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Senate

(Legislative day of Friday, September 22, 2000)

The Senate met at 9:30 a.m., on the expiration of the recess, 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, help us to live beyond the meager resources of our adequacies and learn that You are totally reliable when we trust You completely. You constantly lead us into challenges and opportunities that are beyond our strength and experience. We know that in every circumstance, You provide us with exactly what we need.

Looking back over our lives, we know that we could not have made it without Your intervention and inspiration. And when we settle back on a comfortable plateau of satisfaction, suddenly You press us on to new levels of adventure and leadership. You are the disturber of false peace, the developer of dynamic character, and the ever present deliverer when we attempt what we could not do on our own.

May this be a day in which we attempt something beyond our human adequacy and discover that You are able to provide the power to pull it off. Give us a fresh burst of excitement for the duties of this day so that we will be able to serve courageously. Indeed, we will attempt great things for You and expect great things from You. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD, a Senator from the State of Colorado, 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. ALLARD). The Senator from Alaska.

SCHEDULE

Mr. MURKOWSKI. Mr. President, today the Senate will resume consideration of the conference report to accompany H.R. 4578, the Interior appropriations bill. It is hoped that all debate and a vote on the conference report can be completed by midafternoon. Following the disposition of the Interior appropriations legislation, the Senate may begin consideration of any other conference report available for action or the continuing resolution which continues Government funding through October 14. I encourage those Senators with statements regarding the Interior appropriations conference report to come to the floor as soon as possible during today's session. I thank my colleagues for their cooperation.

I believe Senator SCHUMER has asked to be recognized upon the conclusion of my remarks. I also believe Senator GORTON, who will be managing the Interior appropriations bill, is expected to come over and may ask to interrupt the presentation at that time.

Mr. REID. Mr. President, if the Senator from Alaska will yield, it is my understanding the Senator from Alaska requires about 25 minutes to speak as in morning business.

Mr. MURKOWSKI. I am not sure what my time is. I would like to be allotted enough time to complete my presentation. I imagine it would be within that general timeframe. I will try to get to the point because I know there are other Members who want to be heard this morning.

Mr. REID. Mr. President, we are going to the Interior appropriations bill. I ask unanimous consent that whatever time is consumed by the Senator from Alaska, we be allowed the same amount of time to speak as in morning business on this side, with the Senator from New York requiring 15 minutes, and I would reserve whatever time is remaining to keep up with the time the Senator from Alaska uses.

The PRESIDING OFFICER. Is there objection?

Mr. MURKOWSKI. Mr. President, what is the allotted time for morning business today?

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

The PRESIDING OFFICER. There is no allotted time.

Mr. MURKOWSKI. I gather that the minority whip would like equal time.

Mr. REID. Yes.

Mr. MURKOWSKI. I have no objection.

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

THE PRESIDENTIAL DEBATE AND ENERGY POLICY

Mr. MURKOWSKI. Mr. President, like millions of Americans last night, I watched the Presidential debate with a great deal of interest. It was one of the more memorable debates in recent history for a number of reasons.

First, of course, as a Republican, I was very proud of the job that Governor Bush did. It is probably fair to say that he was matched against a very experienced debater, Vice President GORE, but I think the Governor held his own in many respects. From the broad issues of prescription drugs to Medicare, education to energy, Governor Bush very clearly laid out what the choice is for the American people in this election.

Governor Bush engaged the issues. They were not dodged. The Governor was clear in laying out the goals and objectives he would propose in his administration, if he were elected President.

I was particularly pleased with the debate because it focused on energy, which is one of the crucial issues facing the American people today and has probably received the least publicity. Obviously, in the areas of education, prescription drugs, health, and Social Security, we are all trying to build a better structure, a long lasting structure, and also address what to do with the surplus.

But the issue on energy is quite clear. We have a crisis in this country. It has developed over a period of the last 7½ years. It has not been addressed by the current administration. I am very pleased that we have, in the energy area, a distinct separation on the issues between the candidates, and the American public can clearly understand and, as a consequence, view the merits of each proposal.

The Vice President said, in regard to a question on energy policy, and I quote:

> I am for doing something on the supply side and the consumption side.

I have no doubt that that is the case, but I point out in the past 8 years we haven't had any indication of specifically what the Vice President would do on these issues. As a consequence, I think he is headed in the wrong direction, and the American public are becoming more and more aware.

What we have seen happen is the emergence of an issue that in many respects our friends on the other side of the aisle hope will go away or not become a major issue prior to the election. With the increasing rise in crude oil—10 days ago it was up to an all-time high in 10 years of $37; it dropped down with the SPR release; now it is coming up again—the American public is becoming aware of how crucial not our dependence on imported oil necessarily is but the general concern that we have sacrificed our traditional areas of dependence on energy, whether it be coal, nuclear, or hydro, for a policy that has been fostered by this administration that directs everything towards utilization of natural gas.

As a consequence, we have seen the price of natural gas rise from $2.16 per thousand cubic feet 10 months ago to better than $5.00 in the last quotes that have come out within the last couple weeks. We have seen a tremendous increase in the dependence on natural gas at the expense of all our other energy sources.

This has occurred over an 8-year period of time. During that time, Clinton-Gore have to stand accountable for what they have done. On the supply side, the Vice President has done something. It is a situation that the supplies have decreased 18 percent and on the consumption side, consumption has increased 14 percent. In spite of our efforts for conservation, in spite of our efforts in alternative energy, we have a decreased supply and an increased consumption.

I was astonished when the Vice President said in his response to a question on energy policy, and again I quote:

> We need to get serious about this energy crisis in the Congress and in the White House.

Where has he been for the last 7½ years? While I don't agree with him in terms of Congress not being serious, I was glad to see they finally admitted it was not an issue taken seriously in the White House for the past 7½ years. That was certainly the implication.

We have had statements from our Secretary of Energy relative to the fact that the administration was caught napping with regard to energy prices, as we have seen the price of oil go from $10 a barrel a year ago to $37 within the last few weeks.

Now, I think, while it didn't come up in the debate last night specifically, there was a generalization to blame big oil. Well, who is big oil, Mr. President? Who sets the price of oil? We had a hearing before the Energy and Natural Resource Committee, which I chair. It was rather interesting because the Secretary of Energy did acknowledge that it is OPEC, the supplier, setting the price of oil. We are 58-percent dependent on OPEC. Who is OPEC? The Mideast countries that have the excess capacity, such as Saudi Arabia, Kuwait, and moving down to Central America is Venezuela, and then we also have Mexico. They have the supply; we have the appetite. They set the price. So to blame big oil for profiteering, or to make the implication of profiteering, is totally unrealistic and a bit irresponsible, in my opinion. There is no mention, of course, in general terms of the assumption that perhaps our oil industry was simply benevolent when they were selling at $10 a barrel a little more than a year ago. They are not so benevolent now because, obviously, they don't set the price. It is a supply and demand issue.

When the Vice President said we needed to get serious about the energy crisis, I think it is apparent that there has been a lack of attention during this in the administration, because Congress has acted. Specifically, Congress passed legislation granting deep water royalty relief. Congress passed legislation to help our domestic oil and gas industry through tax incentives, which they vetoed. Congress passed legislation that would handle the country's nuclear waste, which they vetoed. Congress passed legislation to open up the Coastal Plain of ANWR—that sliver in the Arctic—to responsible development, which they vetoed. That was 6 years ago. Had they passed that legislation, we would know what is there. We could have another strategic petroleum reserve, and we don't know that. We would be a long way into the development stages if indeed the oil were there. I venture to say, Mr. President, if we made a commitment to proceed with the Arctic oil reserve, you would see a dramatic drop in the price of oil.

One of the other interesting things the Vice President brought up was the implication that we hadn't done anything, or not enough, with renewables. In the last 5 years under the Republican Congress, expenditures for renewables have been $1.5 billion in new spending and $4.5 billion in various tax incentives. So Congress anteed up about $4.6 billion total for that purpose. The difficulty is that we simply don't have the technology to replace our oil dependence with coal, natural gas, and hydrogen.

Let's not be fooled. It is not just around the corner. The Vice President said last night he is a big clean coal fan. Well, what does that really mean? You would assume he would support the development of coal-fired generating plants in this country. There hasn't been a new one built in years. The administration's budget over the last 5 years has proposed to rescind or defer more than $1.4 billion in clean coal technology. Those are the facts.

How can you be all things to all people? Well, Vice President GORE implies he is pretty good at that. Let's talk a little bit about the facts because part of the issue that came up on energy was the disposition of the Coastal Plain in Alaska, the State I represent. I know something about it. I have been to the coastal plain many, many times. I think once again we saw the Vice President in trouble with the facts. This is what he said regarding the Arctic Coastal Plain, and I quote:

> I think that is the wrong choice. It would only give us a few months' worth of oil, and oil would not start flowing for years into the future.

Well, the facts are, according to the Department of Energy—the Clinton-

Gore Department of Energy—this area could be the largest field ever discovered in North America—possibly 16 billion barrels of recoverable oil. If that high estimate of oil is found, it could produce over 20 percent of our current domestic production levels for the next 20 years. If the high estimate is found, it would be larger than Prudhoe Bay, which has been doing just that—producing 20 to 25 percent of our oil for almost the last 25 years.

I am not surprised that Vice President GORE has a problem with the facts on this issue. One need only read his official position on why he wants to ''protect the Arctic Coastal Plain'' to see that he is terribly misinformed. He says, ''The wildlife refuge's Coastal Plain—where drilling would occur—is home to polar bears, grizzlies and black bear, Dall sheep, wolves and moose.''

I know something about this area. I assure you there are no black bears and no Dall sheep in the Coastal Plain. Dall sheep are a mountainous species, and perhaps some Members in this body would have you believe otherwise, but there are no mountains in the Coastal Plains. It is very flat for miles and miles and miles.

What did Governor Bush say? Well, Governor Bush said it is better to produce energy here at home, where we can do it in an environmentally sound manner than to continue relying on imported sources of energy. I particularly agree that it is better that we explore at home, using our technology and environmental sensitivity, and do it right, rather than going over to the rain forests in Colombia, where there are no environmental constraints and they would ship it into this country on foreign tankers, which have the exposure to an accident off our shores by companies that don't have the deep pockets associated with the tragic accident that occurred in my State. Nevertheless, it seems as if this administration would continue to rely on the likes of Saddam Hussein for our energy security. That is about where we are.

I am going to conclude my presentation this morning on one segment of our energy policy that needs clarification. It is an issue that the environmental community has perpetrated on our American citizens; that is, that there is something extraordinarily unique, and there is something that, by its implication, suggests that we cannot explore and, if we find hydrocarbons, develop them safely. That is the argument over ANWR—or, as we refer to it, the Coastal Plain—a small portion of the area which is proposed to be opened for exploration and can only be done by the Congress of the United States.

Before I go into it, I think the public should be aware of another fact that has come up. You will recall the other day the Vice President recommended to the President that we release crude oil from the Strategic Petroleum Reserve, about 30 million barrels. That 30 million barrels was estimated to be a supply of heating oil, after it was refined, that would equal about a 3-day supply. I think it was about 3 or 4 million barrels of heating oil we would get out of that release.

I think it is also interesting to recognize that in the wintertime we consume about 4 million barrels of distillate—including heating oil a day. What I can't understand is the reality that we are exporting heating oil—heating oil that ordinarily you would assume would be going into inventories to meet the anticipated winter demand for heating oil in the Northeast Corridor. More than 117,000 barrels per day of distillate, as I understand it, are being shipped over to Europe and other places.

If the President has the power—which he certainly and evidently has taken—to remove oil from the SPR, why would he not prohibit the export of any heating oil refined from that oil? It is diesel that is going overseas currently. It doesn't make sense. I will have more information specifically, but they seem to have overlooked this in their euphoria to get the word out that indeed they are doing something positive about the shortage in the Northeast Corridor for heating oil, and the fact we are allowing a refined product to go to Europe is unconscionable and certainly goes against the argument that we needed to release oil from SPR.

Let me get into my presentation this morning because I want to try to communicate what this issue is about—ANWR, what are the facts and what is the fix. Hopefully, we can address that this morning since this issue has been brought up in the Presidential debates and clearly is attracting the attention of the American people, many of whom simply don't have an appreciation because they have never been there.

My State of Alaska is a pretty big piece of real estate. It is one-fifth the size of the lower United States. If you overlay Alaska over the entire lower United States, it will range from Canada to Mexico and Florida to California over to the Aleutian Islands 1,000 miles out to the west.

This little portion up here of our State is called the Arctic National Wildlife Refuge—perhaps inaccurately named because not all of it is a refuge nor all of it a wildlife area. There is an area that was carved out by Congress in 1980. In their wisdom, Congress took this area, which is 19 million acres—the size of the State of South Carolina—and said let's make a wilderness out of part of it and a wildlife refuge out of the other part. They took 8.5 million acres and made a wilderness in perpetuity; it is not going to be changed. They made another 9 million acres into what we call a refuge. But they left this area called the Coastal Plain, or the 1002 area, out of any permanent land designation until Congress made its determination as to its status.

During this time, there were certain activities with regard to oil and gas exploration, and it was suggested that there might be a significant reserve in this general area.

As you know, Prudhoe Bay is here—not too far away. That is where we have been producing about 25 percent of the total crude oil produced in this country. We built an 800-mile pipeline down to Valdez where the oil flows and moves down to the west coast of the United States. This infrastructure is already there. There was a construction project of about $7.5 billion to $8 billion, the largest construction project ever built in North America. It was designed to handle a little better than 2 million barrels of crude oil a day. Currently it is handling a little over 1 million barrels a day. So there is an unused capacity in existence there for over 1 million barrels a day. It would require no further adjustment of any kind.

The idea here is, should we allow exploration in this area and put it up for Federal leases? If we do, can we do it safely?

Of course, the proposal in Governor Bush's energy presentation is to take the revenue of some $3 billion anticipated from Federal leases as well as the federal royalty share and put that back into conservation issues, renewable energy technologies, home heating, and weatherization programs; in other words, take the revenue and try to do something positive for people to lower costs associated with high energy costs.

That is a significant step that suggests we can use the revenue which the private sector will pay and do something very positive with it, and address, if you will, environmental issues that need regeneration in other parts of the country with this revenue. The whole question, of course, is the status of this area and whether Congress is going to see fit to open it up.

I am going to go through the arguments because I think they really mandate an understanding so that there can be an appreciation of the merits of this. The first argument that is used in the fictional sense is the assumption that 95 percent of this area is already open to oil development.

Here is the area we are talking about. Only a part of the 1,500 mile Arctic Coastline is left open for possible development. Only 14 percent of the whole 1,500-mile Coastal Plain in Alaska is open to oil exploration today—not 95 percent but 14 percent.

Here is the area. This is closed. This area is open. Some of this happens to be State lands. And, except for a small part of the coastline, the coastline of the national petroleum reserve is closed clear over to Point Hope. To suggest that 95 percent of the area is already open is totally inaccurate.

I will certainly look forward to a spirited debate on this subject if somebody wants to take me up on it, including members of the environmental groups.

We also have 8 million acres of ANWR, as I have indicated, in a permanent wilderness. Another 9.5 million acres is classified as refuge; that is, 95 percent of the entire range is closed to exploration and oil development. It is closed.

