal partnerships by capitalizing on the strengths of the governments, agencies and networks already in place. Chairman HYDE has already introduced this legislation in the House of Representatives, where it enjoys the bipartisan support of 21 cosponsors. It is my sincerest hope that my colleagues in the Senate will follow the lead of the House and demonstrate their support for ensuring that our children receive the financial support necessary for them to grow into healthy and productive citizens.

By Mr. GRASSLEY:

S. 2289. A bill for the Relief of Jose Guadalupe Tellez Pinales; to the Committee on the Judiciary.

PRIVATE RELIEF BILL

Mr. GRASSLEY. Mr. President, today I am introducing a private relief bill on behalf a constituent of mine, Jose Pinales.

His family and friends call him Lupe, and a private relief bill is his only hope to avoid being separated from the people and the country he loves. Lupe was brought to the United States sixteen years ago, when he was two years old, by his uncle, Miguel Landeros. Mr. Landeros, now a U.S. citizen, never formally adopted Lupe. Not until recently did Lupe learn that he was not a U.S. citizen, when he tried to enlist in the United States Marines, to serve what he believed was his country.

The United States is the only country Lupe knows. It's the country he

loves, and wishes to serve. Lupe grew up reciting the pledge of allegiance to the United States along with the rest of the children in his class at Jefferson Elementary School. He is now a Senior at Fort Madison High School in Iowa, and works part-time as he prepares to graduate this spring. This young man has almost completed a milestone in his life and has a dream of joining the United States Marines upon graduation. It wasn't until Lupe sought to fulfill this dream did he learn that not only was he not a U.S. citizen, but he was in possible danger of being forced to go to Mexico, a country where the people and customs are foreign to him. He doesn't even speak the language.

Faced with Lupe's plight, the generous people of Fort Madison have rallied together asking for our support in passing a private relief bill for him. My office has been inundated with letters and petitions from citizens imploring us to allow Lupe to fulfill his dream and serve our great nation and not be forced to a country he doesn't know.

Lupe is a fine example of what an American citizen should be. His love and respect for his country are to be admired and rewarded. So, I ask you to join me and the citizens of Iowa, and allow Jose to serve his country by supporting this legislation.

By Mr. GRASSLEY (for himself and Mr. REID):

S. 2290. A bill to amend the Internal Revenue Code of 1986 to clarify the definition of contribution in aid of construction; to the Committee on Finance.

LEGISLATION TO CLARIFY THE TAX TREATMENT OF CONTRIBUTIONS IN AID OF CONSTRUCTION

Mr. GRASSLEY. Mr. President, today I am introducing legislation on behalf of myself and the senior Senator from Nevada, Mr. REID, to clarify that water and sewage service laterals are included in the definition of contributions in aid of construction (CIAC). The bill clarifies current law by specifically stating that "customer service fees" are CIAC. It maintains current treatment of service charges for stopping and starting service (not CIAC). Because this is a clarification of current law, the effective date for the bill is as if included in the original legislation, which is section 1613(a) of the Small Business Job Protection Act of 1996.

The need for this legislation is brought about because the Department of Treasury has issued proposed regulations to provide guidance on the definition of CIAC. Despite the fact that Congress specifically removed language concerning "customer services fees" in its amendment in 1996, the Department added the language back into the proposed regulation specifying that such fees are not CIAC. They then defined the term very broadly to include service laterals, which traditionally and under the most common state law treatment would be considered CIAC.

The Senator from Nevada and I, along with many of our colleagues here

in this chamber, worked hard over the course of a number of years to restore the pre-1986 Act tax treatment for water and sewage CIAC. In 1996, we succeeded in passing our legislation. It was identical to pre-1986 law with three exceptions. Two of the changes were made in response to a Treasury Department request. The third removed the language dealing with "service connection fees" primarily because of potential confusion resulting from the ambiguity of the term. The sponsors of the legislation were concerned that the IRS would use this ambiguity to exclude a portion of what the state regulators consider CIAC.

As part of our efforts, we developed a revenue raiser in cooperation with the industry to make up any revenue loss due to our legislation, including the three changes. This revenue raiser extended the life, and changed the method, for depreciating water utility property from 20 year accelerated to 25-year straight-line depreciation. As a consequence of this sacrifice by the industry, our CIAC change made a net \$274 million contribution toward deficit reduction.

It is my belief that the final revenue estimate done by the Joint Committee on Taxation on the restoration of CIAC included all property treated as CIAC by the industry regulators including specifically service laterals. In an October 11, 1995 letter to me, the Joint Committee on Taxation provided revenue estimates for the CIAC legislation. A footnote in this letter states, "These estimates have been revisited to reflect more recent data." The industry had only recently supplied the committee with comprehensive data, which reflected total CIAC in the industry including service laterals.

I urge my fellow Senators to join with us in supporting this clarification of current law.

By Mr. DASCHLE:

S. 2291. A bill to provide assistance for efforts to improve conservation of, recreation in, erosion control of, and maintenance of fish and wildlife habitat of the Missouri River in the State of South Dakota, and for other purposes; to the Committee on Environment and Public Works.

THE MISSOURI RIVER RESTORATION ACT OF 2000

Mr. DASCHLE. Mr. President, the Missouri River is one of our nation's greatest natural resources. Millions of visitors travel to the river each year to hunt, camp and fish. Millions more Americans rely on the Missouri's federal dams for affordable electricity. And, tens of thousands of South Dakotans depend upon the river as their only source of clean drinking water.

The river is rich in history. For thousands of years, Native Americans have lived along the river, and countless sites of deep spiritual and cultural importance to tribes line its shores. The river was also part of the route used by Lewis and Clark as they explored our nation. As we approach the bicentennial of that journey, it is expected that

millions of Americans will visit the Missouri River to retrace their steps.

Because the river is so important to the economy of our nation and to its heritage, it is critical that we meet head-on the growing array of challenges that it is facing. That is why I am introducing the Missouri River Restoration Act of 2000. This legislation will provide critically needed resources to ensure that future generations will continue to benefit from the river as we do today.

I am deeply concerned by the dramatic changes that we have witnessed since the construction of four federal dams on the river in South Dakota decades ago. These dams, which have prevented billions of dollars of flood-related damage downstream to cities like St. Louis, have altered the natural flow of the river. Sediment that used to be carried downstream, giving the river its nickname of "Big Muddy," is now being deposited in South Dakota's reservoirs, Lake Oahe, Lake Sharpe, Lake Francis Case and Lewis and Clark Lake.

The siltation of the river is having a dramatic impact. In the cities of Pierre and Ft. Pierre, it has raised the water table and flooded shoreline homes. Already, Congress has had to authorize a \$35 million project to relocate hundreds of affected families, and the Corps of Engineers has been forced to curtail the generation of electricity at Oahe dam in the wintertime to prevent additional flooding. In the town of Springfield, the economy has suffered a decline in tourism because few boaters can navigate the tons of silt that have clogged the river.

The problem will only grow more serious in the future. Each year, the river's tributaries deliver more than 40 million tons of sediment to the reservoirs. It is estimated that in less than 75 years, Lewis and Clark lake—the smallest of the reservoirs—will fill with sediment completely. The lake, and the development and recreation the lake has created for cities like Springfield and Yankton, will disappear altogether.

The economic impact of these changes on South Dakota would be very serious. Currently, visitors to counties bordering the Missouri River spend over \$85 million each year. Anglers spend over \$200 million in the state, and support more than 5,400 jobs. The loss of the Missouri's fisheries to sedimentation and the decline in the number of visitors to the river would have grave economic consequences. Furthermore, limitations imposed on electrical generation and flood control caused by sedimentation will have a dramatic impact in states throughout our region, as electricity prices and damages from flooding increase.

In addition to the problems caused by the siltation of the river, the river has faced a growing amount of erosion. While erosion is natural on all rivers, its pace has picked up on the Missouri due to the operation of the dams. Ero-

sion has destroyed thousands of acres of farmland and is a serious threat to irreplaceable sites of spiritual importance to Indian tribes. Thousands of sites, ranging from burial grounds to campsites, are found up and down the Missouri River in South Dakota. It is unacceptable to let them wash away into the river. We must respect all those who came before us, and preserve this part of our nation's heritage.

Last January, Governor Bill Janklow, Lower Brule Sioux Tribe Chairman Mike Jandreau and I hosted a Missouri River Summit in the city of Springfield to bring together the best minds in the state to find a solution to these pressing problems. Over 400 South Dakotans attended this meeting and provided their thoughts and ideas. Virtually all those in attendance agreed that there is a critical need for more resources to improve conservation, to stop erosion and to help communities better utilize the river. The Missouri River Restoration Act of 2000 will help us to meet these goals as soon as possible.

This legislation, which I have developed in consultation with Governor Janklow of South Dakota, Chairman Jandreau and other state leaders, would establish a \$200 million federal trust fund to provide the resources necessary to address the critical needs of the Missouri River watershed. Of these funds, 30 percent would be set aside for projects in Indian reservations or administered by Indian tribes.

Trust fund revenues would be administered by a 25-member "Missouri River Trust" composed of all the river's major stakeholders. Each of South Dakota's nine Indian tribes would appoint one member, as would the Three Affiliated Tribes of North Dakota. The remainder would be appointed by the Governor, and must equally represent environmental, agricultural, hydropower and other river interests. In consultation with appropriate federal agencies, the Trust must develop a plan for the use of trust fund revenues that will reduce the siltation of the river by improving conservation in fragile riparian lands, better protect Indian cultural and historical sites, reduce erosion and improve our ability to recreate on the river. It will also be responsible for reviewing grant proposals to meet these goals.

Funding decisions would be made by a 5-member Executive Committee. To ensure that its decisions are balanced and represent the best interests of the state, the Executive Committee must be composed of members representing tribal, hydropower, agricultural, environmental and state government interests.

By establishing a trust fund and administering board that effectively represents all stakeholders, we can provide South Dakota with the tools it needs to preserve the Missouri River for generations to come. I hope my colleagues will give this important legislation their support.