Using modern technology—there is the point I want to highlight—the indications are that we would need only 2,000 acres out of the 19 million acres to develop the proposed oil fields that are believed to exist in the ANWR Coastal Plain. That is a pretty small footprint when you consider this ANWR area is about the size of the State of South Carolina. We are talking about a 2,000-acre footprint, if given the opportunity. That is about one-tenth of 1 percent of the 1.5 million acres, the 1002 area, and only 1 and one-hundredth percent of the entire 19-million acre ANWR area.

These are the misconceptions that have been forced on the American people relative to the significance of what development could take place, how small the footprint is, and how large overall the area is, and little attention has been given to the infrastructure that is already there.

I also remind people that this is not an untouched area. There is a distant early warning radar site there. There is a Native village of Kaktovik right in the middle of it where nearly 300 Eskimo people make their living and pursue a subsistence lifestyle. It is interesting to note that about 70 percent of the people in the village support opening the area because they want to have an opportunity for an alternative standard of living and lifestyle: Should they choose to foster just subsistence, or should they pursue opportunities for jobs.

Another fiction is that opening up the Coastal Plain would destroy the biological part of the wildlife refuge. That really sounds good. But let's look at it for a minute.

The Coastal Plain can be opened to development without harm to the wildlife and the environment. Even the Eskimo inhabitants of Kaktovik who depend on subsistence hunting and fishing to eke out their living in the far north are convinced that oil development can be done safely, because of the safeguards, without harm to their land and the wildlife on which they depend for their heritage.

Under legislation I have proposed, No drilling or development activities would be allowed during the caribou calving season. Limits would be placed on exploration, development, and related activities to avoid impacts on fish and wildlife. Initial exploration efforts would be limited to a time between November and May—the Arctic winter—to guarantee that there would be no impact from exploration, pipelines, or roads on the caribou.

Let's look at some descriptive charts that give you an idea about the success of developing this area from what we have learned in Prudhoe Bay.

Here is the Prudhoe Bay area. These are not mannequins, these are real caribou. They are wandering around, and nobody is disturbing them. You cannot take a gun. There is no shooting allowed. There is no taking of game in the entire oil fields. These animals are very adjustable as long as they are not harassed. Clearly they are not harassed.

There is a picture of the caribou herd that happens to be going through Prudhoe Bay area.

The same thing is true with regard to other wildlife. This is the pipeline going to Prudhoe Bay. You can see the Arctic tundra over here. It is a pretty time. It is a wintertime picture.

There are three bears here. It is kind of comical because the bears are walking on the pipeline. Why? Because it is easier to walk on the pipeline than to walk in the snow. They are as smart as the average bears around here. In any case, it is a little warmer too. To suggest that somehow these animals are going to be fenced out because of some activity just isn't supported by any burden of proof.

We are trying to give some factual, real-life issues associated with development in the Arctic and what steps we take to protect the environment and ensure we are not going to have difficulties associated with the wildlife.

I also want to show you a little effort by our Canadian friends on this side when they begin to initiate an aggressive oil and gas exploration program in the Arctic.

This is the boundary between Canada and Alaska. This is the Northwest Territory. We see various villages. The dots represent oil wells that have been drilled for exploration purposes. Here is the village of Old Crow, just on the Canadian side of the Alaska-Canadian border.

My point is to show the extent of drilling on the Canadian side in the search of oil and gas. Unfortunately, they didn't find any oil and gas. This is also the route of the porcupine caribou herd. They move through the range and traverse the area. Incidentally, they cross a highway, the Dempster Highway. The Canadian Government, when they found there was no oil, decided to make it a park. As a consequence, it is a park today; that is fine. But to suggest that somehow this activity would have some effect on the migration pattern certainly proves it didn't have much of an effect, and the highway and the caribou traversing it did not have an effect on the herds. In the proposals we have for development in Alaska, the technology today is very different.

This photograph gives an idea of the development of an oil well in Alaska today. There are no roads, no gravel. This is an ice road. That is the technology used. They build up the ice and use it as a road. This is a well. You can see the Arctic Ocean. It is a pretty tough area. It has its own uniqueness, its own beauty, but is a very hostile environment.

When exploration activity is completed, this is the picture we have during the short summer. It is the same area. There is no despoiling of the tundra. This represents the technology that is available today.

The Coastal Plain has been declared America's last wilderness. It is not wilderness. However, an awful lot of our State is wilderness. We have 56 million acres of wilderness. The point is we protect the wilderness. We can protect these areas.

In our State less than 1 percent of the entire State, 365 million acres, is in private ownership and available for development. We have 192 million acres of parks, preserves, conservation system units. As I have said, there are 56 million acres of wilderness, 61 percent of all American wilderness. How much is enough? I am not here to debate. Wilderness in Alaska already covers an area equal to Pennsylvania, New Jersey, West Virginia, and Maryland.

Further in the Coastal Plain lies this village of Eskimo people. This picture demonstrates what it is like to take a walk on the North Slope in the wintertime. There are a couple of kids in the village walking down the street. It is blowing snow. Aren't these kids entitled to a different lifestyle, should they wish? The answer clearly is yes. When they say there has been nothing in this area, they are misleading. It is inaccurate. This is the wilderness, this is the refuge, this is what Congress is debating, and this is where the oil is likely to occur in the footprint of 2,000 acres.

Some suggest it is only a 90-day, or a 200-day supply of oil. Prudhoe Bay was estimated to produce 9 billion barrels. It has produced over 12 billion barrels today. It is still producing over a million barrels a day. When we look at potential production, we are looking at the potential of 16 billion barrels. When we talk about a 200-day supply, we assume there will not be any oil produced from any other source. It is a fictional argument.

I have talked about the caribou, but I want to show again the significance of this with regard to Prudhoe Bay. This picture is a different herd than exists in the ANWR area. This is the central arctic herd. There is no indication that an environmentally responsible exploration will harm the porcupine caribou which, I might add, is 129,000 now. As a matter of fact, we have about three times as many caribou in our State as we have people—not that that is anything significant, but it is a fact. We have had 26 years in Prudhoe Bay of protecting these animals. The central herd has grown from 3,000 animals in 1978 to 19,700 today. That is a fact.

These arguments suggesting somehow we will decimate the wildlife simply is not based on any accurate information. It is an emotional argument. This is one of the travesties that has been taking place—exploiting the American public to suggest we cannot

open this area safely. Why has the environmental community pursued this? It generates membership. It generates dollars, gives them a cause, and it is so far away people cannot see for themselves. I can't say how many ''experts'' in this body have opinions but have never been there. Their material is written by the Wilderness Society. It is written by the Sierra Club.

Caribou will flourish in ANWR as they have throughout Alaska. In these areas, no hunting will be allowed by anyone other than a Native.

We have heard a good deal from the Gwich'in group, the group of Natives on the Canadian and the Alaskan side. The suggestion is this will destroy their culture. Nothing will prevent the caribou herd from passing close to the Gwich'in villages. That is where they yearly hunt, when they come through. They will continue to have the availability of the caribou for their subsistence. Strict controls are planned to prevent disruption of the caribou herds during the summer calving. The caribou calve in the northern area, but they calve, depending on weather schedules, snowfall, bugs, and predators—sometimes they calve on the Canadian side; sometimes they calve on the Alaskan side. The point is, the Gwich'in group that is dependent will be protected as a consequence of ensuring that there is no activity on the Arctic Slope during the time of the migration. That can be simply asserted by regulations, and we have agreed to do that.

It is interesting to note that the Gwich'in group, 15 years ago, issued a request for a proposal to lease their own land, about 1.7 million acres for oil development. Maybe the oil companies should have bought. Unfortunately, there wasn't any oil. As a consequence, the leases were not taken up. Now the Gwich'ins are entitled to change their mind, and that is what they have done.

The truth is, they are funded by the Wilderness Society. They are funded by the Sierra Club. We have tried time and time again to encourage some of the Gwich'ins to go from their traditional area and go to Point Barrow and see what the Eskimos think of resource development associated with oil and gas.

I recall one of my friends took a group up. He is an Eskimo from Barrow. He said he used to go to school to keep warm. But before he did, he had to go to the beach to pick up driftwood that flowed down the river—no trees, but driftwood, to keep warm. He says: We have an alternative lifestyle now. We have a choice. We can take a job. We have educational opportunities.

They are able to provide a full 4-year college scholarship to any member of their community who wants to go. They can do that because they have revenues associated with their Barrow's taxing base on the oil pipeline. So it has brought about an alternative in lifestyle and a choice that people previously did not have.

These people are entitled to the same things to which you and I are entitled, if they so choose. So when you look at these kids, look at whether or not they want to continue to rely on the subsistence economy, following game, or whether they want an opportunity to have a college education and come back, maybe, as a doctor or nurse or whatever. They are given this opportunity through activities associated with creating the tax base of their communities. Should they not be heard as well?

I was amused at the inconsistencies associated with the environmental community. The Audubon Society currently holds leases in the Paul J. Rainey Wildlife Preserve in Louisiana. They hold oil leases. They generate revenue. There is nothing wrong with that, but it is an inconsistency they do not care to acknowledge or admit. If it is OK for the Audubon Society to have revenues from oil in a preserve, the Paul J. Rainey Wildlife Preserve in Louisiana, why shouldn't the Natives of my State have the same opportunity for their own land? It seems to me there is certainly justification.

There is another myth: Canada has protected their wildlife; we should do the same. We went through that. The Canadians finally created a national park, but they did so only after extensive exploration failed. The Canadians drilled 89 exploration wells on their side with no success. They also extended the Dempster Highway, cutting across the center of the Porcupine caribou herds' route.

Another fiction we hear all the time: Oil exploration would destroy polar bear habitat. Doesn't that sound terrific? The reality is polar bears den on the Arctic ice pack, not on land. The administration has positively identified only 15 polar bear dens on the entire Coastal Plain for an 11-year period; that is one or two dens a year. We have a healthy population of polar bears, estimated at about 2,000. The reason is we do not shoot them. You can go to Canada and take a polar bear for a trophy. You can go to Russia. You can't do it in the United States. The only people who can take polar bear are the Native people for subsistence. The environmentalists don't tell you that.

However, they do tell you Prudhoe Bay has been littered with chemical and oil spills, the Arctic having been despoiled by three or four—whatever figure they want to use. But the figure that is accurate is 17,000 spills since 1970. That is the accurate figure. How can you have those spills with such a pristine environment? The fact is, as a consequence of the environmental oversight and requirements, every spill of any material—even if it is fresh water—has to be reported; any spill that is how you get 17,000 spills.

For example, in 1993 there were 160 spills involving 60,000 gallons. Before you jump to conclusions, only 2 spills involved oil. Roughly 9.5 gallons of oil were spilled from a leaky valve. Any oil and chemical spills have almost always been confined to frozen gravel pads where they are easily cleaned up. Moving more than 1 million barrels of oil a day, everyday, from the ground, through the pipe and onto ships—9.5 gallons of oil spilled. I think that is a remarkable record. Prudhoe Bay is the finest oil field in the world bar none. We send kids up from Anchorage and Fairbanks to pick up the few papers that happen to blow around. It is a summer job.

Another fiction: Producing more oil would simply cause Americans to buy more gas-guzzling cars and defeat conservation efforts. America does need to be more energy efficient. It does need to develop more alternative fuels. Even with increased energy efficiency and conservation, our energy demands are forecast to increase 30 percent by the year 2010. By then, America will be producing just 5.2 million barrels of oil per day. We will be forced to import 65 percent of our oil needs. This certainly poses a threat to our national security. We would need 30 giant foreign-flagged supertankers a day, more than 10,000 a year, coming into our ports to import the oil we need. That creates much more environmental risk than developing our own resources where we have the tough environmental requirements.

The vast majority of Americans oppose disturbing the Alaska Arctic National Refuge—that is what the environmentalists would have you believe. Americans strongly support responsible development when they know the facts about it. That is what I have attempted to do today.

I encourage my colleagues to give me an opportunity to debate them if they want to challenge these facts. A poll taken by the Gordon S. Black Corp. said 56 percent of Americans support ANWR leasing; 37 percent oppose; 74 percent of Americans support efforts to produce domestic oil and natural gas. That is what Governor Bush proposed last night—producing more oil here at home and not being dependent on imports. Certainly, most Alaskans support ANWR. The entire congressional delegation, the Democratic Governor, 78 percent of the residents of Kaktovik, this little village, support it.

Some say what are we doing exporting from Alaska? We don't export oil from Alaska. There was some exported when we had surplus oil on the west coast of the United States. That has not occurred for several months.

Finally, they suggest we are a wealthy State, we don't need ANWR. That is a ridiculous argument. We have, in Alaska, the highest cost of living in the nation. We have billions of dollars of unmet infrastructure needs like sanitation for our village's health needs. We have no roads across most of Alaska. We have, probably, the most fragile economy of any State in the Union. We have always depended on resource industries, but our timber industry has been shut down by this administration. We have lost our jobs in

Ketchikan and Sitka, our only two year-round manufacturing plants. Our oil and gas jobs are down.

The worst thing is we have had 32,000 young Alaskans leave Alaska since 1992 as a consequence of not having opportunities for these people within our State because we are dependent on developing resources and the Federal Government controls the landmass in our State.

I hope as we continually debate the issues before us as we enter this Presidential campaign, and the issue of energy comes to the forefront, as it should, as a distinct issue between the two candidates, we will have a better understanding of the merits of opening up this area of the Arctic for the relief that is needed in this country today. I predict if this administration would commit to opening up this area for oil and gas leasing, you would see a drop in the price of oil overnight. As a consequence, the belief that America meant business when it said we were going to relieve our dependence on imported oil would mean we would not be subject to the whims of the individual who controls, if you will, the difference between the world's capacity to produce and the world's current demand—which is about 1.5 million barrels with supply being a little over the demand. That one person is Saddam Hussein, in Iraq, who is currently producing almost 3 million barrels a day. The fear is he will cut production. If he cuts production, we will see oil prices go from $37 to probably $60 a barrel. That, coupled with the instability associated with the current spokesperson from OPEC, from Venezuela, who has made certain suggestions that clearly the object of OPEC in Venezuela is to protect the interests of the small countries of the world at the expense of the large consumers of hydrocarbons, means we have a very unstable situation.

I hope the American people have a better understanding of what has happened in the last 8 years as this current administration has abandoned the traditional dependence on many sources of energy—oil, natural gas, hydrocarbons associated with our coal industry, our nuclear industry and our hydroelectric industry—and clearly focused the future on our energy supply of natural gas.

As a consequence, we have seen what has happened with natural gas. Demand has gone up, and we are in a situation now where other countries are dictating conditions under which we have to pay the price they charge or go without. It is strictly supply and demand. It has been coming for a long time, and the Clinton-Gore administration bears the responsibility for not having a responsible energy policy. That is why I am so pleased to see Governor Bush come forward and acknowledge what has to be done, and among those issues is more domestic production.

The fact he has stated the belief that we can open up this area safely I think deserves full examination and explanation to the American public. That is what I have attempted to do today.

I thank my colleague for the opportunity to speak in morning business. I see the floor leader, Senator GORTON, is on the floor. I believe the pending business is the Interior appropriations bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator from Nevada.

Mr. REID. Will the Chair inform the Senator from Nevada as to how much time the Senator from Alaska consumed?

The PRESIDING OFFICER. Forty-seven minutes.

Mr. REID. Mr. President, that indicates that after the Senator from New York speaks, there will be 25 minutes remaining on this side. Even though it was not part of the order, I ask unanimous consent that the time of the minority be used all at the same time, that there not be any interruption. I believe that was the intent of the unanimous consent agreement entered earlier today—that we would have equal time in morning business.

The PRESIDING OFFICER. The Senator is correct, although the minority will control 32 minutes following Senator SCHUMER's statement.

Mr. REID. Mr. President, I ask unanimous consent that I be allowed to speak prior to Senator SCHUMER and use whatever time I may consume, which will be about 10 minutes.

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

ISSUES IN THE PRESIDENTIAL DEBATE

Mr. REID. Mr. President, I have the greatest respect for my friend from Alaska. He has devoted a great amount of his time to this one issue; that is, drilling in ANWR. I have been present on the floor on many occasions when he has given basically the same presentation he did today. I do not mean to take away from the intensity of his belief, his passion, that there should be drilling in this pristine area. The fact of the matter is that the majority is wrong on this issue.

The minority believes we do not have to pump every drop of oil that is on U.S. soil, that there are other things we should do. One of the things we need to do is develop alternative energy sources; that is, solar energy. We are not as a government doing nearly enough to develop this great resource.

We have heard a lot of discussion on this floor about the Nevada Test Site where some thousand nuclear devices were exploded over the years. Solar energy facilities could be developed at the Nevada Test Site which could produce enough electricity to supply all the needs of the United States. The desert Sun would supply enough energy for the whole United States. That is what we should develop—alternate energy sources.

I am very proud of the fact that this administration has decided they are going to go all out, and they have already begun to develop geothermal energy. All over the western part of the United States, there is geothermal energy potential. If one drives from the capital of Nevada, Carson City, to Reno, one sees steam coming out of the ground. That steam represents great potential for geothermal energy.

There are powerplants in Nevada and other places in the western part of the United States that produce electricity from the heat of the Earth. Geothermal energy is available in various parts of the United States. There is tremendous potential there.

If one drives in southern California, one sees areas where there are miles and miles of windmills. These windmills produce electricity, and we are getting better every day in developing more efficient windmills. That is where we should be directing our attention, not to producing oil in a pristine wilderness in Alaska.

The fact of the matter is, we could produce millions of barrels of oil there for a very short period of time. The effect on our energy policy would be minimal. It would produce jobs for the people of Alaska—and I understand why the Senators from Alaska are pushing jobs—but it would be to the detriment of our environment.

It was very clear in the debate last night that the Vice President said we should not be drilling in ANWR, there are other things we can do, and he mentioned, as I have, alternate energy policies. He also stated that we can do a lot of things in our country to conserve and reduce the need to produce more electricity. I hope we will focus on what we can do to make sure we are energy efficient and that we are not so dependent on importing foreign oil.

One of the things I regret we did not do, because the majority would not let us do it, is to put more oil in our reserves. We have a program to begin pumping some of our reserves. That is a wise decision. Look at the results. There was a dramatic decline in the cost of oil, and OPEC suddenly decided it was the right thing to do to start producing more oil because they knew we would start pulling down our reserves and the cost of oil would go down anyway.

The Senator from Alaska criticized the Vice President for his interest in improving energy efficiency and expanding renewable energy production. His criticism is not well taken. In my view, the Vice President has a balanced, healthy approach to reducing American dependence on foreign oil and big oil generally. He recognizes we can produce oil and gas more efficiently at home, we can expand our domestic production of renewable energy, and our economy can become more efficient.

Vice President GORE has also realized, as he stated on a number of occasions and as I have already said, that we do not need to develop every drop of oil in the Earth. Unlike Governor

Bush, Vice President GORE believes that in some cases special places, national treasures, should be off limits to big oil.

We know there is a massive lobbying effort by big oil companies to drill in ANWR. It is the wrong thing to do. Clearly, the Arctic National Wildlife Refuge is one of those special places about which the Vice President talked. It is the last pristine Arctic ecosystem in the United States. It should be out of bounds for oil exploration. I do not care if the caribou can walk on pipelines because it is warm or they cannot walk on pipelines because they are cold. The fact of the matter is, we do not need to drill in ANWR. It should be out of bounds. Vice President GORE recognizes we can protect America's national treasures and satisfy our energy needs.

I am disappointed that Governor Bush lacks, I am sorry to say, a notion about, or maybe even an understanding of, what energy policy is all about. His affiliation for so long with big oil seems to have tempered his views toward big oil. Of course, his Vice Presidential candidate has the same global view that big oil solves all problems. The only way for America to reduce its debilitating addiction to foreign oil is to develop alternative energy sources and to do a better job with our consumption. We do not solve our problems by drilling in our precious national wildlife refuge.

Mr. President, not only do I believe that the Vice President was right last night about our energy policy, but I also believe he was right about education.

I think, when we recognize that over 90 percent of our kids go to public schools, we have to do things to protect and improve our public schools. I think the Vice President recognizes the need for school construction.

In Las Vegas, we have to build a new school every month to keep up with growth. We need help. I did not misspeak. We need to build a new school every month to keep up with the growth in Las Vegas. We have the sixth largest school district in America. We need help, as other school districts around the country need help. We need them for different reasons. The average school in America is over 40 years old. The Vice President recognizes that school districts need help in school construction. We need help in getting more teachers and better teachers.

That is why the Vice President spoke so eloquently on the need to do something about prescription drug benefits. That is why he spoke about the need to do something about prescription drugs.

It was very clear to all of us that his statements regarding international policy were certainly well made. The Vice President did a good job because he has a wealth of experience.

But I also want to say this to the American people. I am not here today to diminish Governor Bush. We should be very proud in America that we had the ability last night to watch these two fine men debate. They are debating to become the President of the United States, the most powerful, the most important job in the whole world.

I have to say I think the glass is half full, not half empty. I think these two men did a good job. Most of us who serve in the Senate—or everyone who serves in the Senate—have been involved in these debates. It is hard. It might look easy watching these men at home on TV, but it is hard. There is tremendous pressure on each one of them. Millions of people are watching each one of them.

What is the criticism today? The Vice President sighed; and George Bush, when he was not speaking, his face was red and he snorted a couple times. If that is the worst we say about these two fine men, then we are in pretty good shape as a country. AL GORE is a friend of mine, Tipper Gore is a friend of mine. I think his debate was a slam dunk, as indicated in all the polls today. AL GORE won the debate. And I am very happy that he did.

But do not diminish these two men by saying one sighed too much or one had a red face. They were in a very difficult situation last night. I am proud of the work that both of them did. I think we, as a country, should feel good about our country, that people who are running for President can be seen, their sighs and red faces combined. I think we should recognize that. If you look just across the ocean, you see what is going on in Serbia and Yugoslavia. That is what we do not want. We should be very proud of what we have here in America.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleagues for giving me the time, and my good friend from Nevada, the assistant minority leader, for arranging our ability to speak.

First, I say, as well, that I enjoyed the debate last night. I thought most Americans got to see, for 90 minutes, the candidates unfiltered. It was good for the country, whatever side one came down on. It is just one more step in the process of all of us educating ourselves about the very difficult problems this country faces as we move along.

I would like to talk about one aspect of the debate which is very relevant to what we are doing here as we end our final 2 weeks on the budget. What we heard from the Vice President and from Governor Bush last night about the budget, about Medicare, and about taxes is exactly what the Senate is focused on as we move to wrap up the session. So I thought it would be a good idea for us to actually look at the numbers instead of the rhetoric.

Last night it seemed to me Vice President GORE talked about a lot of numbers. Governor Bush did not answer any of his statements. He did not answer Jim Lehrer's questions. Instead, he resorted to this sort of catchall of ''fuzzy numbers,'' ''fuzzy math,'' ''fuzzy Washington numbers.'' I guess when you do not have the ability to answer or you are stuck, you go to rhetoric.

I would like to examine those so-called ''fuzzy numbers.'' I do not think anyone who has examined them looks at them as ''fuzzy.'' But it is just that Governor Bush's plans for America are so skewed, and the numbers do not add up, that he cannot answer the questions directly and instead starts talking about ''fuzzy numbers.''

I will admit, to the average American this is all sort of confusing. People are so busy with their jobs and their families and their hobbies and their avocations, they can't take out a magnifying glass and look at all the details. They have to go, as we always have in this Republic, with their instincts. Who is really right?

But today I thought I might spend a few minutes of our time on the floor, which I am grateful for, to actually go over those numbers in as clear a way as I can.

It is clear, once you look at the numbers, that what the Vice President was saying is true: That if we use Governor Bush's plan, a largely disproportionate share of the tax cuts go to the wealthiest people; that there is no room for Medicare expansion, in fact Medicare must be cut, if we use Governor Bush's plan; that, in fact, you do go back to the old days of not only eating up the surplus but of deficit spending—if we do all of the things that Governor Bush has proposed.

So let's look at the math.

Let's start out with the basic foundation of our budget, the surplus projections. We all know they may not be accurate, but they may not be accurate on the low side or they may not be accurate on the high side. These are the best numbers we have from the Congressional Budget Office, which is generally regarded as fairly nonpartisan.

They estimate that the surplus, over the next 10 years, will be huge, $4.6 trillion. I think that is because we finally have gotten it here in Washington that we can't go spending money we do not have. That is good. There is a consensus—I think both Democrats and Republicans agree—about that.

There is a second agreement. We all agree right now that the money ought to go to Social Security first, that we ought to take the Social Security surplus, the amount of money that is in FICA, that you pay in in FICA, that every American worker pays in—their hard-earned dollars; and they pay what I guess many would think is a high percentage—my daughter had her first job over the summer. She is 15. She was amazed how much came out in FICA from her little meager paycheck. But we say all that FICA money should stay with Social Security; that no one in Washington should get their sticky little fingers on it and use it for something else. You take away the Social

Security surplus and that gives us a total, over the next 10 years, of $2.2 trillion to spend.

Last night, the Vice President said Governor Bush's plan would not only use all that but return us to deficit spending when you added everything up. He focused on the tax cut as much too large, if you wanted to do the other things.

The Governor did not respond in point. He said: These fuzzy Washington numbers. This chart shows the numbers are not fuzzy. They are as clear as the nose on the Governor's face.

You start with the $2.2 trillion, non-Social Security surplus. Both parties agree we have to preserve the Medicare trust fund, although last night the Governor did refuse to come out for his lockbox. But as you preserve the trust fund, if you do not cut into Medicare, which he says he will not do, you lose another $360 billion. Then you go $1.8 trillion.

Then there is the $1.3 trillion tax cut. We will discuss later to whom it goes. That was the No. 1 contention in the debate. But Governor Bush, by his own words, takes $1.3 trillion. He says it is a small portion of the total Government budget. It is. But it is a very large portion of the surplus that we have. Of the $2.2 trillion that is left after you save Social Security and preserve Social Security, he would take $1.3 trillion of that—more than half of it—and put it into tax cuts. That brings us down to $500 billion left over the 10 years.

Then there are the other tax breaks that the Governor has supported which have been talked about on this floor. He supports cutting the marriage penalty. He mentioned that last night. He supports the estate tax reduction. He has mentioned that at other times. You take that, that is another $940 billion. So now we are already in deficit by $400 billion; no longer having the surplus that we struggled to attain after so many years of deficit spending. So then we are in deficit.

But he doesn't stop there. Then there is spending. The Governor proposes some spending for education and for other things. Every day we hear of a new program he is coming out with. I support some of them, as I support some of the tax cuts, but not all because together, when you add it up, it is too much.

He has proposed $625 billion in spending. That brings our deficit to $1 trillion. Then he proposes that we take $1 trillion out of Social Security and let people invest that in the stock market or whatever else. Of course, he said, it will go up three times; that is, if the stock market triples. I don't put my daughter's college money that my wife and I save each month in the stock market for fear, even though it might triple, it might go down. And then how are we going to pay for her college?

He takes the money out, wherever you put it, and that is another $1.1 trillion. Now we are at a $2.1 trillion deficit. Finally, because you are not getting interest on all this money; you are spending it, so to speak, in terms of tax breaks and in terms of spending programs, you lose another $400 billion of foregone interest. When you add it all up, the deficit, with the Governor's plan, is back to the bad old days of $2.5 trillion.

This is not fuzzy Washington math. These are not fuzzy numbers. These are the numbers the Governor has proposed. No wonder he didn't answer Vice President GORE'S retort about going back and where all the money is coming from. No wonder he had to use this rhetoric. The only people these numbers are fuzzy to are the people who don't want to add them up because they lead to deficit spending: the Governor of Texas and his supporters.

The other big issue was where does the tax cut go. Again, Vice President GORE said seven, eight, nine, ten times—I lost count—that the top 1 percent of the people in America get a huge proportion of the tax cut. And Jim Lehrer asked Governor Bush whether that was true, and Governor Bush would not answer the question. Do you know why? Why didn't Governor Bush answer the question as to where the tax cuts go? Because he knew the Vice President was right. He knew it went disproportionately to the wealthiest people in America.

Here are the numbers, plain and simple. This is data from Citizens for Tax Justice, not a Democratic or Republican group.

The top 1 percent of America, those are people—I wish the Vice President had said this—the top 1 percent is not you or even me, and I make a good salary as a Senator. You have to make $319,000 to be in the top 1 percent. If you average it out, the income of the top 1 percent is $915,000. These people are not just millionaires; they make almost $1 million a year on average. They get 42 percent of the tax cut. Almost one of every $2 we are cutting in taxes goes to people whose average income is $1 million or close to $1 million a year. How many Americans want that? If I were confronted with that fact, I would ''rhetorize,'' as they say, I would give what the Governor himself might call Washington rhetoric and say: That is fuzzy mathematics.

It is not fuzzy. Here it is, Governor Bush: The top 1 percent get 42 percent of the tax cuts. The people whose average income is $915,000 get $46,000 back in tax cuts.

Let's take the people in the middle, the middle 20 percent, people making between $25,000 and $40,000 a year. They get about 8 percent of the tax cuts or $453. Of course, low-income people, the Governor said, they are going to do better—yes, $42 a year better. So it is true, as the Governor said, everyone gets a tax break. He wants to give the money to everyone. The trouble is, he wants to give most of the money to the wealthiest few.

He is right. The wealthiest people have most of the money, and they pay a lot of the taxes. That is true. But we have a policy choice, Mr. President. Do we want the wealthiest of people to get most of the money back or do we want to do targeted tax cuts for the middle class and spend more of the money than the Governor does on education, on a prescription drug plan, on health care?

This is not fuzzy Washington math. These are facts. I don't blame Governor Bush for running away from them and hiding behind rhetoric.

One final point. Vice President GORE, in the debate, said that he wanted targeted tax cuts for the middle class. And George Bush said: You need an accountant to figure this out. Well, tell a family who is making $50,000 a year, whose oldest child is 17, and the husband and wife are up late at night worrying: How in the heck are we going to pay for Johnny's college. How the heck, on an income of $50,000 a year, are we going to come up with $10,000 a year after paying our mortgage and buying the food and payments on the car? How are we going to do that?

Well, you don't need an accountant with what Vice President GORE talked about. You simply need to put on your tax return that your child is going to college, that you are paying $10,000 a year, and you deduct that from your taxes. It is as simple as deducting your mortgage interest. It is as simple as deducting your health care costs. You don't need an accountant.