I ask unanimous consent that an editorial from the Sioux Falls Argus Leader be printed in the RECORD.

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

MISSOURI RIVER TRUST FUND IS WORTHY IDEA
GOOD MANAGEMENT IS VITALLY IMPORTANT TO
STATE'S ECONOMY

Nothing has chiseled South Dakota's personality and tailored its economy quite like the Missouri River. Though, it geographically divides the state into East River and West River, it is the lifeblood that unites the state as one.

The powerful waters of the Missouri River, which once determined survival for early settlers, are central today to the state's economic well-being and its quality of life.

Growing communities like Sioux Falls—and smaller towns like Pipestone, Minn.—look to the river as a future water source to sustain residential and industrial growth.

Yet, riverside landowners have seen acres of their property swept away by the unruly river while others watch tons of silt clog the channel, increasing lowland flooding and killing recreational opportunities.

The millions of tons of silt that accumulate in the river also have negatively affected wildlife and recreation.

Properly managed, its waters can nurture the environment, enhance recreation and tourism opportunities and support growing communities.

However, the practices that controlled the Missouri River in past decades do not necessarily well serve state residents today. With the dawn of the 21st century, it's time to rethink and revamp policies established in the 1940s and '50s.

The U.S. Army Corps of Engineers has begun tweaking longstanding practices to improve habitat for fish and birds along North America's largest reservoir system. It also has developed a plan to address the sediment buildup near Pierre and Fort Pierre.

It is unacceptable, however, to allow the problems to be addressed in a piecemeal fashion. The reasons are clear. Consider:

Visitors spent an estimated \$85.2 million in 1998 on lodging, food and beverage in countries along the Missouri River.

In 1996, anglers on South Dakota waterway spent \$206.4 million in the state, generated more than \$8 million in state sales taxes, and supported more than 5,400 jobs.

Last year, 1.6 million people visited recreation areas along the Missouri River to hike, hunt, fish and participate in water sports.

More than 300,000 South Dakotans will ultimately receive clean and safe drinking water from the Missouri River through the Mid-Dakota, Mni Wiconi, WEB and proposed Lewis and Clark water systems.

The four hydroelectric dams of the Missouri River provide cheap, clean hydroelectric power to about 3.5 million people in the Missouri River Basin. Rural customers benefit the most from this low-cost power supply.

If something isn't done soon, tourism, recreation and hydropower generation will be hobbled. Homeowners and businesses will be hurt.

To this end, we support Tom Daschle, D-S.D., who is pressing federal legislation to create a "Missouri River Trust Fund" to protect and enhance the river. The fund would support efforts to reverse the sediment buildup and short erosion that have taken place on the river since construction of federal dams in the 1960s. It also would pay for improvements in recreation, conservation and the protection of cultural sites. It would also extend the ability of the dams to generate affordable electricity for the region.

A trust fund would ensure that a steady source of revenue would be available to address the problems for years to come.

Daschle is rallying support of federal, state, local and tribal leaders and wants to secure the first installment this year.

The sooner the better.

ADDITIONAL COSPONSORS

S. 660

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. FEINSTEIN) 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. 796

At the request of Mr. WELLSTONE, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 796, a bill to provide for full parity with respect to health insurance coverage for certain severe biologically-based mental illnesses and to prohibit limits on the number of mental illness-related hospital days and outpatient visits that are covered for all mental illnesses.

S. 818

At the request of Mr. DEWINE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 818, a bill to require the Secretary of Health and Human Services to conduct a study of the mortality and adverse outcome rates of medicare patients related to the provision of anesthesia services.

S. 1155

At the request of Mr. ROBERTS, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Minnesota (Mr. GRAMS), and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 1155, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 1159

At the request of Mr. STEVENS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1159, a bill to provide grants and contracts to local educational agencies to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

S. 1276

At the request of Mr. KENNEDY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1276, a bill to prohibit employment discrimination on the basis of sexual orientation.

S. 1277

At the request of Mr. GRASSLEY, the names of the Senator from Massachusetts (Mr. KERRY), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 1277, a bill to

amend title XIX of the Social Security Act to establish a new prospective payment system for Federally-qualified health centers and rural health clinics.

S. 1412

At the request of Ms. COLLINS, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 1412, a bill to amend the Internal Revenue Code of 1986 to limit the reporting requirements regarding higher education tuition and related expenses, and for other purposes.

S. 1438

At the request of Mr. CAMPBELL, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 1438, a bill to establish the National Law Enforcement Museum on Federal land in the District of Columbia.

S. 1941

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1941, a bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize the Director of the Federal Emergency Management Agency to provide assistance to fire departments and fire prevention organizations for the purpose of protecting the public and firefighting personnel against fire and fire-related hazards.

S. 1993

At the request of Mr. THOMPSON, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Georgia (Mr. CLELAND), the Senator from Maine (Ms. COLLINS), and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 1993, a bill to reform Government information security by strengthening information security practices throughout the Federal Government.

S. 2068

At the request of Mr. GREGG, the names of the Senator from Mississippi (Mr. COCHRAN), and the Senator from Missouri (Mr. ASHCROFT) were added as cosponsors of S. 2068, a bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations.

S. 2112

At the request of Mr. TORRICELLI, the names of the Senator from Arkansas (Mrs. LINCOLN), and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 2112, a bill to provide housing assistance to domestic violence victims.

S. 2123

At the request of Ms. LANDRIEU, the names of the Senator from Virginia (Mr. ROBB), and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2123, a bill to provide Outer Continental Shelf Impact assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to

as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes.

S. 2161

At the request of Mr. CAMPBELL, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2161, a bill to amend the Internal Revenue Code of 1986 to impose a 1 year moratorium on certain diesel fuel excise taxes and to require the Secretary of the Treasury to transfer amounts to the Highway Trust Fund to cover any shortfall.

S. 2225

At the request of Mr. GRASSLEY, the names of the Senator from Indiana (Mr. BAYH), and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2225, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. 2242

At the request of Mr. THOMAS, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 2242, a bill to amend the Federal Activities Inventory Reform Act of 1998 to improve the process for identifying the functions of the Federal Government that are not inherently governmental functions, for determining the appropriate organizations for the performance of such functions on the basis of competition, and for other purposes.

S. 2262

At the request of Mr. LOTT, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 2262, a bill to amend the Internal Revenue Code of 1986 to institute a Federal fuels tax holiday.

S. 2263

At the request of Mr. LOTT, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 2263, a bill to amend the Internal Revenue Code of 1986 to institute a Federal fuels tax holiday.

S. 2265

At the request of Mrs. HUTCHISON, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 2265, a bill to amend the Internal Revenue Code of 1986 to preserve marginal domestic oil and natural gas well production, and for other purposes.

S. CON. RES. 87

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. Con. Res. 87, a concurrent resolution commending the Holy See for making significant contributions to international peace and human rights, and objecting to efforts to expel the Holy See from the United Nations by removing the Holy

See's Permanent Observer status in the United Nations, and for other purposes.

S. RES. 87

At the request of Mr. DURBIN, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. Res. 87, a resolution commemorating the 60th Anniversary of the International Visitors Program

S. RES. 263

At the request of Mr. ASHCROFT, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. Res. 263, a resolution expressing the sense of the Senate that the President should communicate to the members of the Organization of Petroleum Exporting Countries ("OPEC") cartel and non-OPEC countries that participate in the cartel of crude oil producing countries, before the meeting of the OPEC nations in March 2000, the position of the United States in favor of increasing world crude oil supplies so as to achieve stable crude oil prices.

S. RES. 276

At the request of Mr. REED, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 276, a resolution to express the sense of the Senate that the conferees on the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act should submit the conference report on the bill before April 20, 2000, and include the gun safety amendments passed by the Senate.

SENATE CONCURRENT RESOLUTION 98—URGING COMPLIANCE WITH THE HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

Mr. DEWINE (for himself, Mr. HELMS, Mr. THURMOND, Mr. WARNER, Mr. ROCKEFELLER, Mr. ROBB, Mr. THOMAS, Mr. DODD, Ms. LANDRIEU, Mr. HATCH, and Mr. STEVENS) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 98

Whereas the Department of State reports that at any given time there are 1,000 open cases of American children either abducted from the United States or wrongfully retained in a foreign country;

Whereas many more cases of international child abductions are not reported to the Department of State;

Whereas the situation has worsened since 1993, when Congress estimated the number of abducted and wrongfully retained American children to be more than 10,000;

Whereas Congress has recognized the gravity of international child abduction in enacting the International Parental Kidnapping Crime Act of 1993 (18 U.S.C. 1204), the Parental Kidnapping Prevention Act (28 U.S.C. 1738a), and substantial reform and reporting requirements for the Department of State in the fiscal years 1998–1999 and 2000–2001 Foreign Relations Authorization Acts;

Whereas the United States became a contracting party in 1988 to the Hague Convention on the Civil Aspects of International Child Abduction (in this concurrent resolution referred to as the "Hague Convention") and adopted effective implementing legisla-

tion in the International Child Abduction Remedies Act (42 U.S.C. 11601 et seq.);

Whereas the Hague Convention establishes reciprocal rights and duties between and among its contracting states to expedite the return of children to the state of their habitual residence, as well as to ensure that rights of custody and of access under the laws of one contracting state are effectively respected in other contracting states, without consideration of the merits of any underlying child custody dispute;

Whereas Article 13 of the Hague Convention provides a narrow exception to the requirement for prompt return of children, which exception releases the requested state from its obligation to return a child to the country of the child's habitual residence if it is established that there is a "grave risk" that the return would expose the child to "physical or psychological harm or otherwise place the child in an intolerable situation" or "if the child objects to being returned and has attained an age and degree of maturity at which it is appropriate to take account of the child's views";

Whereas some contracting states, for example Germany, routinely invoke Article 13 as a justification for nonreturn, rather than resorting to it in a small number of wholly exceptional cases;