We all believe in tax cuts; I do. Is it better for all of America to give that wealthiest family $46,000 a year, when their income is $915,000, or is it better to say to middle-income families who are struggling with the cost of college that we ought to make college tuition tax deductible, a proposal that has had bipartisan support in the Senate? The Senator from Maine, OLYMPIA SNOWE; myself; the Senator from Indiana, Mr. BAYH; and the Senator from Oregon, Mr. SMITH—two Democrats and two Republicans—have championed that. I learned how much people struggled with that when I ran for the Senate 2 years ago. It is one of my passions to get it done.

You don't need an accountant. Those are not fuzzy Washington numbers.

The PRESIDING OFFICER. The Senator has used 15 minutes.

Mr. SCHUMER. I ask unanimous consent that I be given an additional 2 minutes from our time.

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

Mr. SCHUMER. It is not fuzzy math. It is plain and simple.

The bottom line is, last night Governor Bush could not argue facts. He could not argue the merits. So he ran away from the argument by claiming fuzzy numbers.

The debate was a great success for the Vice President because, as people examine what I have talked about—the huge deficit spending the Governor would have us engage in, again, the fact that a disproportionate share of

the tax cuts go to the wealthy; the fact that the middle-income tax cuts proposed by the Vice President are very simple and easy to use and desperately needed by the American people—the Vice President will score points.

More importantly, he will win the election on that basis, and America will finally spend our surplus on the priorities we need and return taxes to the middle class who need them more than anybody else. Our country will continue the prosperity that, praise God, we have seen in the last 8 years.

Mr. President, these are not fuzzy Washington numbers. These are facts. They are facts that show that the Vice President is far more in touch with what the average American wants and needs than is Governor Bush.

I don't believe in class warfare. I respect people who have made a lot of money. That is the American dream. I hope my children will.

But when you do deep tax cuts, who should get it when you only have a limited amount? When you have a surplus, why should it be squandered? Governor Bush, these are not fuzzy numbers but hard, cold facts that help the American people.

I yield back my time and yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

APPLAUDING SENATOR SCHUMER

Mr. REID. Mr. President, I appreciate very much the statement of the Senator from New York. New York is the financial capital of the world, and the Senator from New York, having long represented that State in the House of Representatives, has certainly hit the ground running here in the Senate. We depend on the Senator from New York on many occasions for financial information and advice due to the fact that he comes from the financial capital of the world. His very vivid description of the debate last night, in financial terms and what the tax situation is from both candidates, was welcome. I congratulate and applaud the Senator for his very lucid statement.

Mr. SCHUMER. I thank my friend, who is a great leader for all of us. He is always giving us younger Members time to make our statements on the floor, in addition to all the other nice things he does.

ALASKA PRODUCTION

Mr. REID. Mr. President, I thought it was appropriate that we revisit what the junior Senator from Alaska said today. He has come to the floor on many occasions and said, as I have stated earlier, the same thing. He does it with great passion, and I appreciate how strongly he feels about it. I think the time has come that we don't let his statements go without giving the facts from the other side. What are some of those facts? Let's talk about production of oil in Alaska.

In 1999, the Clinton-Gore administration offered tracts on nearly 4 million acres of land in the national petroleum reserve in Alaska, to the west of Prudhoe Bay, for oil and gas leasing.

Oil companies with winning bids will pay—

This is a staggering figure, but it is to show that we in this administration have had an energy policy, as we all know.

Oil companies with winning bids will pay $104,635,728 for leases in the National Petroleum Reserve in Alaska. A total of 425 tracts on approximately 3.9 million acres were offered by the U.S. Bureau of Land Management in today's lease sale, the first such sale for the reserve since 1984.

It is important we recognize that there is an energy policy and, as indicated, this is the first sale for the reserve since 1984.

Six oil companies submitted 174 bids on 133 tracts.

The oil industry should explore and develop the Alaskan Petroleum Reserve before there is any suggestion of opening the sensitive lands of the wildlife refuge to development. We acknowledge that, and that is why they are paying $105 million to do that. They should do that before there is even a suggestion of opening the sensitive lands of the ANWR to develop. ANWR doesn't need to be developed. To even suggest doing it before we fully explore the petroleum reserve in Alaska indicates that we are doing it for reasons other than petroleum production.

In 1998, the U.S. Geological Survey released a mean estimate of 2.4 billion barrels of economically recoverable oil in the Arctic Refuge at $18 a barrel market price in 1996 dollars. Such a discovery would never meet more than a small part of our oil needs at any given time. The U.S. consumes about 19 million barrels of oil daily or almost 7 billion barrels annually . . .

So using these numbers for a couple of years, you could drill and it would be gone, and you would damage, to say the least, this beautiful part of the world.

The U.S. Geological Survey indicates that the mean estimate of economically recoverable reserves assumes an oil price of $18, as I have indicated. We know the price of oil is almost double that today. Even at $20 a barrel, the mean estimate increases to 3.2 billion barrels. This information comes from Dr. Thomas Casadevall, the Acting Director of the U.S. Geological Survey.

Production of oil in the United States peaked in 1970. You can see that on this chart. That was when the United States produced about 9.6 million barrels of oil every day. Production in Alaska has also been on a continual decline since 1988. It is very clear that the production of oil in Alaska has been going downhill since 1988, when it peaked at 2 million barrels of oil a day.

Domestic gas and oil drilling activity decreased nearly 17 percent during 1992, the last year of the Bush administration, and was at the lowest level since 1942. So I think we should understand that the Senator from Alaska—if he has to complain about energy policy—should go back to the Bush administration. That is when we bottomed out, so to speak.

Let's talk about what has gone on since 1992 when this administration began a concerted effort to increase the production of oil. Under the leadership of the Clinton-Gore administration, natural gas production on Federal lands onshore and oil production offshore is increasing. Natural gas production on Federal onshore lands has increased nearly 60 percent during this administration. Let me repeat that. Natural gas production on Federal onshore lands has increased nearly 60 percent since 1992. Oil production on Federal lands is down. But the gas statistics belie the argument that the administration has shut down the public lands to oil and gas development. This source comes from testimony given before the Energy and Natural Resources Committee in July of this year.

The Gulf of Mexico has become one of the hottest places in the world for exploration, especially since this administration supported incentives for deepwater development going into effect in 1995. Between 1992 and 1999, oil production offshore has increased 62 percent.

So it hardly seems to me that this is an administration without an energy policy, when we have determined that natural gas production during this administration on Federal onshore lands has increased about 60 percent and we have also determined that during this administration oil production offshore has increased 62 percent. Natural gas production in deep waters has increased 80 percent in just the past 2 years. These increases are in areas of the Gulf of Mexico, where the United States actively produces oil and gas.

So the point I am making is that we have my friend, the Senator from Alaska, coming to the floor and continually saying we don't have an energy policy. These figures belie that. We have an increase in Federal onshore lands by 60 percent; oil production offshore, 62 percent; and just in the last 2 years, gas production in deep waters increased 80 percent. Why? Because of actions taken by the Clinton-Gore administration.

The deep water in the Gulf of Mexico has emerged as a world-class oil and gas province in the last 4 years. That is as a result of work done by this administration. This historic change, after 53 years of production in the Gulf of Mexico, has been driven by several major factors, all coalescing during this administration. Truly, the deep water will drive the new millennium, no question about that.

I think it is important to note that we are all concerned about the fact that we are importing more oil than we should. Look at this chart. Oil importation went up in the mid 1970s, and during the gas crunch, because of policies taken by the Federal Government with tax credits and other things for

developing alternative sources of energy, it went down. But with the glut of oil and the price of oil low, the consumption of oil, imported oil, went up again. Production has gone down. It is certainly indicated on this chart.

Also, I think we have to recognize that one thing has driven everything we do in this country, and that is the consumption of oil. We consume far more than we should. I think that is why the Clinton-Gore administration has stressed the fact that we need to do something to lessen the consumption of oil in this country.

The Energy Information Agency reports that the total petroleum product demand in 1999 grew by over 600,000 barrels a day, or 3.2 percent. That is the largest year increase since 1988.

The transportation-related demand accounted for more than 335,000 barrels per day.

According to the Energy Information Agency, the annual energy outlook for transportation sector energy consumption is projected to increase almost 2 percent per year.

We need to do better.

Of the projected increase in oil demand between now and 2020, 87 percent will be in the transportation sector.

In 1995, the Republican Congress shut down the administration's efforts to study higher fuel efficiency standards for light trucks and SUVs. Major automobile manufacturers fought ruthlessly convincing labor that it would cost jobs in the United States.

This summer when consumers started screaming about gasoline prices, Ford and GM realized they could increase the fuel economy of SUVs by as much as 25 percent. This should have happened many, many years ago. But, of course, the major automobile manufacturers were unwilling to sacrifice anything.

The good news is that we can have better fuel economy without costing jobs or eliminating the features that consumers seek in these vehicles. They have already committed to higher fuel emission standards in Europe and Japan. Why didn't they do it here? Because we were gullible. We in Congress would not allow legislation to go forward to do something about this.

Let me repeat. I appreciate very much the desire of the Senators from Alaska to want to drill in pristine wilderness to create jobs in Alaska, but I think we have to look at the big picture. Jobs in Alaska are not as important as maintaining the last remaining Arctic pristine wilderness we have in America.

I hope we look at what we are already doing in Alaska to increase energy production, and also look to the absolute necessity of doing something about alternative energy, such as wind, solar, and geothermal—and do something with oil shale—doing things such as that so we can become more energy efficient in America and less dependent on foreign oil.

I reserve whatever time we have. I know the Senator from Illinois has been here patiently waiting to speak.

Mr. President, I ask that Senator DORGAN be allowed to follow the Senator from Illinois with the time we have remaining in morning business.

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

Mr. FITZGERALD. Mr. President, the Senator from Washington has requested that he be allowed to speak before me beginning at about 11:10. I would like to go after Senator GORTON because he is only going to speak for about 10 minutes. I will speak for an extended period following Senator GORTON's remarks.

Mr. REID. We have no objection to that. We want to make sure that the manager of the bill on the Democrat side, Senator BYRD from West Virginia, is able to follow the statement of Senator GORTON—the two managers of the bill. I think the Senator from Illinois would not object to that.

Mr. FITZGERALD. I have no objection.

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

Mr. REID. 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. 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.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the conference report to accompany H.R. 4578, which the clerk will report.

The assistant legislative clerk read as follows:

A conference report to accompany H.R. 4578, an act making appropriations for the Department of the Interior and related agencies for fiscal year sending September 30, 2001, and for other purposes.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I am pleased to bring before the Senate the conference report on the Interior and Related Appropriations Act for Fiscal Year 2001. The conference report passed the House yesterday on an overwhelmingly bipartisan vote of 348–69.

The bill provides $18.94 billion in total budget authority, an amount significantly above both the FY 2000 level of $15 billion and the President's FY 2001 request of $16.5 billion. This increase is primarily attributable to two items that I know to be of great interest to my colleagues.

The bulk of the increase over the budget request level is a direct result of the disastrous wildfires that plagued the West this summer. This bill includes the administration's $1.6 billion supplementary fire package, as well as $200 million in additional funds to address rehabilitation needs on the national forests, maintenance and upgrades to firefighting facilities, and for community and landowner assistance. The bill also includes the $240 million provided in the Domenici floor amendment for hazardous fuels reduction in the wildland/urban interface.

Those areas which public lands abut upon communities, towns and cities, as well as language designed to expedite this work that so desperately needs to be done. This language does not, however, overturn or bypass the National Environmental Protection Act, the Endangered Species Act, or any other environmental statute. In total, the bill provides $2.9 billion for fire management.

The other element of this legislation that has garnered the most attention is title VIII, the land conservation, preservation, and infrastructure improvement title. This title does two things: First, it provides an additional $686 million in fiscal year 2001 for a wide variety of conservation programs, including Federal land acquisition, the stateside grant program, forest legacy, and urban park recreation and recovery. These amounts are in addition to the amounts agreed to in conference in the base portion of the bill. In total, funding for these Interior programs is about $1.2 billion for next year.

Second, title VIII establishes a new conservation spending category in the Budget Act for an array of conservation programs, for the maintenance of Federal land management facilities, most particularly, national parks, and for payments in lieu of taxes. Using the $1.2 billion provided in the fiscal year 2001 Interior bill as a base amount, plus a notional $400 million for coastal programs that may or may not be provided in the Commerce, Justice, State appropriations bill, this new spending category is established using a base of $1.6 billion.

For Interior and CJS programs combined, this new budgetary category will go by $160 billion per year through fiscal year 2006. This separate allocation may only be spent on qualifying programs, and any amounts not spent will roll over and be added to the following year's allocation.

Title VIII also establishes several subcategories within the broader category conservation category. The allocation provided for each subcategory will only be available for programs within that subcategory and may not be used for other programs. And, like the structure of the broader category, any amounts not appropriated within a subcategory in a given year would be rolled over and added to the following year's suballocation.

The suballocations and associated amounts are shown on the chart. The bottom line is ''payments in lieu of taxes'' for $50 million a year—over and above the present payment in lieu of taxes. The next amount is ''Federal

maintenance,'' an amount added specifically at my request. This was originally suggested by House conferees. It glaringly omitted the deferred maintenance in our national parks and our forests and our wildlife refuges, an amount that I think approaches $16 billion, and a modest start on that over and above the present bill is included in each one of these years.

Next, the orange is ''urban and historic preservation programs,'' the purple is ''State and other conservation programs,'' wildlife grants, wetlands conservation, the Geological Survey, and the like. The red is ''Federal and State Land and Water Conservation Fund programs.'' The green is ''coastal programs,'' basically under the jurisdiction of NOAA, and the ''other'' beginning in fiscal year 2002 is the $160 million a year add-on which can be at the discretion of the Congress, devoted to any one of these other programs. That will be decided by future Congresses.

As the allocation for the overall category grows in the outyears, that growth is not tied to any particular subcategory. The suballocations are not caps. There is nothing to prevent the Appropriations Committee from also using its regular allocation to fund any one of these programs that provide additional funding from the overall program growth, the blue part, lines I have just described on the graph.

While this structure is somewhat confusing at first, its effect is to provide some certainty to several programs within the Interior subcommittee jurisdiction which will be likely to receive and maintain substantial increases over the current funding levels. At the same time, it preserves the availability of Congress to adjust specific amounts on a year-to-year basis in response to changing needs performance and other factors.

Finally, of course, any money not spent, while it cannot be spent for any other spending category, obviously will go to pay down the national debt.

The programs that comprise the new spending category are a mix of programs identified as priorities by the administration in its budget request, by supporters of CARA during their deliberations, and by Congress as a whole as represented in the thousands of individual requests that I receive each year as chairman of this subcommittee. I want to emphasize, once again, what I did several months ago when we debated this bill for the first time. I think this year we had 1,100 requests from 100 Senators for programs within Interior—the great majority of which would fall into one of these categories.

Vitally important is the fact that the bill does not create any new entitlements. At the same time, it is not an empty promise. For the same reasons—we rarely see an appropriations bill go to the floor without spending every penny of its allocation—I think it likely that allocations provided in title VIII will be fully subscribed in each year's appropriations bill. The exact mix of funding will be up to future Congresses, but title VIII does prevent these funds from being taken from the target programs and used for other programs, even other programs within the Interior bills, such as Indian education, health services, Forest Service, the cleanup of abandoned mine lands.

To be perfectly clear, the construct of title VIII is not what I would have dealt had I complete discretion. Nor do I believe it is what the Appropriations Committee would have written with complete discretion. Congress has always had the ability to provide increases to the programs through the regular appropriations process, but it has not necessarily done so due to the resulting impact on other programs and, of course, on the deficit or the surplus. Nevertheless, title VIII represents a fair compromise that reflects the general views of this Congress with respect to these programs, and it has the support of the administration.

Now, the focus in recent weeks has been on wildfires and the conservation funding issues I have just addressed. There are other features of the bill to which I want to draw my colleagues' attention. The conference report provides an increase of $104 million for the operation of the National Park Service and the U.S. Park Police, including $40 million to increase the base-operating budgets of nearly 100 parks and related sites. The bill also provides an increase of $66 million for the management of Bureau of Land Management land and resources, a badly needed boost for an agency that has sometimes received less attention than the other land management agencies, but which has a demanding mission in terms of multiple uses.

The operating budgets of the Fish and Wildlife Service and the Forest Service also receive healthy increases, which I hope will enable these agencies to improve performance in areas such as the Endangered Species Act consultation and recreation management.

In terms of programs designed primarily to benefit American Indians, this bill has a great deal to offer. From the very beginning of this process, I have made Indian education in school construction one of my highest funding priorities. Many colleagues on the committee—particularly my friend, the Senator from New Mexico, Mr. DOMENICI, who is here on the floor—have for years stressed the need for increased investment in Indian schools. This year's budget request provided an opportunity to provide this investment. I am pleased the conference report provides $142 million for school replacement. This is $75 million above this year's enacted level and will provide funds for the replacement of the next six schools on the Bureau of Indian Affairs priority list. It also provides funding for a cost-share program for eligible replacement schools, which is designed to provide funding so that construction of replacement schools can be fully completed in order to remove the school immediately from the BIA priority list. Indian school repairs also increases by $80.5 million above last year's level.

The conference report also provides significant increases for health services for Indian people, including an increase of $167 million for health services and $47 million for construction and repair of health care facilities.

The bill provides continued support for the Department of Interior's efforts to reform its trust management practices. This is a massive problem that has developed over decades, if not the entire 20th century, which will take time and resources to fix. This conference report provides the budget request for the Office of the Special Trustee, and also provides an emergency supplemental of $27.6 million for activities directly related to recent developments in the Cobell litigation. In addition, the bill provides an increase of $31.9 million above fiscal year 2000 for trust reform within the regular Bureau of Indian Affairs appropriations.

Of the many cultural programs within this subcommittee's jurisdiction, the National Endowment for the Arts was again the focus of much discussion in the House-Senate conference. The conference agreement maintains the Senate funding level for the NEA—an increase of $7.4 million above the current year level. These additional funds will be targeted for arts education and outreach programs, and I think are a fitting response to the reforms that the NEA has instituted in recent years. This is the first increase of any significance for the NEA in more than a decade. I am also pleased that funding for the National Endowment for the Humanities is also increased by $5 million.

For energy programs, this conference report includes funding for several programs that will help reduce our dependence on foreign energy sources, as well as reduce harmful emissions from stationary and mobile sources. The energy conservation account is increased by $95 million, including full funding for the Partnership for a New Generation of Vehicles—PNGV. This amount also includes increases of $18 million for the Weatherization program and $4 million for the State Energy Conservation Program. For fossil energy R&D, the bill provides $433 million, and establishes a new powerplant improvement program to support demonstration of advanced coal power technologies. This is an initiative that I am sure Senator BYRD will wish to discuss further, because it is one of his favorite items.

There are many other elements of this conference report that recommend its passage by the Senate, but I will only mention one more. Funding for payments in lieu of taxes is increased by $65 million, including $50 million provided in title VIII, outlined on this chart. This brings appropriations for

PILT to $200 million. This increase represents a significant step in raising appropriations for PILT toward the authorized funding level.

I also wish to note two errors in the Statement of Managers. Page 177 of the Statement of Managers indicates that an increase of $4 million above the House level is provided for ''Heavy Vehicle Propulsion within the hybrid systems activity.'' This is incorrect, and is a result of an error in the conference notes. The $4 million increase over the House level is for ''Advanced Power Electronics,'' reflecting the amount provided in the Senate-passed bill. On page 194 of the Statement of Managers, the paragraph that begins ''Consistent with paragraph (3) and accompanying Senate instruction . . .'' should have been deleted.

In closing, I want to again urge my colleagues to support this conference report. It does a tremendous amount of good for the management of our Federal lands, as well as for the conservation of lands and waters whether Federal, state, municipal or private. It is a good bill that has the unanimous support of the conferees of both Houses, and I urge its adoption by the Senate.

Mr. DOMENICI. Will the Senator yield?

Mr. GORTON. The Senator will be happy to yield.

Mr. DOMENICI. Mr. President, I, first, congratulate Senator GORTON. Everything considered—the pressure of the closing, the politics of this season—I think he produced a very good bill and I compliment him. I would like to quickly talk with him about three issues because they have been very dear to me and we have finally come around to solving all three of them in this bill.

First, the American Indian people will thank us because for the first time we are making the case for replacing Indian schools. They are so much in disrepair that nobody would send their kids to them, but there are no other schools to go to; they are out in Indian country, and we, the Government, happen to own them. There has been a dramatic increase this year. Thanks to this committee, we will add six new schools, and we will do a very large amount of maintenance on buildings that desperately need it. If Congress will heed what was discussed, they will do this for 5 or 6 years and get rid of the entire backlog.

Senator, you have heard me for years ask the administration to give us a multiyear budget proposal to take care of Indian schools because if we don't pay for them nobody will. They are ours. This year the President put such language in his budget after consultation with a number of us. It is a little late, but nonetheless the Indian people can finally say, ''We see some daylight,'' with reference to adequate schools for our kids.

Mr. GORTON. The Senator from New Mexico not only states the case correctly but understates his own participation. I am rather certain that the President would not have made the request without the constant advocacy on behalf of this program from the Senator from New Mexico. I think he can take great credit for this success.

Mr. DOMENICI. I thank the Senator, my good friend, very much.

Second, we debated on the floor of the Senate an interesting sounding amendment. We called it ''Happy Forests.'' It was a $240 million amendment on this bill on the floor. I thought I was going to get a lot of guff here on the floor because I asked for $240 million and divided it among the two agencies that control our property, the Forest Service and the BLM. What I wanted to do with the money was to push, with a great deal of vigor, for these two Departments to go out and inventory where the forests were close to our cities, where the forests have grown up, where cities have grown up and where there is a proximity of buildings and people to the forest because that is very risky.

We did strike a positive tone with the administration when they admitted that there were many such cases and many examples. We have cited examples of a city such as Santa Fe in New Mexico where its water resource is right in the forest. If that forest happened to burn, they would lose their water supply. So we thought we ought to pursue this and start a list of those and make the Federal Government start to list the risky ones and then start to clean them up.

We had to argue for 3 days. We got about 75 percent of what we wanted. We gave in to the administration on some in a very valid compromise. But I can say as to number, as many as a few hundred communities that are right in the forests, they should be seeing the Federal Government around coming up with some plans to try to alleviate this underbrush problem and growth that may, indeed, cause these communities to burn when we could prevent it with some maintenance and cleanup.

We have not reached, to my satisfaction, language that will push this expeditiously because they are fearful in the White House that we are going to push some of the environmental laws. We made it clear the environmental laws apply. Nonetheless, there will be some difficulty on the part of the bureaus of the Federal Government because they have to move with some dispatch and they have to advise people a lot more than they ever did about the proximity of fire and the risk to them and where they are scheduled to do the cleanup—where is that? They are going to have to start advising communities.

So I thank my good friend for that.

Mr. GORTON. Again, this was the program of the Senator from New Mexico. I do not think there was any item in the conference committee that was discussed at more length with the administration and in more detail. I am gratified the Senator was able to make a reasonable compromise and I was delighted to support him.

Mr. DOMENICI. I also say, overall, when we make requests of you and your people, and Senator BYRD and his people, I do not think in any case for me we could have been treated more fairly. Every request was looked at carefully. I thank my colleague so much for the many things he was able to do for my State. I will enumerate them and perhaps come to the floor before the Senator is finished and talk with a little more specificity. But I thought before he left his opening statement too far behind, I would like to add my words at the end of it as I have this morning.

Mr. GORTON. I appreciate that. As the Senator knows, this is a reciprocal relationship. The people of the State of Washington can thank the Senator from the State of New Mexico for many vitally important programs that are in the bill for energy and water that he manages.

Mr. DOMENICI. By the way, that is going down to the President soon—I don't know how long it will take—and it will come back here with a veto, and we do intend to work as expeditiously as we can to repass it with the many things that are in there for your sake.

I yield the floor.

Mr. GORTON. I note the presence on the floor of my distinguished colleague, Senator BYRD, my good friend, who also has a great deal of responsibility for this.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. It goes without saying, Mr. President—I have said it many times already—that the chairman of this subcommittee is fully knowledgeable of the contents of the original bill, fully knowledgeable of what is in this conference report, and always—always considerate, always courteous, and is one of the finest chairmen I have ever served with on any subcommittee. And I served with a lot of chairmen of subcommittees. This one is almost without a flaw when it comes to being chairman of this subcommittee.

It is a pleasure for me to serve with him. I would like to be chairman one day, but I am not the chairman, and I fully understand that. If somebody else other than I has to be chairman, I like Senator GORTON. We accomplish a lot for this Nation together. This is a great subcommittee.

I have said many times it really is a western subcommittee, more so than it is eastern, as far as I am concerned. I have said that over the years. But we do our best because somebody has to do the work. I do enjoy it. I enjoy the collaboration we always have in connection with this bill. I do it understanding that the appropriations process is absolutely vital to the operation of Government and that we need to know about that process. We need to always understand the rules and the precedents of Government.

If I had a larger vocabulary, I could say more about the chairmanship that

is rendered by Mr. GORTON. I will not speak further. I could say the same thing with regard to the chairman of the full committee, TED STEVENS. There could not be any finer man. He is always a gentleman. That goes a long way with me around the Senate. He is always a gentleman. He is always considerate of the needs and the problems of the constituents of other Senators. He listens courteously, and he is very straightforward. If he cannot do it, he will tell you so. He tells me that. If he cannot do it, he will tell me so. I like that kind of talk.

Mr. President, I fully support the legislation. I urge my colleagues to support it as well.

I will not reiterate the inventory of programs contained in the Interior conference report, nor their respective funding levels. The chairman has done an excellent job of providing Members with those details. I do, however, wish to point out a new program planned for the Department of Energy because of its significance to this nation's overall energy security.

Within the Fossil Energy Research and Development account, funds have been provided to undertake a power plant improvement initiative. This new effort is vital to our Nation if we hope to continue our economic expansion. Upgrading and renewing our out-of-date and undersized electric power system cannot wait. We cannot sit back and wait for the development of new power sources which, to date, have not proved commercially viable.

The fact is, more than half of this Nation's electricity is generated in coal-fired power plants, a situation that is not likely to change for the foreseeable future.

We are working today by virtue of the lights that are in the ceiling of this Chamber. It used to be in this country that this Chamber was lighted by gas. It was only in this century, the 20th century—and we are not into the 21st yet—it was only in this century that we saw air-conditioning come to this Chamber.

From where does this energy come? What is the source? What is the source of the little light we see at night burning in the top of the Washington Monument?

I made a trip around the world with a House committee in 1955, 45 years ago. We went around the world in an old Constellation, four propellers. We visited many countries. Today it would be called a junket. But we were away 68 days. We visited many countries throughout the world. When I was in high school, I read a book by Jules Verne titled ''Around the World in 80 Days.'' We went around the world in 68 days. Of course, John Glenn went around the world in, I believe it was 81 minutes.

The point I am making is I visited many countries, saw many things, met many high people—kings and princes and queens, shahs. We saw wonderful edifices, beautiful edifices, great edifices, such as the Taj Mahal. But the most enjoyable, pleasurable, satisfying, and comforting thing I saw on that whole trip was when we flew back into Washington and I saw those two or three little red lights in the top of the Washington Monument. There we were, home again, where we could go to the water faucet and drink without fear that we might succumb to some disease. Having been in Afghanistan on that trip and Jakarta and India, Pakistan, Korea, and Malaysia—all of these places where one certainly must not, at that time, drink the water without its being boiled—it brought to me in a very vivid way what a wonderful country we have and how great it is to be home, back in the good old United States of America, where we take so many things for granted.

There were those lights in the top of the Washington Monument, and here are these lights. Take away coal; take away those lights. The great eastern cities of New York and Philadelphia and Boston, the great cities of the East—take away the coal, and it is going to shut down a lot of industries. People will then begin to appreciate that coal miner whose sweat, and sometimes tears, and sometimes blood afford this great country the leisure and the comfort that come from coal-fired plants.

We are working to make this coal more environmentally feasible. We have gone a long way. I have supported appropriations and initiated appropriations for clean coal technology, and we have seen the results of this research that is being done by these funds that come out of the committee on which the distinguished minority whip, Mr. REID, and I sit.

There are people in this Government who, I imagine, would like to see the mines closed, coal mining done away with; shut them down. We know we are in transition, and we are preparing for that eventuality by the fact that we appropriate funds in this committee to produce energy in an environmentally feasible manner.

Mr. REID. Will the Senator yield?

Mr. BYRD. I do yield, with great pleasure, to my friend.

Mr. REID. I ask my friend from West Virginia this question. I can't pass up the opportunity; whenever I hear someone talking about miners, my mind is flooded with thoughts of my father. The Senator and I have discussed what a hard job a miner has. I can remember, as if it were yesterday, my father coming home, muddy and dirty, telling us he had another hard day at the office. The fact of the matter is, he worked very hard. Miners work very hard.

The Senator from West Virginia has done such an outstanding job of protecting miners, and not only coal miners. You have helped us with our gold miners, people who go under the Earth for other types of product than coal.

I also say this to my friend from West Virginia, my leader. This Government needs to do more with clean coal technology. We started a plant near Reno, NV, which cost hundreds of millions of dollars. But in the second phase of it, the Government did not come through in helping with that energy-efficient use of coal, and therefore they are going to have to switch and do something else.

The Federal Government has the means now of clean coal technology. But we have been too cheap as a government. We need to spend more money on clean coal technology. If we spent more money on clean coal technology, we would be less dependent on oil. So I want to help the Senator from West Virginia any way I can to make sure we do more with developing clean coal technology. And with the technology we have, let's make sure the Federal Government helps implement this in places such as Reno, at the Tracy plant, so we can do a better job of cleaning the air.

Mr. BYRD. Yes. I thank my friend for his excellent contribution to the colloquy.

Many times, as he has said, we have discussed this matter. He understands the background from which I came—which is a similar background to that from which he came—the coal mining; in his case, gold mining; in my case, coal mining. Sometimes we refer to it as ''black gold.''

This coal has provided the livelihood for thousands of miners over the years, who have risked their lives to go into those coal mines. So research, I have believed during the years I have been on the Senate Appropriations Committee—42 years—is the answer to many of the things, research. And through research, mining has been made more safe. We have fewer and fewer miners being killed annually than we have had in the past.