Whereas the National Center for Missing and Exploited Children (NCMEC), the only institution of its kind, was established in the United States for the purpose of assisting parents in recovering their missing children;

Whereas Article 21 of the Hague Convention provides that the central authorities of all parties to the Convention are obligated to cooperate with each other in order to promote the peaceful enjoyment of parental access rights and the fulfillment of any conditions to which the exercise of such rights may be subject, and to remove, as far as possible, all obstacles to the exercise of such rights;

Whereas some contracting states fail to order or enforce normal visitation rights for parents of abducted or wrongfully retained children who have not been returned under the terms of the Hague Convention; and

Whereas the routine invocation of the Article 13 exception, denial of parental visitation of children, and the failure by several contracting parties, most notably Austria, Germany, Honduras, Mexico, and Sweden, to fully implement the Convention deprives the Hague Convention of the spirit of mutual confidence upon which its success depends: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress urges—

(1) all contracting parties to the Hague Convention, particularly European civil law countries that consistently violate the Hague Convention such as Austria, Germany and Sweden, to comply fully with both the letter and spirit of their international legal obligations under the Convention;

(2) all contracting parties to the Hague Convention to ensure their compliance with the Hague Convention by enacting effective implementing legislation and educating their judicial and law enforcement authorities;

(3) all contracting parties to the Hague Convention to honor their commitments and return abducted or wrongfully retained children to their place of habitual residence without reaching the merits of any underlying custody dispute and ensure parental access rights by removing obstacles to the exercise of such rights;

(4) the Secretary of State to disseminate to all Federal and State courts the Department of State's annual report to Congress on

Hague Convention compliance and related matters; and

(5) each contracting party to the Hague Convention to further educate its central authority and local law enforcement authorities regarding the Hague Convention, the severity of the problem of international child abduction, and the need for immediate action when a parent of an abducted child seeks their assistance.

Mr. DEWINE. Mr. President, I rise today to submit a resolution urging compliance with the Hague Convention on the Civil Aspects of International Child Abduction. Joining me in introducing this resolution are Senators HELMS, WARNER, THURMOND, ROBB, ROCKEFELLER, THOMAS, DODD, LANDRIEU, and HATCH. Congressmen NICK LAMPSON of Texas and STEVE CHABOT of Ohio have introduced a similar measure in the House.

The Hague Convention on the Civil Aspects of International Child Abduction sets forth the legal mechanism for returning internationally abducted children to their countries of habitual residence, where custody can then be decided. Fifty-four countries, including the United States are signatories to the Convention.

According to the State Department, each year the United States sends an estimated 90% of kidnapped children back to foreign countries. But, the rate at which other nations belonging to the Convention return American children is much lower. A State Department report singles out several countries for their noncompliance with the accord, including Austria, Honduras, Mauritius, Mexico and Sweden. Notably absent from the report, however, was Germany, which also has established a disturbing pattern of noncompliance. According to "Insight Magazine," State Department records show that of the 243 Hague cases filed in Germany, there were only 40 court-ordered returns.

Last fall, the General Accounting Office (GAO) testified before the House International Relations Committee on their preliminary review of the federal government's response to international parental child abduction. They cited noncompliance with the Hague Convention on the part of other countries as one of the problems with our federal government's response to international parental kidnappings. According to GAO's testimony: "The State Department acknowledges that more systematic and aggressive diplomatic efforts are needed to address problems with the Hague Convention." The GAO also noted that while increased diplomatic efforts are needed, recommendations developed by the State Department and Department of Justice to rectify the noncompliance problem "seek to review, study, and explore Hague implementation issues, but fail to identify how these activities will actually help solve Hague implementation problems."

What we have to remember in any case where a parent abducts a child is that each of these cases involves the

destruction of a family. A good illustration of this is what happened to Tom Sylvester of Cincinnati, the father of a little girl named Carina, whom he has seldom seen since his ex-wife abducted her from Michigan in 1995, and took her to Austria. The day after the kidnapping, Mr. Sylvester filed a complaint with the State Department and started legal proceedings under the terms of the Hague Convention. An Austrian court heard his complaint, and the court ordered the return of Carina to Mr. Sylvester. However, this court order was never enforced and Carina's mother took the child into hiding. Eventually, though, when Carina's mother surfaced with the child, the Austrian courts reversed their decision on returning Carina to her father, finding that Carina had "re-settled into her new environment"—a decision clearly contrary to the terms of the Hague Convention.

While the State Department recently has indicated some willingness to work more aggressively through diplomatic channels in individual cases, like that of Tom Sylvester, we must do more to improve compliance with the Hague Convention overall. The resolution we are introducing today encourages all of the contracting parties, particularly those countries that consistently violate the Convention—namely Austria, Germany and Sweden—to comply fully with both the letter and the spirit of their obligations under the Convention. In order to improve compliance rates, the resolution urges all Hague signatories to educate their judges and law enforcement personnel about the Convention. And, finally, this resolution urges countries to return children under the Convention, without reaching the underlying custody dispute, and to remove barriers to parental visitations.

Mr. President, as a parent and grandparent, I cannot begin to imagine the nightmare that so many American parents face when their children are kidnapped by a current or former spouse and taken abroad. But, tragically, this is a very real and daily nightmare for hundreds of parents right here in this country. That's why the resolution I have introduced is critical to encouraging the safe return of children to the United States. It gives us an opportunity to help make a positive difference in the lives of children and their families. I urge my colleagues to support it with their cosponsorship.

SENATE RESOLUTION 277—COMMEMORATING THE 30TH ANNIVERSARY OF THE POLICY OF INDIAN SELF-DETERMINATION

Mr. CAMPBELL (for himself, Mr. MCCAIN, Mr. JOHNSON) submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 277

Whereas, the United States of America and the sovereign Indian Tribes contained within its boundaries have had a long and mutually

beneficial relationship since the beginning of the Republic;

Whereas the United States has recognized this special legal and political relationship and its trust responsibility to the Indian Tribes as reflected in the Federal Constitution, treaties, numerous court decisions, federal statutes, executive orders, and course of dealing;

Whereas Federal policy toward the Indian Tribes has vacillated through history and often failed to uphold the government-to-government relationship that has endured for more than 200 years;

Whereas these Federal policies included the wholesale removal of Indian tribes and their members from their aboriginal homelands, attempts to assimilate Indian people into the general culture, as well as the termination of the legal and political relationship between the United States and the Indian Tribes;

Whereas President Richard M. Nixon, in his "Special Message to Congress on Indian Affairs" on July 8, 1970, recognized that the Indian Tribes constitute a distinct and valuable segment of the American federalist system, whose members have made significant contributions to the United States and to American culture;

Whereas President Nixon determined that Indian Tribes, as local governments, are best able to discern the needs of their people and are best situated to determine the direction of their political and economic futures;

Whereas in his "Special Message" President Nixon recognized that the policies of legal and political termination on the one hand, and paternalism and excessive dependence on the other, devastated the political, economic, and social aspects of life in Indian America, and had to be radically altered;

Whereas in his "Special Message" President Nixon set forth the foundation for a new, more enlightened Federal Indian policy grounded in economic self reliance and political self determination;

Whereas this Indian self determination policy has endured as the most successful policy of the United States in dealing with the Indian Tribes because it rejects the failed policies of termination and paternalism and declared that "the integrity and right to continued existence of all Indian Tribal and Alaska native governments, recognizing that cultural pluralism is a source of national strength."

Now Therefore be it *Resolved*, That the Senate of the United States recognizes the unique role of the Indian Tribes and their members in the United States, and commemorates the vision and leadership of President Nixon, and every succeeding President, in fostering the policy of Indian Self-Determination.

Mr. CAMPBELL. Mr. President, I am pleased to be joined by Senator MCCAIN and Senator TIM JOHNSON in submitting today a resolution to commemorate the anniversary of a little-noticed but critical event that took place 30 years ago this summer.

In July 1970, President Richard M. Nixon delivered his now-famous "Special Message to the Congress on Indian Affairs" that revolutionized how our nation deals with Native governments and Native people from Florida to Alaska, from Maine to Hawaii.

With centuries of ill-conceived and misdirected federal policies and practices behind us, I am happy to say that the Nixon Indian policy continues as the bedrock of America's promise to Native Americans.

In his Message to Congress, the President made the case for a more enlightened federal Indian policy. Citing historical injustices as well as the practical failure of all previous federal policies regarding Indian Nations, President Nixon called for the rejection of both the "termination" policy of the 1950s and the "excessive dependence" on the federal government by Indian tribes and people fostered by federal paternalism.

Nixon observed that "[t]he first Americans—the Indians—are the most deprived and most isolated group in our nation. On virtually every scale of measurement—employment, income, education, health—the condition of the Indian people rank at the bottom."

Thirty years later, Indians continue to suffer high rates of unemployment, are mired in poverty, and still rank at or near the bottom of nearly every social and economic indicator in the nation.

Nonetheless, there is cause for hope that the conditions of Native Americans are improving, however slowly.

The twin pillars of the policy change initiated in 1970 are political self determination and economic self reliance. Without doubt, the most enduring legacy of the 1970 Message is the Indian self determination policy best embodied in the Indian Self Determination and Education Assistance Act of 1975, amended several times since then.

This Act, which has consistently been supported, promoted, and expanded with bipartisan support, authorizes Indian tribes to assume responsibility for and administer programs and services formerly provided by the federal government.

As of 1999, nearly 48% of all Bureau of Indian Affairs (BIA) and 50% of all Indian Health Service (IHS) programs and services have been assumed by tribes under the Indian Self Determination Act.

With this transfer of resources and decision making authority, tribal governments have succeeded in improving the quality of services to their citizens, have developed more sophisticated tribal governing structures and practices, have improved their ability to govern, and have strengthened their economies.

Self determination contracting and compacting have improved the efficiency of federal programs and services and at the same time have devolved control over these resources from Washington, D.C. to the local, tribal governments which are much more in tune with the needs of their own people.

As steps are taken to provide tribes the tools they need to develop vigorous economies and generate tribal revenues, our policy in Congress and across the federal government should be to encourage and assist tribes to expand self determination and self governance into other agencies and programs, and in the process help Native people to achieve real and measurable success in improving their standard of living.

The challenge of the Nixon Message was not only to the federal government but to the tribes themselves: that by building strong tribal governments and more robust economies, real independence and true self determination can be achieved.

Our experience has shown that any cooperative efforts between the United States and the tribes must include a solemn assurance that the special relationship will endure and will not be terminated by the fits and starts of periodic economic success enjoyed by some Indian tribes.

President Nixon wisely realized that the mere threat of termination results in a tendency toward an unhealthy dependence on the federal government which has plagued Native people for decades. As President Nixon himself knew, Native people are not hapless bystanders in this process. His Message recognized that the story of the Indian in America is one of "endurance, survival, of adaptation and creativity in the face of overwhelming obstacles."

This persistence and tenacity by Native people have been the foundation in forging a more enlightened Indian policy and with the assistance of the United States will, I am confident, result in true self determination for Native people in the United States.

I urge my colleagues to join me in recognizing the Nixon Message and the combined efforts of Natives and non-Natives alike in making Indian self determination a reality.

NOTICE OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. MCCONNELL. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., Wednesday, March 29, 2000, in Room SR-301, Russell Senate Office Building, to receive testimony on Presidential primaries and campaign finance.

For further information concerning this meeting, please contact Hunter Bates at the Rules Committee on 4-6352.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. MCCONNELL. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., Thursday, March 30, 2000, in Room SR-301, Russell Senate Office Building, to conduct an oversight hearing on the operations of the Architect of the Capitol.

For further information concerning this meeting, please contact Mary Suit Jones at the Rules Committee on 4-6352.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LUGAR. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the

Senate on Thursday, March 23, 2000, at 9:30 a.m., in open session to continue to receive testimony on the national security implications of export controls and to examine S. 1712, the Export Administration Act of 1999.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LUGAR. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, March 23, at 9:30 a.m. to conduct an oversight hearing. The committee will consider the nomination of Thomas A. Fry III, to be Director of the Bureau of Land Management, Department of the Interior.

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

COMMITTEE ON FINANCE

Mr. LUGAR. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, March 23, for hearings regarding Trade with China and its Implications for United States National Interests.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LUGAR. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 23, 2000, at 9:30 a.m. and 2:30 p.m. to hold a hearing and a markup.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. LUGAR. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be authorized to meet on Thursday, March 23, 2000 at 10:30 a.m. for a business meeting to consider pending Committee business.

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

SUBCOMMITTEE ON PUBLIC HEALTH

Mr. LUGAR. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Public Health, be authorized to meet for a hearing on "Safety Net Providers" during the session of the Senate on Thursday, March 23, 2000, at 9:30 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. LUGAR. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, March 23, 2000, at 10:00 a.m., in SD226.

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

COMMITTEE ON THE JUDICIARY

Mr. LUGAR. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to meet to conduct a hearing on Thursday, March 23, 2000, at 3:00 p.m., in SD226.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. LUGAR. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, March 23, 2000, at 2:00 p.m., to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND WATER

Mr. LUGAR. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Wildlife, and Water be authorized to meet during the session of the Senate on Thursday, March 23, 2000, 10:00 a.m., to conduct a hearing on the impact to the regulated community of EPA's proposed rules regarding changes in the total maximum daily load and NPDES permit programs pursuant to the Clean Air Act.

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

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. LUGAR. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation and Recreation of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, March 23 at 2:30 p.m. to conduct an oversight hearing. The subcommittee will receive testimony on the status of monuments and memorials in and around Washington, D.C.

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

SUBCOMMITTEE ON SEAPOWER

Mr. LUGAR. Mr. President, I ask unanimous consent that the Seapower Subcommittee, of the Committee on Armed Services, be authorized to meet during the session of the Senate on March 23, 2000, at 2:30 p.m. to receive testimony on Navy and Marine Corps Seapower operational capability requirements.

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

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE

Mr. LUGAR. Mr. President, I ask unanimous consent that the Surface Transportation and Merchant Marine Subcommittee of the Senate Committee on Commerce, Science, and Transportation has been authorized to meet during the session of the Senate on Thursday, March 23, 2000, at 10:30 a.m. on the Surface Transportation Board 15 month merger moratorium and rulemaking proceeding.

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

PRIVILEGE OF THE FLOOR

Mr. KENNEDY. Mr. President, I ask unanimous consent that Robin Myer, a

Pearson Fellow in my office, be permitted the privilege of the floor while I deliver this statement.

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

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 106-23

Mr. WARNER. Mr. President, on behalf of the distinguished majority leader, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following convention transmitted to the Senate on March 23, 2000, by the President of the United States: International Plant Protection Convention (IPPC), Treaty Document No. 106-23.

I further ask that the convention be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to acceptance, I transmit herewith the revised International Plant Protection Convention (IPPC), adopted at the Conference of the Food and Agriculture Organization (FAO) of the United Nations at Rome on November 17, 1997. In accordance with Article XIII of the existing IPPC, the revised text will enter into force for all contracting parties 30 days after acceptance by two-thirds of the contracting parties.

The revisions are designed to bring the IPPC into line with modern practices and concepts, and to establish new mechanisms to promote the development and adoption of international phytosanitary standards.

It is my hope that the Senate will give prompt and favorable consideration to this Convention, and give its advice and consent to acceptance by the United States, subject to the two proposed understandings set forth in the accompanying report, at the earliest possible date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 23, 2000.

Mr. WARNER. Mr. President, I ask unanimous consent that I may proceed in morning business for such time as I may require.

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

KOSOVO AMENDMENT

Mr. WARNER. Mr. President, on March 9, I advised the Senate of my intention to offer an amendment on Kosovo to the supplemental, assuming that legislation comes up. If not, I will consider other avenues of legislation to incorporate the basic structure of this amendment.

I have been joined in this effort by a thoughtful and well-respected number of my colleagues; indeed, the distinguished Senator from Alaska, who just departed the floor, and the distinguished Senator from Hawaii.

I placed a draft copy of the amendment in the RECORD at that time and invited comment and constructive criticism. I am so pleased to report that has happened in abundance.

I am here today to report to the Senate there has been an increasing interest in this amendment—positive, in most instances. I will refer to one bit of very constructive criticism momentarily.

We have taken into consideration the views of many. I will be putting in today's RECORD an amendment which shows certain modifications, technical modifications, which I hope will meet some of the very fine constructive ideas I have received.

To summarize, the amendment would require our European allies to fulfill a certain percentage of the commitments they have made to provide assistance and police personnel to Kosovo before the entire \$2 billion contained in the supplemental for United States military operations in Kosovo would be made available.

The amendment would allow for the provision of 50 percent of the money—over \$1 billion—immediately for the use of the Department of Defense. But the remainder would be dependent on a certification by the President of the United States that our allies had provided a certain percentage of their commitments of assistance to Kosovo.

If the President is not able to make that certification by June 1, then the remaining \$1 billion could be used only to conduct the safe, orderly, and phased withdrawal of our troops from Kosovo—not a cut and run; not a fixed timetable; I repeat, a safe and orderly phased withdrawal.

Again, I have been pleased by the response that has been generated by this amendment. It is clear, we have already achieved our first goal of focusing attention on this very serious problem in Kosovo.

Actions on the part of our allies are being taken at an accelerated rate, and much more detailed information on such actions, past and present, are becoming available daily.

For example, this past week I received letters from Lord Robertson, the Secretary General of NATO, and Dr. Bernard Kouchner, the head of the UN Mission in Kosovo, outlining the increased efforts of burdensharing of certain allies.

According to the letter I received from Dr. Kouchner—I would like to quote a paragraph—I quote:

I very much appreciate the efforts that you have made so far which have been instrumental in improving our budget situation. Existing donor pledges have now been honored. The next challenge will be to get new donor pledges and to ensure that the pledges for the reconstruction budget of 17 November 1999 do materialize.

Mr. President, I ask unanimous consent that the letters from Lord Robertson and Dr. Kouchner be printed in the RECORD at the conclusion of my remarks, with certain other documents that I will attach, and letters.

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

(See Exhibits 1 and 2.)

Mr. WARNER. In addition, I had the opportunity to meet yesterday with Ambassador Guenter Burghardt, the European Commission representative in Washington, who provided me with valuable information on the contributions of the EU, particularly their efforts to streamline their process for providing assistance.

Several weeks ago, it was very difficult to get accurate information on what had been pledged by our allies—not that they were withholding it; people just could not find it, in many instances, and put it into writing—and almost impossible to get data on what had actually been supplied to Kosovo.

Now we are clearly making progress on this front, but more remains to be done.

I asked for constructive criticism. And within the hour, by pure coincidence, because I planned to deliver these remarks, came a letter from our former distinguished majority leader, and my very close friend and mentor, Senator Robert Dole.

I ask unanimous consent to print a letter from Senator Dole in the RECORD following my remarks.

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

(See Exhibit 3.)

Mr. WARNER. Senator Dole wrote:

Accordingly, I would urge you to consider, at a minimum, allowing a Presidential waiver authority based upon compelling national security needs.

That sort of thing is often done. We carefully considered that. But after consultation with my cosponsors and many others, we decided not because it would make the amendment so weakened that it loses its purport. Therefore, I say respectfully to my former leader that that I cannot do. However, he has made other suggestions. And by pure coincidence and timing, they have been incorporated in the revised amendment, which I will file as a part of these remarks.

For example, he said:

That said, I believe in principle that you are entirely right to try to hold the Administration's feet to the fire to ensure that the United States continues to lead, while at the same time preventing it from shouldering an inordinate share of the international burden in the Balkans. The devil is in the details, however, and I am concerned that some of the targets identified in your amendment simply cannot be met, and that the European powers are being held to a higher standard than the United States. For example, is it realistic for the United States and/or Europeans to be required to disburse 33 percent of the funds needed for Kosovo reconstruction by June 1, 2000?