It has been a very bloody—a very bloody—employment and a very bloody industry, if you go back over the years. So we have improved the safety. We are helping to clean up the environment. We are understanding ways in which coal may be mined more cheaply. And that is the result of the moneys that have been appropriated through this Subcommittee on Interior.

As I have already indicated, I have appropriated, I have been the source of the appropriations of millions of dollars for clean coal technology. And I have to say that my own administration has several times, in the budget that has been sent up here to the Congress, recommended deferring—deferring—some of these moneys, using these moneys that are there for clean coal technology, using them for something else, or even rescinding some of those moneys.

Now I have fought—fought—these budget recommendations off several times. So I think we have reached the point where the Presidential candidates need to talk about this. And I hope they will.

Given that reality, it makes good, common sense for the United States to

try to ease the demand on the existing fleet of electric plants. And, so, the conferees have included this new power plant improvement initiative in an effort to bring business and Government together in a productive partnership that will produce more energy, yet cleaner energy. I am pleased that this effort is being made, and I thank the distinguished chairman for his help in ensuring that our Nation's energy needs continue to be a top priority.

I thank the other members of the Appropriations Committee. And I thank our colleagues on the other side of the Capitol on the Appropriations Committee there who have worked with us in this regard.

Beyond this particular program, let me also say how much I appreciate the chairman's overall support for projects and programs of importance to the minority Members of this body. I have already referred to that, but I think it bears reflecting upon again. As always, his graciousness, his dedication to duty, and his steadfast commitment to working in a bipartisan manner have made this conference far less arduous than it might otherwise have been. Despite all the tangents that conferees are wont to go off on—if left to their own devices; and I understand how that is very easily done—Senator GORTON never lost sight of the ultimate task at hand.

So in my opinion, based on my experience, he is the consummate professional. And he and his staff—we must not forget the staff. We often hear that the clothes make the man. Well, I must say, based on my experience here, that the staff, in large measure, make the Senator and help to turn the wheels of the Nation. So our staffs are to be commended for their efforts.

I urge all my colleagues, Mr. President, to support this conference report so that we can send it to the White House for the President's signature.

I yield the floor.

The PRESIDING OFFICER (Mr. BURNS). Under the previous order, the Senator from Illinois is recognized.

Mr. FITZGERALD. Mr. President, I am here to speak on the $120 million Abraham Lincoln Library, for which there is authorization language in the Interior Subcommittee appropriations bill.

Last night, the Senate passed separate legislation authorizing $50 million of Federal funds for the construction of the Abraham Lincoln Library in Springfield, IL. The library is intended to be built with a mixture of State and Federal funds. The total cost of the project would be about $120 million.

The Senate, in adopting its authorizing language, attached an amendment, that I put on, that required this library, this monument for ''Honest Abe'' Lincoln—that all the construction contracts on it be competitively bid in accordance with the Federal competitive bid guidelines.

That language cleared the full Senate last night. The Senate went on record in favor of a requirement that this Abraham Lincoln $120 million library carry with it the requirements that all contracts be competitively bid in accordance with Federal procurement law, the purpose of which is to prevent political favoritism in the awarding of construction contracts and also to get the best value for the taxpayer.

I rise to speak on the Subcommittee on Interior appropriations bill because there is language in the bill that authorizes $50 million in Federal funding over several years for construction of the Abraham Lincoln Library. However, the language requiring competitive bidding of the construction contract has been stripped out of the conference report.

The Governor of Illinois is opposed to the attachment of Federal competitive bidding guidelines and apparently asked for House assistance to go around the Senate, which has spoken on this issue and gone on record in favor of the Federal competitive bid guidelines.

I support construction of the Abraham Lincoln Library in Springfield, IL. If it is done properly, it could be a wonderful treasure, not only for the city of Springfield and for the State of Illinois but, indeed, for the entire Nation. Of course, Springfield, IL, is where ''Honest Abe Lincoln'' lived. He lived there for many years. He is responsible for making it the State capital of Illinois. When Abe Lincoln served in the State legislature in the early part of the 1800s, he was successful in leading a drive to move the State capital from Vandalia to Springfield, IL. For several years, he represented Sangamon County in both the Illinois Legislature and later for a period in the U.S. Congress. Of course, his debates for the Senate seat with Stephen Douglas of Illinois in 1858 are legendary.

I am very proud to hold the seat in the Senate that Abraham Lincoln and Stephen Douglas vied for in 1858, before, of course, Abraham Lincoln went on, in 1860, to be elected the first Republican President of the United States and one of our greatest Presidents ever.

There are several Lincoln attractions in Springfield, IL. I am sure many of my colleagues and many of the people in the gallery have visited Lincoln's home in Springfield, IL, which is run by the National Park Service. It is maintained with a great deal of care. It is a wonderful attraction. I went there as a boy, and I have returned there many times since. Senator DURBIN and I both have our Springfield district offices in the Lincoln home neighborhood, which has been renovated and restored to the way it was when Abraham Lincoln and his family lived there prior to his becoming President.

We also have in Springfield the Abraham Lincoln law office. One can actually go into the very same building in which Abraham Lincoln practiced law for many years in Springfield. He rode the circuit. He did not just practice law in Sangamon County but practiced law all over central Illinois.

In recent years, we have turned up many original legal pleadings and filings drafted by Abraham Lincoln. Many of those documents are now scattered all over the State of Illinois. It would be a wonderful achievement if we could finally have one great Lincoln Library in Springfield to bring all the Lincoln artifacts in the possession of the State of Illinois, as well as whatever members of the public donate for this library, into one tasteful, well thought out monument to the man who is arguably the greatest President of the United States, the one who saved our Union at its hour of maximum peril.

I am concerned that if we don't have tight controls over taxpayer money that is going to build this library, we run the risk of winding up not with a $120 million Abraham Lincoln Library but instead a $50 million building that just happens to cost $120 million. I think there could be no worse or uglier irony than to have a monument for ''Honest Abe'' wind up being a gigantic public works project on which a bunch of political insiders wind up lining their pockets at taxpayer expense.

Let me share some background on the Abraham Lincoln Library, where the idea first started, and how it has changed over the years. I think my colleagues will see that I have reason to be concerned about the growing cost of the project and certainly the magnitude of it within the city of Springfield.

This is a time line: ''The Lincoln Library Project Time Line and Interesting Facts.''

Back in February 1998, then-Governor Jim Edgar proposed construction of the Lincoln Presidential Library in Springfield and committed $4.9 million in State funds for initial planning and design. At that time, the projected cost of the project was not $120 million. The projected cost was $40 million. They said it was going to come from State, local, and private funds.

Later on, in May of 1998, the project was no longer a $40 million project. It had grown 50 percent in those few months. It was now a $60 million project. According to the Copely News Service, on May 13, 1998, the estimated cost of the Lincoln Library was raised to $60 million, an increase of 50 percent. Senator DURBIN and my predecessor, Carol Moseley-Braun, and Sid Yates, who was at that time the ranking member on the House Interior Committee, were seeking $30 million in Federal commitment for the project. They wrote that the State and the city of Springfield were willing to commit up to $30 million in funds to match Federal support. That was May of 1998. We had gone from $40 million up to $60 million.

By April 1999, less than a year later, the project price tag had gone up again, this time a little bit more significantly. ''Illinois Historic Preservation Association authority spokesman

says library may cost as much as $148 million.'' We have gone from $40 to $60 million, and now we are at $148 million. I believe, now, today, since April 1999, they are talking about $115 or $120 million. Gratefully, the cost or the projected cost has gone down from April 1999. We are talking today about a $115 or $120 million project. That is a big building for Springfield, IL.

These are Illinois structures and cost comparisons. This is taken from a State Journal-Register article of May 1, 2000. The State Journal-Register is the newspaper in Springfield, IL. They apparently did some figuring and estimated the cost, adjusted for inflation, of many of the other prominent buildings in the city of Springfield, IL.

Our State capitol in Illinois was built between 1868 and 1888. The estimated cost, adjusted for inflation, of constructing the State capitol in Springfield, IL, is $70 million. The State Historical Library, constructed from 1965 to 1968, would cost $13 million to build today. Keep in mind that with this project—the Lincoln Library—we are talking about a $120 million building. The State Library, redone in 1990, was $6 million; Lincoln's Tomb, done in 1865, $6 million. The Dana-Thomas House, a Frank Lloyd Wright home, which I believe the State owns and manages, built between 1902 and 1904, would cost $9 million.

Now, the State has a revenue department. It is one of the largest departments of the State, and it has a fairly new building that goes back to the early eighties, one of the very large State office buildings in Springfield that was built between 1981 and 1984. The estimated cost, adjusted for inflation, of building it today is $70 million. They have a gigantic convention center in Springfield called the Prairie Capitol Convention Center, constructed between 1975 and 1979. The estimated cost, adjusted for inflation, of building that giant Capitol Convention Center today would be $60 million.

There are also some very notable private buildings in Springfield, IL, that are quite large and significant. One is the Franklin Life Insurance Company building, built between 1911 and 1913. The estimated cost, adjusted for inflation, of building it today is $44 million. The Horace Mann Insurance Company building, built from 1968 to 1972, would be $34.5 million.

So, again, the Abraham Lincoln Library is going to be almost twice as costly as any of these other buildings—almost twice as costly as the State capitol, even though the capitol, I believe, is projected to be about two times the size of the projected Abraham Lincoln Library. We are talking about a very substantial building. It is interesting to note, as well, that the Ronald Reagan Library—a Presidential library which opened in 1991—cost $65 million.

I have indicated to you the magnitude of this project as being something that caused me to really focus on the details of the taxpayer money involved. I noted the size and scope of the construction project, how it had grown from $40 million to $60 million to $120 million in projected costs over a very short period of time. But I also want to refer you to the language in the Interior conference report now on the floor of the Senate, which has come over to us from the House.

The language in the conference report does not tell the people of this country to whom the $50 million is going to be paid. The language of the conference committee report says the $50 million will go to an entity that will be selected later. We are talking about $50 million. Everybody is acting under the assumption that this money is going to be given to the State of Illinois. I think it should be noted that there is no requirement in the conference committee report that is before the Senate that this money is required to go to a public source, such as the State of Illinois. It is required to go to ''an entity'' that will be selected later. Now, could that be a private entity? It appears to me it could because there is nothing in the conference committee report that would prevent it from being paid to a private entity. It says an entity that will be selected later by the Secretary of the Department of the Interior in consultation with the Governor of Illinois.

Now, under the language as it is worded, they could possibly give that $50 million to an individual. I hope that will not happen. I hope the Secretary of the Interior and the Governor of Illinois will not decide to take $50 million of taxpayer money and give it to an individual. But they could under the language before the Senate. There would be no violation of the law if they did. They could also give it to a private corporation. There would be no violation of this conference committee report if the Secretary of the Interior, in consultation with the Governor of Illinois, steered this money to a private corporation. If that were to happen, this money would just have gone out of the public's hands and out of the public control into an area where we could no longer really put much in the way of restrictions on what they did with it. Pretty much the only requirement in the conference report is that this entity, to be designated or selected later, will have to show its plans for the construction of the library.

There is a private entity out there called the Abraham Lincoln Presidential Library Foundation. As far as I can tell, this is a private, not-for-profit corporation that has filed with the Illinois secretary of state's office on June 20, 1990. It has an address of 10 South Dearborn Street, Suite 5100, Chicago, IL. The registered agent's name is J. Douglas Donafeld. I recall Mr. Donafeld as a lawyer in Chicago who does lobby work in Springfield. The corporation's name is the Abraham Lincoln Presidential Library Foundation. This foundation, according to published reports that I have read, has three directors on its board—a Mrs. Julie Cellini, who is head of the Illinois Historic Preservation Agency; Lura Lynn Ryan, the First Lady of the State of Illinois; and Pam Daniels, the wife of Lee Daniels, the Republican leader in the Illinois State House of Representatives. I hope the Governor of Illinois and the Secretary of the Interior will not give these public funds to the private corporation called the Abraham Lincoln Presidential Library Foundation because, if that were to happen, then no one's competitive bid laws, no one's procurement laws would be attached and the money could really be out of the taxpayers' control.

Assume, for the sake of argument, that this $50 million in Federal money would not be given to a private individual or a private corporation and that the Secretary of the Interior and the Governor of Illinois would want it sent to the State of Illinois. I think it is a reasonable assumption that the State of Illinois would turn the money over to the State Capitol Development Board, which usually builds State buildings such as this—builds State prisons and has built the State of Illinois building in downtown Chicago. It is a reasonable assumption that if the entity selected to receive the $50 million is not a private entity, the money would go to the State and the State would turn it over to the Capitol Development Board, which is known as the CDB for short.

The State contends that if the money is handled by the CDB, the State's procurement law for its competitive bidding laws that applies to the CDB and to other State agencies, such as Central Management Services, and apparently most of the rest of the State government, that its code would apply to the construction of this library and that its code would require competitive bidding of the project.

The Governor of Illinois contends that there is no need for the Federal competitive bidding guidelines to be attached because in his judgment the State procurement code is sufficient.

He also points out that I, PETER FITZGERALD, Senator from Illinois, when I was a State senator representing the northwest suburban Chicago area district in the Illinois State Senate, voted for that procurement code. Indeed, I did in 1997. I believed that code appeared to represent an improvement over the prior procurement code in the State of Illinois. But I regret that there was a loophole in that State's procurement code that I missed in 1997. I regret that I missed it, and I want to make doubly sure that we don't repeat another loophole in this particular project. I didn't recognize this loophole until I sat down and compared the State code side by side with the Federal code.

In my judgment, there are two main problems with the State's competitive bid code.

There are many instances in the State procurement code where there

are fairly narrow exceptions to the general requirement for purchases of goods and equipment, building construction contracts, and leases. There are some narrow exceptions sprinkled throughout the code to the general requirement that the project be competitively bid with an overall push towards trying to get the lowest cost bid built into the code. But most of the exceptions built into the code to the competitive bid requirements are fairly narrow.

If the State does not use competitive bidding to buy something, they typically will have to give notice and file written reasons for not going forward with competitive bidding.

But here is a loophole. And here is why this loophole is relevant to this major gigantic project.

Within the part of the State procurement code that deals with the Illinois Capital Development Board, which, as I have explained, is the board or State agency that would be required to construct the Abraham Lincoln Library, provided the Governor of Illinois and the Secretary of Interior don't channel the $50 million in Federal money to a private entity outside the control of anybody but the board of directors of that corporation, the Capital Development Board has a special section in the procurement code. They have a special exemption.

Let us read the Capital Development Board special exemption. You don't need to be a lawyer to understand that this is a rather broad loophole in the portion of the Illinois Capital Development Board's procurement code.

This is from an Illinois statute. This is binding law in the State of Illinois, passed by the Illinois General Assembly, and signed into law by the Governor of Illinois.

30 I.L.C.S. 500/30–15: (b) says:

Other methods. The Capital Development Board shall establish by rule construction purchases that may be made without competitive sealed bidding and the most competitive alternate method of source selection that shall be used.

The code clearly contemplates that the Capital Development Board shall not have to use competitive bidding; that they can opt out of competitively bidding for this construction contract. That language is plain as day.

The Capital Development Board, in seeking to oppose my amendment which requires the application of Federal competitive bid laws, has circulated a letter that says they have to competitively bid the project under State law. However, their letter makes no reference or attempts to abut this provision of State law.