Prior to receiving this letter, we had made technical changes from "disbursed" to "obligated or contracted

for." This gives the flexibility that is needed to obviate the problems raised by Senator Dole and others.

These technical changes, if I may enumerate them, give added flexibility to the President of the United States in making this very important certification. We have not, in my judgment, diminished in any way the strength of this amendment, but it has given added flexibility. No. 1, it makes it clear that the performance we are seeking on the part of the allies is to be evaluated, as we put in our amendment, "on the aggregate." Performance of one nation which falls short, one nation which may not be able to make it, will not prevent the President from making the required certification. No. 2, we require that reconstruction and humanitarian assistance must be, as I said, obligated or contracted for. That point we covered in the recitation of Senator Dole. This is in recognition that even if the money has been set aside for Kosovo, some of these projects "spend out" at a slow rate.

These are the types of constructive changes that have come to my attention and we have incorporated them. We are still working on this. As I say, I have also been engaged in discussions with a number of administration officials over the past 2 weeks.

Last Friday, I had a productive meeting with the National Security Adviser, Sandy Berger, on the eve of his departure on this important trip the President is now undertaking. We were joined by OMB Director Jack Lew and Under Secretary of Defense, Walter Slocombe. As a result, of some of the technical information relayed to me at that meeting—it was a very good meeting—I have redrafted my amendment to take into account some of the concerns that were raised. While I think it is fair to say the redraft which I and my cosponsors have agreed to will not satisfy all the concerns of the administration, I believe our consultations are making progress.

I ask unanimous consent to print the latest version of my amendment in the RECORD.

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

(See Exhibit 4.)

Mr. WARNER. Mr. President, the bottom line for the United States and for the other nations involved in KFOR—that is the entire military operation in Kosovo—is the current safety and well-being of our troops being deployed there—U.S. troops and those of some 35 other nations are involved and the formulation of a timetable, safety first, but the formulation of a timetable. We can't do it right now, but if the purport of this amendment is met, we will be able in the reasonable future to formulate a timetable for the establishment of the infrastructure, both economic and security, which will allow for the safe return of our troops and those of other nations to their respective homes.

Today, I had the opportunity to meet in my office with the Italian Minister

of Defense, for example. He shares the common goal of this amendment.

We are now one day away from the 1-year anniversary of the start of the NATO war on behalf of Kosovo, on behalf of human rights. The world could not have stood by idly and watched the killing and the rape and the pillaging of that nation and done nothing. It was a challenge to figure out what to do. On a number of occasions, I consulted with General Clark. Indeed, I was with him in part of that campaign, watching the operations he directed, and directed very skillfully. We could not have done nothing.

This is an appropriate time for reflection and assessment. What have we accomplished and what remains to be done? Clearly, the large-scale ethnic cleansing has stopped and hundreds of thousands of Kosovar Albanian refugees have returned to their homes. For this, NATO should be proud of their military action.

But what better way to express our pride in their successful accomplishment of that military mission than for the United States, in concert and partnership with its allies, to come forward in a timely manner and meet the commitments to solidify the military gains? None of us are totally satisfied. A regrettable chapter relates to the Serbian people who lived in those areas, many of whom have left after the cessation of the 78-day campaign. But I think the KFOR troops are doing their best to provide equal protection and that we are continuing to address that situation because we have to have an evenhanded policy. Human rights, to be successful, has to be implemented evenhandedly.

Yes, the fighting has stopped. Unfortunately, the violence continues. Recent events in Mitrovica and in the vicinity of the Presevo Valley are cause for great concern. Bottom line, until there is an economic structure in place, together with a security structure, we will not see substantial progress in creating peaceful, civil society in Kosovo. Until that happens, under the administration's current plan, U.S. troops could remain indefinitely in Kosovo.

Earlier this week, General Reinhardt, the commander of KFOR, said—and I believe I am quoting him accurately—that he believed KFOR troops would be in Kosovo for up to a decade. To make such a declaration at this time, I say, with respect to this fine professional military officer whom I have met—I met him in Pristina about a month ago, right in his office—I repeat, to make such a declaration at this time I find unacceptable. This is one of the motivating factors behind the amendment I have proposed. We cannot let General Reinhardt or anyone else set a timetable of a decade. We need to see more progress on the civil implementation side.

The U.N., the E.U., and the OSCE must move more swiftly to fulfill their responsibilities for rebuilding Kosovo,

and our European allies must provide the assistance and personnel they have promised to provide if these goals are to be achieved. Time is of the essence.

The amendment I and others have placed before the Senate is but one approach to deal with the situation in Kosovo. I know other colleagues have their own approaches on this issue, not necessarily dissimilar. We share common goals. In particular, I commend Senator ROBERT BYRD, who has proposed a concept for rapid turnover of the KFOR mission to the European allies.

I now ask unanimous consent that the editorial by Senator BYRD be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See Exhibit 5.)

Mr. WARNER. It outlines in full his concepts, which are very interesting. I have been on the Senate floor with Senator BYRD so many times. He is a member of the Senate Armed Services Committee. No one takes to heart more dearly the welfare of the men and women of the Armed Forces and their families than Senator BYRD. He is concerned about their welfare as am I. We have joined together at a meeting in the White House, I think some 3 weeks ago, to discuss this very subject.

He spoke up with great courage and determination to the President and the Secretaries of State and Defense. It was quite an interesting meeting. What we cannot allow to happen is for the current situation in Kosovo to drift on for a decade. I say no. There are problems. Those problems are surmountable if we work together. They must be addressed. They must be addressed in a timely manner.

I hope the amendment in its present form, revised, will contribute to this goal. I, once again, encourage my colleagues and others to come forward with any constructive suggestions they may have. I continue to say that this Senator—I think I can speak for my cosponsors—is going to stand firm, firm in furtherance of the goals of human rights in Kosovo, in furtherance of remaining as a vital partner of NATO, in furtherance of creating a record to show that NATO can handle peacekeeping missions. To do that, we need more timely assistance from those who have committed to provide the infrastructure of economics and security.

I thank the Chair and yield the floor.

EXHIBIT No. 1

SECRETARY GENERAL, NATO,
Bruxelles, March 15, 2000.

Senator JOHN WARNER,
Chairman, Senate Armed Services Committee,
Russell Senate Office Building, U.S. Senate,
Washington, DC.

MY DEAR JOHN: I am glad we had the chance to talk by phone yesterday. As I noted, I share your concern that the Allied nations need to react more swiftly and forcefully to the current challenges in Kosovo. I have been pressing hard to ensure that nations provide additional forces for KFOR.

Dire press reports notwithstanding, progress has in fact been made. Let me give you an update on what steps are being taken.

On force levels for Kosovo, the European Allies are now stepping up their contributions.

Italy has agreed to provide a manoeuvre battalion of two companies for a limited time period.

France is putting under NATO command two companies that had already been dispatched to Kosovo on short notice under national authority, and is adding one further company. Together, these three companies will form a new French manoeuvre battalion.

This still leaves a shortfall of three companies relative to the needs in theatre as identified by the Supreme Allied Commander, General Clark, and the KFOR Commander General Reinhardt. I have been in direct contact with several Allied governments, and General Clark and the Military Committee Chairman Admiral Venturoni have been in touch with Chiefs of Defense. As a result of these contacts, a further five countries have indicated that they are seriously considering sending additional forces to Kosovo.

Even before the addition of these forces, European nations are contributing a majority of the forces on the ground in Kosovo. The following figures relate to forces to theatre on 13 March. While these figures fluctuate by small amounts on a daily basis, the overall ratio of forces has been fairly constant for some time.

EU nations makes up 60.3 percent of all the forces in Kosovo.

European nations—leaving aside Russia and the CIS states—make up 69.2 percent of the forces in Kosovo.

Adding in Russia and the other CIS states, European nations account for 80 percent of all the forces in theatre.

The remainder is made up by Argentina, Jordan, the United Arab Emirates, Morocco, Canada and, of course, the United States, for a total of 38 nations contributing to KFOR.

On the civil implementation side, there has also been some notable progress:

The European Union has started to disburse 45 million Euro (\$43.6 million) of the 360 million Euro (\$349 million) pledged to UNMIK for the year 2000. Several NATO members states have also increased their financial contributions to both UNMIK and the KPC.

Germany, Italy and Turkey have strengthened their civil police contingents to Kosovo, and the United Kingdom has agreed to provide additional judiciary officials.

Let me emphasize in providing you this data that I am only reporting to you what I have been told as Secretary General. Implementation is key, and I will continue to press hard to make sure that nations follow through both on their KFOR contributions and on civil implementation.

With these points in mind, I have to convey to you my firm belief that it would be wrong for NATO right now to have a reduction or limitation on the U.S. commitment, just as the situation in Kosovo is becoming more challenging and the European Allies, who are already carrying a large load, are beginning to do even more.

This is particularly true when looking at the situation in the Presevo Valley, which is

adjacent to the U.S. sector in Kosovo. I hope the U.S. will play a strong role in heading off a potential crisis there. The U.S. forces did a superb job today in raiding a number of support bases in Kosovo for extremists operating in southern Serbia. We need that kind of effective military presence to continue.

On a related point, I understand your concerns for not deploying American forces away from these Southeastern trouble spots to help reinforce other Allies in Mitrovica. But I would not want to see the U.S. position cast in stone as a means of justifying lack of routine responsiveness to the operational commander. Such a position would be at odds with the principle of unity of command, which is essential to the effective of NATO forces in multinational operations over the long term.

I appreciate your ongoing concern for the success of the KFOR operation. I am working very hard to ensure that the European Allies hold up their end of the bargain—in both the military and the civil implementation areas—and am counting on you and your colleagues to help maintain the valuable U.S. contribution.

All the very best.

GEORGE.

EXHIBIT No. 2

U.N. INTERIM ADMINISTRATION,
MISSION IN KOSOVO,
Pristina, March 18, 2000.

Hon. JOHN WARNER,
Chairman, Committee on Armed Services, U.S.
Senate, Washington, DC.

DEAR SENATOR: Let me first of all thank you whole heartedly for your unfettered support and assistance as Chairman of the Armed Services Committee: the kind of tough questioning that took place as a result of your interventions have been instrumental in helping UNMIK achieve some of its objectives.

I want to give you an update on the situation regarding the Kosovo Consolidated Budget, which is now in considerably better shape than it was earlier in the year. Donor pledges made at the end of last year have now crystallized into cash in the bank. Recently the Kosovo Budget has received contributions from the United States, the UK, France, Japan, and the European Union. As you will see from the attached tables, it is now estimated that the budget has sufficient cash to carry us through the summer. Furthermore our revenue collection is now improving. In particular, the European Union has already paid in some of its contributions, and clear and rapid procedures are in place for the remaining of the Union's contributions to be paid in (another more than Euro 55 Millions will be transferred to the Kosovo Budget in the next three months). Further, and as planned, the Union will contribute over Euro 240 Millions for reconstruction in 2000.

I would however also stress that there were never sufficient pledges to cover the whole of the needs for the year 2000. there is still an uncovered gap of about 35 million DEM, as per attached table, and any assistance you

can extend to us to cover that gap will be deeply appreciated by this mission.

I very much appreciate the efforts that you have made so far which have been instrumental in improving our budget situation. Existing donor pledges have now been honored. The next challenge will be to get new donor pledges and to ensure that the pledges for the reconstruction budget of 17 November 1999 do materialize.

I look forward to a continued dialogue with you, and I hope to see you soon.

Sincerely,

BERNARD KOUCHNER,
Special Representative of
the Secretary General.

KOSOVO CONSOLIDATED BUDGET 2000 BUDGET UPDATE

BACKGROUND ON THIS WEEK'S UPDATE

Attached are documents that detail donor pledges and domestic revenue. Tables 1, 2, and 3 review donor pledges to date. Table 4 projects cash flow through mid-June 2000. Tables 5 through 9 review revenue estimates and actual collections. Table 10 reviews budget 2000 revenue estimates and summarizes donor support.

Noteworthy items are:

Donor pledges have started to arrive.—Since the last report we confirm that roughly DM 76.9 million of donor pledges for budgetary support are either in our account or en-route, including (see Table 2):¹ United States—DM 24.2 million; Great Britain—DM 15.9 million; France—DM 3.5 million; Japan—initiated transfer of DM 13.7 million; European Union—initiated transfer of DM 19.6 million. A further £35 million is expected shortly.

Cash Needs.—The recent influx of cash will allow the Kosovo Consolidated Budget to continue functioning until mid-June (see Table 4). Kosovo's cash requirements will be met through September 2000 upon receipt of the European Union's pledge of £35 million.

Revenue collections improve.—The last two weeks witnessed a 55 percent increase in collections (from DM 5.8 year-to-date to DM 9.8 million). Two factors appear to drive this increase. First, sales and excise tax collection at the Montenegro Administrative Boundary Line (ABL) has become operational, collection over DM 756,684 in the last two weeks. Collections at the ABL has the direct effect of capturing lost revenue through that crossing, and an indirect effect of re-diverting trucks back to previously established border points for collection. Second, customs collections are slightly higher because vehicle registration requires proof of customs payment on imported cars. The former is expected to continue, while the latter is a short-run effect that will dissipate. (See Table 7.)

Pledge shortfall.—There still remains a pledge shortfall of DM 38.5 million, based on revised revenue estimates (see Table 10, Part 2).

TABLE 1.—KOSOVO CONSOLIDATED FUND BUDGETARY ASSISTANCE DONOR GRANTS FISCAL YEAR 2000

Donor	Pledged	Currency	Approx DM equivalent	Date received	Cash received (DM)		
					Budget support	Targeted support	Intended program
Netherlands	15,000,000	USD	28,686,300	13 Dec	28,686,300 DM		Budget Support
USA	5,000,000	USD	9,685,000	22 Dec		9,685,000	KPC ¹
EU	5,000,000	EU	9,779,150	29 Dec	9,779,150		Budget Support
USA	3,000,000	USD	5,692,170	14 Jan		5,692,170	Civil Registration ¹
Canada	1,000,000	CAD	1,296,913	14 Jan		1,296,913	District Heating
GTZ	1,700,000	DEM	1,700,000	28 Dec		1,700,000	District Heating
EU	120,000	EU	234,699	29 Dec		234,699	Peja/Klina Water ¹

¹Total pledges received to date are DM 79.6 million, which includes the previously reported amount of DM 2.7 from Canada.

TABLE 1.—KOSOVO CONSOLIDATED FUND BUDGETARY ASSISTANCE DONOR GRANTS FISCAL YEAR 2000—Continued

Donor	Pledged	Currency	Approx DM equiv- alent	Date received	Cash received (DM)		
					Budget support	Targeted support	Intended program
WB	1,000,000	USD	1,875,915	6 Jan	1,875,915		Budget Support
Germany ²	3,089,963	DEM	3,089	10 Dec		3,089,963	KPC Salaries ¹
Germany ²	3,089,963	DEM	3,089	10 Dec		3,089,963	Civil Registration ¹
Germany ²	3,089,693	DEM	3,089	10 Dec	13,389,839		Budget Support
Netherlands	2,750,445	EU	5,379,404	9 Dec		5,379,404	Bulldozers ¹
EU	2,761,000	EU	5,400,046	15 Dec		5,400,046	Electricity Salary
Ireland	200,000	USD	372,508	6 Dec		372,508	District Heating
1999 total			89,671,870		53,731,204	35,940,666	

¹ Limited or no expenditures in this sector in Fiscal Year 1999. Balance will be carried forward to Fiscal Year 2000 for expenditures processed after 1999 fiscal year end.

² Grants received from Germany increased by DM 588,765 this report, reflecting an appreciation in USD against this DM.

TABLE 2.—KOSOVO CONSOLIDATED FUND BUDGETARY ASSISTANCE DONOR GRANTS FISCAL YEAR 2000

Donor	Pledged	Currency	Approx DM equiv- alent	Date received	Cash received (DM)		
					Budget support	Targeted support	Intended program
EU	72,120	EU	141,054 DM	3 Jan		141,054 DM	Heating Repairs
EU	35,000,000	EU	68,453,000 DM				Budget Support
EU	10,000,000	EU	19,600,000 DM	10 Mar	19,600,000 DM		Budget Support
EU	20,000,000	EU	39,200,000 DM				Import Costs—Electricity
USA ¹	10,000,000	USD	20,200,000 DM	7 Mar	20,200,000 DM		Budget Support
USA	2,000,000	USD	3,959,180 DM	22 Feb	3,959,180 DM		Budget Support
UK	5,000,000	GBP	15,950,000 DM	7 Mar	15,950,000 DM		Budget Support
UK	2,000,000	USD	3,927,427 DM	19 Jan		3,927,427 DM	Civil Registration
Switzerland	1,970,000	USD	3,703,600 DM				
Japan	7,300,000	USD	13,724,000 DM	10 Mar	13,724,000 DM		Budget Support
Canada	2,000,000	CAD	2,719,202 DM	9 Feb	2,719,202 DM		Budget Support
Canada	3,000,000	CAD	3,890,739 DM				Budget Support
World Bank	5,000,000	USD	9,400,000 DM				Budget Support
France	12,000,000	FF	3,482,538 DM	22 Feb	3,482,538 DM		Budget Support
Italy	375,000	DM	375,000 DM	13 Jan		375,000 DM	Pristina Hospital
Italy	2,000,000,000	LIT	2,020,202 DM				Budget Support
Sweden	60,000,000	DM	60,000 DM	14 Jan		60,000 DM	
EU	45,600.18	DM	45,600 DM	7 Jan		45,600 DM	Building Refurbishment
Germany	25,000,000	DM	25,000 DM	9 Feb		25,000 DM	Heating Repairs
Germany	25,000,000	DM	25,000 DM	9 Feb		25,000 DM	Heating Repairs
2000 Total			210,901,543 DM		79,634,920 DM	4,599,081 DM	

¹ US contribution adjusted to reflect inadvertent double counting of \$5 million contributed to IOM.

EXHIBIT No. 3

WASHINGTON,
March 22, 2000.

Hon. JOHN WARNER,
U.S. Senate,
Washington, DC.

DEAR JOHN: To follow up on our recent conversation, I would like to share a few further thoughts regarding the Administration's proposed supplemental spending bill for the Balkans.

You and I have worked together on Balkan issues for many years and have more often than not agreed on the policy direction that should be taken. We have frequently shared a critical view of the Clinton Administration's policies and their implementation. In addition, we have always agreed that the President of the United States has the ultimate responsibility to carry out U.S. foreign policy according to our national security objectives, which include a strong and effective NATO.

As you know, my support for U.S. military and other operations in the Balkans is based on the firm belief that democratization and stability in the region must be achieved, and that the U.S. troop deployments in Bosnia and Kosovo are vital to these goals. To this end, I am concerned that, as drafted, the amendment that you are introducing to the Administration's supplemental bill would, based solely upon the action or inaction of a third party (our European allies), prohibit the President from maintaining a U.S. troop presence—even though he may have determined this presence to be in our country's national interest. In my view, this legislative restriction would tie the hands of the President in a sphere of power that clearly lies within the prerogative of the executive branch of the U.S. government. Accordingly, I would urge you to consider, at a minimum, allowing a Presidential waiver authority based upon compelling national security needs.

Second, I am concerned that your amendment could, albeit unintentionally, ad-

versely affect our role in NATO and our relations with our Alliance allies. Our credibility within NATO and our strong bilateral relations with each of our allies in the Alliance could be damaged by policies that link our presence in the Balkans to extraneous factors, as opposed to our national and collective European security objectives.