Here is what their letter says:

DEAR SENATOR FITZGERALD: Competitive bidding has long been the requirement for State of Illinois construction contracts and was most recently reaffirmed with the passage of the stricter Illinois procurement code of 1998. Only six exemptions to that provision, which are defined by rule and must be approved by the director, exist.

And then they name the exemptions: No. 1, emergency repairs; No. 2, construction projects of less than $30,000 total; No. 3, limited projects such as asbestos removal for which CDB may contract with correctional industries; No. 4, an architecture program which follows a separate procurement process; No. 5, construction management services which are competitively procured under a separate law; and, No. 6, sole source items.

I am not sure what the sole source items are.

But, in any case, they don't refer to this section of the law which seems to me is plain as day.

I am a lawyer, so I didn't find it confusing. I have run it by nonlawyers, and none of them have been unable to understand this. It doesn't seem as if there is any ambiguity here.

It says, ''The Capital Development Board shall establish by rule construction purchases that may be made without competitive sealed bidding.'' So they can establish a rule that they can do this without competitive bidding.

What does it mean when they establish a rule, when they say ''rule''?

The Capital Development Board can just write its own rule. It has that authority from the Illinois General Assembly to write its own rule. And in this authority to them to write its own rule, we have an unchecked level of discretion on the part of the State that, in my judgment, leaves too much room for abuse by political insiders in the State of Illinois.

When I saw that was in the bill originally authorizing this appropriations, which as I said, the Senate passed last night with my amendment requiring Federal competitive bid guidelines, and my staff showed it to me, we said this is a giant loophole.

As one paper in Illinois has editorialized it, it is a giant loophole for which you could drive a whole convoy of Illinois Department of Transportation trucks.

I regret that I missed that when I voted for this procurement code of which I was a part back in 1997.

I asked the Congressional Research Service if there was a comparable loophole in the Federal law.

In a memorandum to me from an attorney in the Congressional Research Service at the Library of Congress, it says:

The exception found in 30 I.L.C.S. 500/30–15, which permits the Capital Development Board to establish by rule construction purchases which may be made without competitive sealed bidding, does not have a comparable provision in Federal procurement law. On its face it appears to be a rather broad exception to the requirement for competition in awarding State construction contracts.

I think it is very clear that is a giant loophole that should not be allowed in a project of this magnitude. Mr. President, $50 million of taxpayer money from the Federal Government is a lot of money. How many Americans are working day in and day out, some families with parents working 2, 2½, sometimes 3 jobs just to pay the taxes, just to pay the cut extracted by Uncle Sam. The American people are fundamentally very generous with their money. They will permit reasonable expenditures for their community, for their State, for worthy projects, but we owe it to all Americans—not just those Americans in my State of Illinois but Americans all over the country—to take great care with their money and to treat it no less carefully than we would treat our own money.

I sometimes wonder whether those who oppose closing this loophole by substituting them with the Federal competitive bid guidelines—which are much more comprehensive, much more thoroughly defined, and which a lot of thought has gone into—if they were building a house, wouldn't they competitively bid or insist that their house be competitively bid if they had to pay for it out of their own pocket? I think they would. I think they would do what they could to secure the best possible value for themselves. And I think we in government ought to try and treat the taxpayers' money with the same respect we treat our own.

As to another point on the State of Illinois code with respect to competitive bidding, this is a very subtle omission. This is a problem not just in the portion of that code which deals with the Illinois Capital Development Board; it is a problem that permeates the whole code. This is the one loophole that I didn't fully appreciate until I sat down and read the Federal procurement guidelines, side by side, with the State guidelines.

The Illinois rules where sealed competitive bids are required—as we have shown, it is not required; the Capital Development Board can opt out of competitive sealed bidding, but where the code does require competitive sealed bidding—and maybe in this project the State would not opt out of competitive sealed bidding, but say it applied its own competitive sealed bidding guidelines. It is interesting there is a lot of language in the procurement code that gives the State the appearance of a regulator.

On its face, there are a lot of fairly ordinary provisions one would expect in a State procurement code. One thing is interesting. The State code, when it requires the State to go out and solicit bids—say, for a construction contract—they are required under the State code to tell the bidders in advance what criteria the State is going to evaluate in selecting bids. In other words, the State would have to tell prospective bidders how they are going to select the contractor and presumably they would tell prospective construction contractors that they are going to look at cost, workmanship, experience, quality, management. There could be all sorts of factors at which they are going to look. And they have to tell the bidders, in advance, what factors they will look for.

It is interesting; the State code doesn't require the State officials to

tell the bidders the relative weight or importance of each of those criteria. The Federal code does. Federal law requires that sealed bid solicitations disclose in advance all significant bid evaluation factors and the relative importance of each factor and whether nonprice factors when combined, will be accorded more, equal, or less weight than price.

The citation for that Federal requirement is at 41 U.S.C. section 253(a). The State code, by not requiring that the State tell you in advance what weight they are going to assign the different criteria, allows a purchasing officer for the State to pick any bid he or she wants and explain his decision by saying that the one factor for which that bid was better or the combination of factors for which that bid was better was the most important factor.

That subtle omission in the State law allows practically any decision the State makes to be rationalized after the fact. So, conceivably, somebody could come in, and say we have a $1.5 million construction project. Somebody bids $1.4 million; the other bidder bids $1.6 million. The State can give the award after the fact to the high bidder, the $1.6 million, and say they decided the management experience and the quality of the higher bidder was more important than the cost that you, the low bidder, offered. They could move the goalpost after the fact and there would be nothing the losing bidder could do. There would be no challenge. There is no State procurement law because no State procurement law was violated. In fact, it would be very difficult to violate the State rules.

When I reflected on this, it occurred to me that after almost a lifetime of living in Illinois and reading about procurement scandals and reading investigative report after investigative report by the Chicago Sun Times, the Chicago Tribune, the Associated Press, on leases that ripped off the State, on construction projects that ripped off the State, on contracts of many sorts on which the taxpayers appeared to not have made out well, we rarely, if ever, heard of any legal challenge or of any prosecution. It is very hard to violate the State code. It is that subtle omission. I believe that needs to be tightened up.

The Federal code is much better at buttoning down the procurement officials, and under the Federal law we hear of challenges to Federal officials awarding bids to somebody. If there is a basis for challenging it because the bidder whose bid was rejected can say, hey, these procurement officers told me that cost was 75 percent of it and workmanship was the other portion, but they violated those guidelines. The Federal law does a better job of pinnning down the State officials so they cannot keep moving the goalposts and award the projects to their political friends.

In my judgment, the Federal code does a much better job of lowering the potential for political favoritism in the award of contracts using taxpayer money.

If I may, for a moment, I would like to now turn to the context, the overall general context in which I come to the Senate floor to argue against language in this conference committee report that comes to us from the House with the requirement of competitive Federal bidding of the $120 million Abraham Lincoln Federal Library in Springfield, IL—the requirement of competitive bidding according to Federal laws—stripped out of it.

I reviewed early on in my discussion how the cost of this project had gone from $40 million to $60 million to $120 million; that we are talking about a lot of money. This would be a monstrous building within the city of Springfield, one of the biggest buildings, in fact, save for the Springfield Memorial Hospital. But I also want to give the rest of the picture, the other parts of the puzzle that cause me to have great concern and to feel as strongly as I do that there ought to be tighter controls on the spending.

Illinois has a long history of having had problems in State procurement. There have been questions before about capital construction projects involving the Capital Development Board. In fact, I would like to read an editorial from the Peoria Journal Star, dated Wednesday, March 16, 1994:

To the Illinois Capital Development Board for giving River City's construction companies an unfair advantage—thumbs up.

Giving an unfair advantage in bidding to manage construction of a southern Illinois prison, River City submitted the low bid and the board's staff recommended its acceptance. But the board rebid the project and awarded it to a Chicago firm, knowing what River City had bid, which, knowing what River City had bid, lowered its own offer. The process is doubly tainted because the Chicago firm, together with its subcontractor, had donated $10,000 to a previous Governor's campaign. The perception, rightly or wrongly, is that River City lost the contract because it didn't ante up.

There is another article about a more recent capital construction project. This is an article from the Chicago Tribune, dated January 6, 2000. The headline is:

New Prison Benefits Ryan Pal: $33,000 payday seen in land deal.

The article is by Ray Gibson, a Tribune staff writer. I would like to read this article because I think it shows the problems that can occur. I would like to set forth the context, why one could, on a large construction project in Illinois, reasonably be concerned about whether the money is all channeled into the project and that none of it is frittered away in rewarding political pals.

When Gov. George Ryan announced last month that his home county of Kankakee was the winner in the latest Illinois prison derby, he talked about how the new $80 million women's facility would create jobs and other opportunities for economic development.

What he didn't say was that one of the first to benefit would be one of his top supporters and fundraisers, real estate developer Tony Perry, who was among the dignitaries on the date for Ryan's announcement.

Perry, acting at Ryan's behest as the point man for Hopkins Park and Pembroke Township's bid for the new prison, personally acquired options on the 120 acres the state will buy to construct the new women's facility.

By Perry's own account, the current owners will pay him about a 5 percent real estate commission, which would amount to about $33,000, when he exercises his options to acquire the land. Then he will sell the land to the state. Right now, he says, he plans to sell the acreage for the same price he will pay—about $5,500 an acre.

But state officials say that price is still open to negotiation and his profit could be higher. And Perry also acquired options on two other tracts of land near the prison site that are almost certain to be developed.

A Tribune examination of how Perry, the governor's longtime friend, came to act as the middleman for the proposed prison construction illustrates anew the financial advantages political insiders reap under Ryan, already under fire for questionable leases of state facilities during his tenure as secretary of state.

Perry's role in the selection of Hopkins Park and Pembroke Township for the prison site began last summer, as the sweepstakes among Illinois communities vying for the new penal facility got under way.

At a luncheon, Perry said—he doesn't recall where—the governor asked him to help the impoverished Kankakee County communities complete the required paperwork to finalize their bid for the new facility.

Perry went to work, first meeting with local officials.

''Tony Perry told us the governor sent him. . . . The governor sent him to make sure the paperwork got done correctly,'' said Hopkins Park Village Clerk Pam Basu, who opposes the prison project.

Then Perry set about meeting with landowners to persuade them to sell the farmland, and he personally obtained options to acquire 480 acres, representing three proposed sites in the area. Although the state now needs only 120 acres for the site, Perry originally obtained options for three 160-acre parcels of land.

He researched the cost of supplying utilities to the site and rounded up vital statistics about one of the state's poorest communities.

For all that work, Perry was not paid, according to local officials.

But now that the state is set to acquire 120 acres of land where the new women's prison will be constructed, Perry says he stands to make a 5 percent commission—or about $33,000—from the sale of the land to the state.

Perry's role in the development now has touched off a local controversy. According to Basu, the decision to allow Perry to act as the communities' representative was never discussed at any township or municipal board meeting. Nor was his agreement with the sellers to act as a real estate agent and collect a fee ever disclosed, she said.

Nonetheless, other local officials said Perry's help was vital to the communities securing the prison.

''He was the key component. He was very instrumental in helping,'' said Hopkins Park Mayor David Legett.

But others say Perry's commission, and Ryan's decision to tap him for the job, is just another example of insider politics.

''To me, it sounds like more ways to take care of his close friends,'' said Jim Howard, executive director of Common Cause, a taxpayers lobbying group. ''It just reinforces the public attitude how bad and dirty politics is in Illinois.''

Perry's role in the Hopkins Park prison is unusual on several counts. This will be the first time in two decades that the state will pay the entire cost to buy private property to construct a new prison. During 26 previous construction projects, the local communities vying for the prison sites have either supplied the land free or paid a portion of the state's purchase price. If the state only reimburses Perry for his cost per acre, it stands to pay $660,000 to acquire the land, the first time the state has paid so much to acquire a prison site in at least 20 years.

A spokesman for the governor would not comment on why Ryan asked Perry to step in and help with the application other than to say that Perry was a real estate professional who has a long history in economic development in Kankakee County.

While many of the communities participating in the prison derby hired lobbyists, Perry's role was unique in that he, and not local public officials, acted as the point man for the project.

''He was pretty much spearheading the communities effort,'' said Nic Howell, a spokesman for the Illinois Department of Corrections. ''He was the contact.''

Howell said the agency did not know if Perry was being paid.

''I have no idea. None whatsoever. I don't know that he's not doing this out of the goodness of his heart,'' said Howell, adding that he was unaware that Perry would receive a commission on the sale from the seller.

Howell said the state wouldn't make any offer to buy the property from Perry until after it does appraisals.

Perry said that he is now trying to spur development around the new prison, but he insisted he is not going to act as a developer. He has been meeting with builders and developers and trying to woo them to bring everything from housing to industrial development to the area.

''I am not the developer. I am the orchestrator,'' he said.

State officials will spend millions of dollars to bring utilities such as sewers, gas, and water to the prison site from as far as two miles away, improvements that will increase the value of nearby properties as well.

If the prison's construction fulfills the communities' dream of development, the land near the prison could be filled with gas stations, restaurants, housing and other development.

Perry also has options to purchase two adjoining 160-acre parcels of land that were also proposed for the prison site. He said in a recent interview that he will not execute the options to buy those 320 acres, saying it would be improper to benefit as a developer.

''I can't work on somebody's behalf'' and turn around and develop the property, he said.

Perry is a longtime friend of Ryan's and a fundraiser. Just four weeks after Ryan announced in September 1997 his intention to run for the governor's office, Perry chaired one of the first major fundraisers for Ryan's campaign in Chicago.

Since 1994, Perry and the firms that he operates have donated nearly $19,000 to Ryan's campaign fund. One of Perry's ventures, a nonprofit corporation that was formed to help economic development in Kankake County, donated $2,250 to Ryan's campaign, despite federal tax laws that prohibit it from making political donations.

State officials and Ryan have contended that there were plenty of good reasons why the site was selected over bids from the two other finalists, Freeport and Wenona.

Pembroke Township is statistically one of the poorest areas in the state and nation. Fifty-two percent of its 3,657 residents live below the poverty level, and its unemployment rate is four times higher than the state's rate. The site also is close to the Chicago area, where many of the prisoners' families reside.

Even Ryan joked at the Dec. 9 press conference when the site selection was announced that his roots in the county may have influenced the decision.

''This is one of the advantages in supporting a local guy for public office,'' he said. ''I can't imagine this would've happened if I hadn't been elected governor.''

Despite the potential for enormous economic assistance from the project, not all Pembroke Township residents are throwing out the welcome mat for the prison.

A group of about 200 residents called Pembroke Advocates for Truth sprang up in the last several months to try to stop construction, saying they don't believe the economic benefits will trickle down to the community. They point to Perry, who lives in nearby Bourbonnais, as an example of how outsiders are more likely than locals to reap the benefits.

''There are a lot of angry people out here,'' said Beau, who is a member of the group.

Perry said Ryan approached him and asked him to help because the two communities needed assistance with the paperwork. Perry said he contacted local officials and offered his services.

A Ryan spokesman said the governor ''doesn't recall the conversation quite that way,'' but he declined to elaborate.

Records show that Perry paid little, if anything, for the options on the property. Because no cash was needed for the transactions, either Pembroke Township or Hopkins Park could have entered into the option agreements with the local landowners, as did another finalist, the City of Freeport, records show.

Perry told the state in September that it could expect to pay $6,100 an acre for the 160 acres it would purchase. The state recently has said it will purchase only about 120 acres.