That said, I believe in principle that you are entirely right to try to hold the Administration's feet to the fire to ensure that the United States continues to lead, while at the same time preventing it from shouldering an inordinate share of the international burden in the Balkans. The devil is in the details, however, and I am concerned that some of the targets identified in your amendment simply cannot be met, and that the European powers are being held to a higher standard than the United States. For example, it is realistic for the United States and/or the Europeans to be required to disburse 33 percent of the funds needed for Kosovo reconstruction by June 1, 2000?

In my view, the Congress and those of us who support stronger U.S. leadership in the international arena should focus more on exerting direct pressure on the Administration to implement policies that promote democratization, political stability, and security in the Balkans. The issue, it seems to me, is not so much whether our troops are deployed in the region, but what they are actually doing on the ground. While the United States and its allies can point to a number of successes in Bosnia and Kosovo, severe problems remain. At times, it even seems as though we are taking steps backwards. For example, I wholly disagree with the Administration's failure to support General Clark's recent effort to deploy U.S. troops in Mitrovica. The troops putatively in charge of that sector of Kosovo have clearly failed to perform their mission to create a stable security environment. While their actions have not put them in the league of their predecessors in Bosnia's now infamous UNPROFOR, continuation on their current course will almost

certainly lead to a de facto partition of Kosovo—a highly destabilizing situation that would put our troops at even greater risk. A resumption of large-scale conflict may then follow. I would therefore urge you and others in the Congress to do your utmost to ensure that the Pentagon takes stronger action to get this situation in hand as quickly as possible.

A second example can be found in Bosnia, where the U.S.-led equip-and-train program for the Federation forces has floundered. As you know, in 1996, the Administration secured Senate majority support for the U.S. troop deployment in Bosnia based on President Clinton's written commitment to equip and train the Federation forces. In the past four years, the United States has done far too little to honor this commitment. When the war in Bosnia ended, an Administration-commissioned assessment determined that, to maintain adequate defenses, the Federation needed equipment that would cost an estimated \$800 million to \$1 billion. To date, only \$250 million in equipment and training has been provided to the Federation. Of this, the U.S. contribution was only \$100 million in Congressionally mandated drawdown authority. Beyond these initial sums, the Administration has neither proposed nor sought significant funding for the program. In my view, the Congress should provide additional drawdown authority for the purchase of the major equipment and provision of the training that remain necessary for Bosnia to be able to defend itself. It should also immediately increase FMF funding so that the equipment we have provided thus far can be adequately maintained.

Thank you for giving me this opportunity to share my views. I wish you every success as you continue your leadership in the Senate.

Thank you.
Sincerely,

BOB DOLE.

EXHIBIT NO. 4

On page , between lines and , insert the following:

SEC. . (a) Of the amounts appropriated in this Act under the heading "OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND" for military operations in Kosovo, not more than 50 percent may be obligated until the President certifies in writing to Congress that the European Commission, the member nations of the European Union, and the European member nations of the North Atlantic Treaty Organization have, in the aggregate—

(1) obligated or contracted for at least 33 percent of the amount of the assistance that those organizations and nations committed to provide for 1999 and 2000 for reconstruction in Kosovo;

(2) obligated or contracted for at least 75 percent of the amount of the assistance that those organizations and nations committed for 1999 and 2000 for humanitarian assistance in Kosovo;

(3) provided at least 75 percent of the amount of the assistance that those organizations and nations committed for 1999 and 2000 for the Kosovo Consolidated Budget; and

(4) deployed at least 75 percent of the number of police, including special police, that those organizations and nations pledged for the United Nations international police force for Kosovo.

(b) The President shall submit to Congress, with any certification submitted by the President under subsection (a), a report containing detailed information on—

(1) the commitments and pledges made by each organization and nation referred to in subsection (a) for reconstruction assistance in Kosovo, humanitarian assistance in Kosovo, the Kosovo Consolidated Budget, and police (including special police) for the United Nations international police force for Kosovo;

(2) the amount of assistance that has been provided in each category, and the number of police that have been deployed to Kosovo, by each such organization or nation; and

(3) the full range of commitments and responsibilities that have been undertaken for Kosovo by the United Nations, the European Union, and the Organization for Security and Cooperation in Europe (OSCE), the progress made by those organizations in fulfilling those commitments and responsibilities, an assessment of the tasks that remain to be accomplished, and an anticipated schedule for completing those tasks.

(c) If the President does not submit to Congress a certification and report under subsections (a) and (b) on or before June 1, 2000, then, beginning on June 2, 2000, the 50 percent of the amounts appropriated in this Act under the heading "OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND" for military operations in Kosovo that remain unobligated (as required by subsection (a)) shall be available only for the purpose of conducting a safe, orderly, and phased withdrawal of United States military personnel from Kosovo, and no other amounts appropriated for the Department of Defense in this Act or any Act enacted before the date of the enactment of this Act may be obligated to continue the deployment of United States military personnel in Kosovo. In that case, the President shall submit to Congress, not later than June 30, 2000, a report on the plan for the withdrawal.

EXHIBIT NO. 5

[From the New York Times, Mar. 20, 2000]

EUROPE'S TURN TO KEEP THE PEACE

(By Robert C. Byrd)

A year ago, American and NATO warplanes began 78 days of air assaults that halted the

murderous assault of Slobodan Milosevic on the Kosovar Albanians. If the United States has learned anything in the nine months of peacekeeping that followed, it should be that once again we are proving to be a lot better at waging war than we are at managing peace. Kosovo today appears to be on the verge of unraveling.

American and NATO peacekeepers skirt danger daily. Reconstruction has been negligible. Mr. Milosevic remains firmly in control in Serbia and, by most reckoning, is stepping up his effort to foment trouble along the border between Serbia and Kosovo. In the latest eruption of violence, ethnic Albanian insurgents have begun attacking Serbs across the border in Serbia.

The administration's response to this deepening crisis? Stern words to the Albanians, urgent pleas to our allies for more troops and money, and a request to Congress for a supplemental \$2 billion to continue American peacekeeping business as usual in Kosovo.

Is that really the best we can do?

I see three options we can practically consider at this juncture.

We can stay the course, reacting to events as they occur and hoping for the best as we settle into a semi-permanent role of soldiers on patrol and cops on the beat. We can pick a date and simply pull American troops out of Kosovo. Or Congress can give the administration unequivocal direction and a reasonable period of time—say three months—to craft a framework for turning the Kosovo peacekeeping operation over to our European allies. Congress can then examine the plan, gauge the progress being made, and vote either to stay or to go.

It is my firm belief that the United States should take steps to turn the Kosovo peacekeeping operation over to our European allies. NATO undertook the Kosovo mission with an understanding that Europe, not America, would shoulder the peacekeeping and reconstruction duties. The United States, with its outstanding military forces and weaponry, effectively won the war; the European allies were to keep the peace.

But now, as the United Nations interim administration in Kosovo teeters on the brink of bankruptcy, NATO allies are squabbling over the need for military reinforcements, and the international police that were supposed to help bring law and order remain undermanned, underfinanced, and unable to cope.

If Congress agrees to the administration's request for additional financing for Kosovo, it should be with the clear understanding that the money is tied to a plan for establishing an all-European peacekeeping force. The plan should have benchmarks, like numbers of European troops to be added to the forces by particular dates, and Congress should have an opportunity to vote on whether to keep troops in Kosovo if those benchmarks are not being met.

Removal of American troops from Kosovo need not be abrupt and need not mean that the United States is turning its back on the victims of Slobodan Milosevic. We can continue to support humanitarian relief and can provide support in military logistics, communications, intelligence and effective command.

It is just possible that the Europeans will excel at peacekeeping duties in Kosovo if ever they are allowed to emerge from the overwhelming shadow cast by the United States. Unfortunately, we will never know if we do not tie further American investment in Kosovo to a rock-solid plan to turn the peacekeeping operation over to them—sooner rather than later.

The PRESIDING OFFICER. The Senator from Massachusetts.

AGAINST LIFTING THE TRAVEL BAN ON LIBYA

Mr. KENNEDY. Mr. President, on Wednesday of this week, a team of State Department officials departed for Libya as part of a review of the travel ban that has been in effect since 1981.

State Department officials will be in Libya for 26 hours in the next few days, visiting hotels and other sites. They will then prepare a recommendation for the Secretary to help her determine if there is still "Imminent danger to . . . the physical safety of United States travellers," as the law requires in order to maintain the ban.

Because of the travel ban, American citizens can only travel to Libya if they obtain a license from the Department of the Treasury. In addition, the State Department must first validate a passport for travel to Libya.

The travel ban was imposed originally for safety reasons and predates the terrorist bombing of Pan Am Flight 103. But lifting the ban now, just as the two Libyan suspects are about to go on trial in the Netherlands for their role in that atrocity, will undoubtedly be viewed as a gesture of good will to Colonel Qadhafi.

Indeed, just after the State Department announced that it would send this consular team, a Saudi-owned daily paper quoted a senior Libyan official as saying the one-day visit by the U.S. Team was a "step in the right direction."

The official said the visit was a sign that "the international community was convinced that Libya's foreign policy position was not wrong and there is a noticeable improvement in Libya's relations with the world."

I have been in contact with many of the families of the victims of Pan Am Flight 103, and they are extremely upset by the timing of this decision. The families want to know why the Secretary of State is making this friendly overture to Qadhafi now—just six weeks before the trial in the Netherlands begins. They question how much information the State Department will be able to obtain by spending only 26 hours in Libya. They wonder why the Department cannot continue to use the same sources of information it has been using for many years to make a determination about the travel ban.

These courageous Americans have waited for justice for eleven long years. They feel betrayed by this decision. They have watched with dismay as our close ally, Great Britain, has rushed to reestablish diplomatic relations with Libya, before justice is served for the British citizens killed in the terrorist bombing. The State Department denies it, but the families are concerned that the visit signals a change in U.S. policy, undermines U.S. sanctions, and calls into question the Administration's commitment to vigorously enforce the Iran Libya Sanctions Act. That Act requires the U.S. to impose sanctions on foreign companies which

invest more than \$40 million in the Libyan petroleum industry, until Libya complies with the four conditions specified by the UN Security Council.

The bombing of Pan Am Flight 103, in which 188 Americans were killed, was one of the worst terrorist atrocities in American history. The State Department should not have sent a delegation to Libya now and it should not lift the travel ban on Libya at this time. The State Department's long-standing case-by-case consideration of passport requests for visits to Libya by U.S. citizens has worked well. It can continue to do so for the foreseeable future.

ORDER FOR ADJOURNMENT

Mr. THOMPSON. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order following the remarks of Senator BYRD.

The PRESIDING OFFICER. Without objection it is so ordered.

The distinguished Senator from West Virginia.

ALASKA'S MAN OF THE CENTURY

Mr. BYRD. Mr. President, it gives me great pleasure to acknowledge my good friend Senator TED STEVENS' special honor as Alaska's Man of the Century, which I understand will be awarded to him this Saturday in Anchorage.

Speaking as a Senator from the State of West Virginia, it is a fitting tribute, I believe, for a man whose life has been devoted to Alaska since long before Alaska became a State.

Calvin Coolidge once said:

No person was ever honored for what he received. Honor has been the reward for what he gave.

Calvin Coolidge was a man of few words.

The Bible says:

A word fitly spoken is like apples of gold in pictures of silver.

Calvin Coolidge spoke words that were fitly stated. Senator TED STEVENS has given much to Alaska, and he has given much to the Nation. He has given much to the Senate. He served his nation in war as a pilot in the 14th Air Force in World War II. As chairman of the Defense Subcommittee of the Committee on Appropriations, which he also leads with great distinction, and as a cofounder of the Senate Arms Control Observer Group, Senator STEVENS has continued to look after U.S. national security interests and the men and women who serve, as he did, in the uniform of her armed forces.

Senator TED STEVENS has served his nation well in war, and he has served his nation well in peace, upholding the laws of the land as an attorney, as a U.S. attorney, and as a solicitor for the Department of the Interior. He has served in the executive branch of Gov-

ernment working as an assistant to the then Secretary of the Department of the Interior, Mr. Seaton, to create and pass legislation making Alaska the Nation's 49th State.

I am proud to have voted to support the entry of both Alaska and Hawaii into the National Union. I am the only person on Capitol Hill who voted for statehood for both Alaska and Hawaii. I believe that is right. I was in the House when I voted for statehood for Alaska.

Senator STEVENS has been a leader in the legislative branch as a Senator from Alaska, looking out first, last, and always for the unique interests of his unique State, as well as for the interests of the Nation while serving as the assistant Senate Republican leader, serving as the Republican whip, and serving as chairman of the Appropriations Committee. His legislative accomplishments in behalf of Alaska are many—many—and they reflect the challenges of living, working, and traveling in a State that possesses half of the coastline of the United States, some of the most varied and spectacular terrain in the Nation, ranging from giant glaciers to volcanoes, and some of the most punishing weather, as well as some of the most delightful weather, on the planet.

The old adage says that cream rises to the top, and it is safe to say then that Senator STEVENS is the cream of the cream, the very best, for he has risen to the top of every profession, every endeavor, every challenge that he has ever tackled. His fellow Alaskans will add the cherry on top of the cream of the cream by recognizing his multitudinous accomplishments, his supreme dedication, and his deep passion for service when they bestow upon Senator STEVENS the very distinct honor of naming a very special man, Senator STEVENS, Alaska's Man of the Century.

Now the century is not over yet. I hope the people of Alaska understand that. Our own people need to understand that as well. The century is not over yet, nor is the second millennium. It is still going on. The new millennium will begin next year, not this year, and the new century will begin next year, not this year. But this is the man, the Man of the Century for Alaska.

Although he was not born in the earliest years of this century, his legacy for Alaska is more than enough to span the century and to reach into the next century as well.

Senator STEVENS is a worthy representative of his great State. He is the kind of Senator whom the framers of the Constitution had in mind when, on July 16, 1787, they reached the Great Compromise out of which came this, the greatest Senate of the world in all of the history of man.

His sometimes fiery temper matches the fiery volcanoes that rim the Aleutians, while his dogged persistence mirrors the inexorable push of the icy gla-

ciers of the frozen North. His understanding of the appropriations process is as thorough as an Alaskan snowfall, blanketing every nook, every cranny, every corner of the budget. But his warm and courteous consideration of his colleagues and his staff reflects the loyalty and the teamwork necessary to survive in the cold wastes of faraway Alaska.

I know him to be a worthy competitor. I know him to be a loyal friend, a man of his word. What more can a man say? And only the Man of the Century could be like this man. He is an honest speaker of even the hardest and difficult truths, a man of surprising compassion and unexpected mirth. I am proud to see him honored. I wish I could be in Alaska when he is honored. I would like to just have a few minutes in Alaska to speak about this man to his own people. They know him best. The Bible says:

A prophet is not without honour save in his own country, and house.

But you see how this man's own house, how his own country, how his own State, how his own constituents, how his own people who know him best, how they honor him. I am proud to see him honored. I hope he enjoys the good wishes and the attention that will be his on Saturday.

Supreme Court Justice Oliver Wendell Holmes once said this:

Through our great good fortune, in our youth our hearts were touched with fire. It was given us to learn at the outset that life is a profound and passionate thing. While we were permitted to scorn nothing but indifference, and do not pretend to undervalue the worldly rewards of ambition, we have seen with our own eyes, beyond and above the gold fields, the snowy heights of honor, and it is for us to bear the report to those who come after us.

TED STEVENS of Alaska surely has a heart touched early by the fire of public service. That flame has fueled his passion through a long and distinguished career which continues to burn brightly. But the report on Senator STEVENS is already in. From his fellow Alaskans. And they view him admiringly. And in their eyes he has crowned the snowy heights of honor. And in my eyes he has also.

"How far away is the temple of fame?"

Said a youth at the dawn of the day,
He toiled and strove for a deathless name;
The hours went by and the evening came,
Leaving him old and feeble and lame,
To plod on his cheerless way.

"How far away is the temple of good?"
Said another youth at the dawn of the day,
He toiled in the spirit of brotherhood,
To help and succor as best he could.
The poor and unfortunate multitude,
In its hard and cheerless way.

He was careless alike of praise or blame,
But after his work was done,
An angel of glory from heaven came
To write on high his immortal name,
And to proclaim the truth that the temple of fame

And the temple of good are one.

For this is the lesson that history
Has taught since the world began;
That those whose memories never die,

But shine like stars in the human sky,
And brighter glow as the years go by,
Are the men who live for man.

I did not write the poem, but I dedicate it to my good and dear friend, Alaska's Man of the Century, TED STEVENS.

May God continue to bless him and his family always.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. BYRD. Yes.

Mr. STEVENS. I am once again humbled by the words of my good friend from West Virginia. There is no man, I think, in history who knows more about the Senate, and loves and serves it better, than the Senator from West Virginia. The honor to be here and serve with him is honor enough for this Senator.

I am still humbled by the award I will receive on Saturday night. But I am warmed by the Senator's comments, and thank him for his comments about this honor I will receive.

Believe me, I think if there is a Man of Two Centuries, it is the Senator from West Virginia.

Mr. BYRD. Thank you.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, with complete humility, may I ask to be associated with the remarks of the distinguished Senator from West Virginia on behalf of our colleague.

I have had the privilege of serving both with the Senator from West Virginia and the Senator from Alaska. This is my 22nd or 23rd year, I think. I have lost count. But in those years, I have come to so respect both Senators. As we look at life in the Senate, there are no moments that are more cherished, no more well deserved than when a colleague rises at his or her own initiative to speak from the heart, as our distinguished Senator from West Virginia has done. He evoked the great quote from the Bible about the prophet without honor. But I would say to my friend from West Virginia, I have never thought of Senator STEVENS—until this moment—as being a prophet, but I have always thought of him with honor.

Although we are from the same side of the aisle, we have had very strong and vigorous debate in dissent, but I have never left the Chamber with less than the feeling that it has been a fair fight, and an honest fight, having even greater respect for our distinguished colleague.

How richly he deserves this honor. Like you, I say to the Senator, I only wish I could be there. But we will be there in spirit.

I thank my colleagues.

Mr. BYRD. We will.

I thank the Senator.

ADJOURNMENT UNTIL MONDAY,
MARCH 27, 2000

The PRESIDING OFFICER. Under the previous order, the Senate will stand in adjournment until Monday, March 27, 2000, at noon.

Thereupon, the Senate, at 4:53 p.m., adjourned until Monday, March 27, 2000, at 12 Noon.

NOMINATIONS

Executive nominations received by the Senate March 23, 2000:

DEPARTMENT OF DEFENSE

MANUEL TRINIDAD PACHECO, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

APPALACHIAN REGIONAL COMMISSION

ELLA WONG-RUSINKO, OF VIRGINIA, TO BE ALTERNATE FEDERAL COCHAIRMAN OF THE APPALACHIAN REGIONAL COMMISSION, VICE HILDA GAY LEGG, RESIGNED.

MERIT SYSTEMS PROTECTION BOARD

BETH SUSAN SLAVET, OF MASSACHUSETTS, TO BE CHAIRMAN OF THE MERIT SYSTEMS PROTECTION BOARD, VICE BENJAMIN LEADER ERDREICH, RESIGNED.

DEPARTMENT OF LABOR

GORDON S. HEDDELL, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF LABOR, VICE CHARLES C. MASTEN, RESIGNED.

DEPARTMENT OF JUSTICE

STEVEN S. REED, OF KENTUCKY, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS, VICE WALTER MICHAEL TROOP, RESIGNED.

JULIO F. MERCADO, OF TEXAS, TO BE DEPUTY ADMINISTRATOR OF DRUG ENFORCEMENT, VICE DONNIE R. MARSHALL.