Now, Perry said he will sell the land to the state at $5,500 an acre, the price he is paying the owners.

(Mr. SMITH of New Hampshire assumed the chair.)

Mr. FITZGERALD. Mr. President, there have also been a number of problems involving Illinois leases that go back a number of years. I turn my attention to an examination of State leasing practices. We have, thus far, been dealing with the State procurement code, how it bids out projects for construction, but also part of that code governs how the State handles its leases and whether it competitively bids leases for office space or other space that the State of Illinois may give.

In an examination of this overall context of insider deals that have happened and swirled around and been going on in Springfield for a very long time, I want to focus on a couple of articles that go back a little bit further to December 29, 1992.

There was at that time a series that was run in the Chicago Tribune that was called ''Between Friends. In the new era of patronage, the politically connected get something better than jobs—lucrative government leases.''

This article I am going to read is the third in a series. The headline is ''Helping Their Cronies Is The Lease Politicians Can Do.'' The byline is by Ray Gibson and Hanke Gratteau:

Before Paul Butera decided to shut down and sell his grocery at 3518 W. Division St., his telephone started ringing.

The interest in his property, an enormous parking lot backstopped by a single-story brick structure of 30,000 square feet, astonished him.

Located in a working-class area, the grocery had served Butera's family well for four years. But business had waned since a large grocery complex opened nearby. Although he had yet to list the property with a real estate broker, Butera began getting calls about whether the Humboldt Park property was for sale.

''The property got very hot very fast,'' he recalled.

Several weeks before Butera closed the deal in July 1991, he learned the buyer planned to convert the grocery into office space and rent it to the state for the Illinois Department of Children and Family Services.

Unbeknownst to Butera, the state and the buyer, Victor J. Cacciatore, Sr., had hammered out the details of the lease four months before Butera sold the property.

The lease was signed in apparent violation of state purchasing laws that require disclosure of building and land owners. State officials signed the lease relying on Cacciatori's representation that he was the owner of the building, said Helen Adorjan, a spokeswoman for the state Department of Central Management Service, or CMS.

The state has done business with Cacciatore for decades, and, for just as long, Cacciatore had been a faithful campaign contributor.

Patronage, the process of rewarding political cronies at taxpayers' expense, has been big business in Illinois. Even though court decisions and taxpayers' outrage largely have stopped the practice of putting supporters on the public payroll, elected officials still find ways to divide the spoils.

Contracts are the mother lode for a new age of patronage. Deals to lease properties, perform services and produce goods for the state are now a $4.6 billion-a-year industry, a business that has more than doubled in the last decade.

The state's need to house its burgeoning bureaucracy has been a gold mine for those seeking to lease land and offices to the state. From 1981 to 1991, the state's rental costs climbed to $104 million annually, a 177 percent increase. Those with connections, such as Cacciatore, are cashing in.

The state's landlords include major donors to the gubernatorial campaigns of James Thompson and Jim Edgar. In the last four years, Edgar's campaign fund has received more than $178,000 from people who lease offices to the state, disclosure forms show.

Those people include Cacciatore, who has contributed at least $9,000 to Edgar's campaign fund and has received two state leases since Edgar took office. During the final seven years of the Thompson administration, Cacciatore donated more than $27,000 to Thompson's campaign. During that time, he was awarded five state leases.

The DCFS deal marked the second time Cacciatore had offered to rent to the state the building he did not own. Records show he first proposed the Division Street grocery as an office building in March 1990, more than 15 months before he bought it.

Other large states have specific procedures to secure property, but Illinois' methods are much more fluid, said Michael Bartletti, manager of the Bureau of Property Management for CMS, the leasing agent for most state departments. Requirements vary according to geographic and agency needs, he said.

For example, sometimes the state publishes an advertisement seeking potential sites. Sometimes it does not. Sometimes state leasing agents search specific communities for appropriate buildings, Bartletti said. Sometimes they do not.

Bartletti said CMS rules ''encourage'' the obtaining of price quotes on ''two or three sites'' that would meet state needs. The rule, he said, ''encourages competition. It doesn't require it.''

In the Cacciatore deal, the state did not advertise its need for DCFS office space, records show.

Instead, CMS officials relied on responses to a year-old advertisement published when the Illinois Department of Public Aid sought similar office space, Adorjan said.

Cacciatore had proposed the Division Street grocery as a potential public aid office, Adorjan said, so the site was suggested to DCFS.

CMS records on the DCFS office hunt reflect that the agency obtained price quotes on two other locations. But an owner of a building the state said it surveyed told the Tribune that he never was contacted.

Records state that officials with CMS contacted an individual named ''Boris Amen,'' who was trying to sell a 28,000-square-foot building at 2950 N. Western Ave.

But officials at Advanced Transformer, the owner of the 130,000-square-foot factory at that address, said that they never offered their property to the state and that they did not know Boris Amen.

''I have never had any discussions with the state,'' said Sol Hassom, a vice president for the company.

Records also state that CMS obtained a price quote on a lease from owners of a building at 3011 N. Western Ave. No such address or building exists. An owner of a nearby 9,000-square-foot building said he never has offered it for rent.

Adorjan acknowledged the records were filled with inaccuracies, but she maintained that the agency obtained other competing prices that are not reflected in the records.

''It is obvious that they are just sloppy records,'' she said. ''They obviously did a sloppy job.''

Records show the state will pay $2.3 million over the next five years to rent the grocery, which Cacciatore bought for $775,000. With his partners, Cacciatore holds seven state leases worth more than $1 million a year.

The state is paying $17.05 a square foot for space, utilities and janitorial service for the Humboldt Park building. That rate, according to Realtors, is comparable with rates in fancy Loop high-rise buildings.

''You can do better than that in the Loop,'' said George Martin, a real estate broker. ''You can get $13 (a square foot). What you are talking about out there doesn't even make sense.''

Adorjan said the rent the state is paying was fair and comparable with others in the area.

Cacciatore, in a written response to questions, argued that the high rental rate partly reflects remodeling costs needed to meet the state's requirements.

Cook County records show Cacciatore's company spent $450,000 on remodeling. According to the lease, Cacciatore will recoup his initial investment and renovation costs within the first three years.

Cacciatore's company and appraisers successfully argued earlier this year to lower the property's tax assessment. Their plea was based partly on data showing that the state was paying rent that was $5 a square foot to $6 a square foot above market rates and that, therefore, the rent did not accurately reflect the building's value, county records show.

''Confronted with the pressing need to service the area with a field office and the lack of such appropriate office space, (the state) was willing to pay a rental premium,'' the company's written appeal stated.

Cacciatore also has sold property to the state. The state's 1990 purchase of $1.9 million of Cacciatore's property in Lake County for a proposed state highway provoked public outcry there. At his request, the property was rezoned for development, forcing the state to pay 20 times the price it normally pays for vacant land.

One south suburban landlord who leases property to the state said renting office space to the state is an insider's game fraught with politics.

The landlord, who asked not to be identified, told the Tribune that when he was notified that a state agency was leaving his building in the midst of a long-term contract, state officials told him to see William Cellini, a top Republican fundraiser.

''I was told, 'If you want to get a state lease, go see Mr. Cellini,''' he said. He did not, and the state canceled his lease.

Cellini headed the state Transportation Department under Republican Gov. Richard Ogilvie. He has not been a state official in nearly two decades but remains one of Springfield's most influential insiders. His sister Janis is Edgar's patronage chief, and the transportation agency still seeks his counsel, according to former and current officials.

''I chuckle sometimes when I hear some of the stories in Springfield about what all (Cellini) controls. That's not true,'' Edgar said in an interview.

Cellini and Cacciatore, along with another former state official, Gayle Franzen, were business partners in 1991 on the purchase of a 140-acre parcel in south suburban Hazel Crest, records show.

Franzen said Cacciatore invited him to become a partner on the Division Street grocery, even though Cacciatore told the state he was the sole owner. Franzen said that he declined. Cellini, through an aide, said he had no current interests in any state leases.

In addition to holding leases with the state, Cacciatore is a director of Elgin Sweeping Services Inc., which has reaped nearly $40 million in contracts with the state's highway department since 1970, when Cellini headed the department. The contract is based on competitive bidding, but no company has submitted a competing bid in 10 years, state records show.

Let me read that sentence again. The State, of course, on this $120 million library, is assuring us that there will be the application of what they call their competitive bid rules. But in this article, it says:

The contract is based on competitive bidding, but no company has submitted a competing bid in 10 years, state records show.

Some state landlords scoff at the notion that political favoritism influences the way the state shops for land and space.

Anthony Antoniou, a Du Page County real estate developer, is among them. His firm holds a lease that is among the state's most expensive, with $5.2 million in annual payments for an unemployment office on Chicago's State Street.

Antoniou, a contributor to Thompson and Edgar, said his firm found that politics played virtually no role in the decision to lease his building.

Nevertheless, when Antoniou began discussions with the state about possible purchase of the State Street building, he turned to state Sen. Howard Carroll for help. Carroll, a Chicago Democrat, heads the appropriations committee that approves the budget for CMS, the agency trying to buy the building.

''Harold Carroll is a friend,'' Antoniou said. ''He may have given some peripheral help. I met with him through my wife who lobbies (in Springfield).''

Carroll said that Antoniou asked him to find out the status of possible state funds to buy the building.

''We did some checking and we didn't see any funds in the budget,'' Carroll said.

Illinois' lease costs are comparable to what officials in New York, Florida and Texas spend on land rights and office space. California, which has nearly twice as many state employees as Illinois and whose real estate costs are notoriously exorbitant, spends more than $270 million a year on leases.

But the manner in which leases are let in Illinois differs greatly from methods used in Florida, Texas and California. In those states, landlords must submit sealed bids to state officials who are required by law to award leases to the lowest and best competitive bidder.

Illinois officials reject the notion of competitive bidding on leases.

Let me read that line again:

Illinois officials reject the notion of competitive bidding on leases.

Competitive bidding has never been popular in Illinois with public officials, and that is what is at stake here on this $120 million Lincoln Library, where objections were made to the U.S. Senate's requirement that Federal competitive bid guidelines be attached to this $50 million authorization for a $120 million building in Springfield, IL.

Quoting again:

The Tribune found that state rental procedures are so casual that state files on negotiations for some properties are little more than handwritten scrawls of price quotes from building owners.

Officials have maintained for more than a decade that state law does not require competitive bidding on leases, despite admonishments from the state auditor general. The absence of competitive bidding, the auditor general has warned, has deprived taxpayers of the ''assurance that its best interests were served.''

Let me interject at this point, since this article was written, the State's procurement law has been updated and presumably improved to some extent. But in our discussion and our examination today, we are trying to emphasize that not all loopholes have been closed and that the State rules still allow a high degree of discretion and leave a high amount of decisionmaking authority up to subjective preferences of State officials and that leaving that kind of unchecked discretion in State officials' hands opens the potential for insider abuse of Illinois procurement, whether it is leasing a building, building a building, or buying goods and services from the State.

Continuing from the article:

The Tribune investigation of state purchasing found that CMS sometimes has disregarded its own internal rules established to ensure fair pricing and competition.

In some cases, state agencies seeking to lease space compose written requirements that virtually rule out competition. Specifications also have been tailored to steer state agencies to sites owned by the connected, as in the case of a $9.3 million deal in Peoria.

Let's back up on that. In some cases, you have the State claiming it has

competitive bidding, but what they do is, State agencies seeking to lease space compose written requirements that virtually rule out competition. They put restrictions on who is eligible to apply. The State did that with how they awarded river boat licenses in Illinois, and we are going to get to that later this afternoon when we examine how the State awarded the phenomenally lucrative 10 river boat licenses that somehow just happened to—I guess it was coincidence—all wind up in the hands of long-time contributors, in many cases, for many of those river boat licenses.

Continuing from the article:

Twelve days after the Illinois Department of Transportation informed CMS that it had outgrown its district headquarters in Peoria, officials with CMS asked the governor's office if G. Raymond Becker, a multimillionaire real estate developer, was eligible to become a state landlord.

The written query, dated March 19, 1990, was necessary because Becker was a Thompson-appointed member of the Illinois Capital Development Board, whose executive director is required by state law to review all state leases.

CMS officials wanted to know if Thompson would waive a state conflict-of-interest law prohibiting state officials such as Becker from doing business with the state.

Such waivers are somewhat routine in Illinois, but the request was unusual because CMS officials had not yet advertised the state's desire to rent office space in Peoria, records show.

But Becker, a member of Thompson's Governor's Club, a circle of campaign contributors whose donations totaled at least $1,000, already was being considered for a state contract for space in the 16-story office building he was constructing in downtown Peoria.

Months later, the state published an advertisement from new Peoria space, specifying narrow geographic boundaries that essentially reduced the competition to Becker's building. Another developer, Dianne Cullinan, who had a downtown site under construction next to the state's targeted area, expressed interest but later halted talks after much of her building was leased.

Negotiations with Becker, the lone landlord under consideration, lagged for several months. But in January 1991, the deal was completed within a week—the final one of Thompson's tenure.

Thompson waived the conflict of interest law for Becker, noting that his proposal—the only one that had been on the table for four months—was the best of two submitted. Yet, records show that neither Cullinan nor anyone other than Becker had submitted a formal proposal.

The Becker deal stands to be worth more than $9.3 million over the next 10 years if the state renews the lease after the first five years. IDOT offices fill about one-third of the building, which Becker built with a $3.2 million Peoria city bond and private loans of $8 million.

''It was a very good deal because I am doing much better with the rest of the leases,'' Becker said. The IDOT lease, he said, helped him charge higher rates for the lower floors. By August, shortly before IDOT moved in, two-thirds of the complex had been rented, Becker said.

The lease also carried the promise of revitalizing Becker's adjacent properties: a twin-story condominium and a small office complex that have been suffering from high vacancy rates.

Whether the deal was as good for taxpayers as it was for Becker is another question.

Of course, that line in this article—''Whether the deal was as good for taxpayers as it was for Becker is another question''—kind of goes to the heart of our debate today because we want construction of the Presidential library for Abraham Lincoln in Springfield, IL, to be as great a treasure for and as good a deal for the taxpayers of Illinois and this Nation as it is for everybody who winds up actually building the building or owning other buildings right next to it, which will benefit from the tourism that comes in.

State officials maintain the Becker lease is less costly than building a Peoria headquarters.

They point to a January 1991 study conducted by an outside consulting firm that concluded that over a 10-year period, the state would pay about $11.4 million for construction, operating costs and debt service on a new building, compared with slightly less than $10 million in lease costs in the same period.

But the study was based in part on the consultants' assumption that the state would have to acquire land for the project, records indicate.

''We are not aware of other state-owned space in the Peoria area that would be suitable for the (IDOT) space needs,'' the study stated. ''Also, we did not examine the cost of buying and renovating an existing facility. . . . Additionally, we did not address the availability of bond funds to finance the construction of a potential facility.''

Three years earlier, IDOT had proposed building a Peoria regional headquarters and materials-testing labs on a 34-acre site owned by the state on the city's west side.

The price tag at the time was $7.16 million, said Richard Adorjan, an IDOT spokesman.

The General Assembly refused to appropriate funds for the project, so the state decided to lease. Adorjan said IDOT was never told about the 1991 study comparing the costs of leasing with the costs of a new building.

CMS officials say they never considered the 34-acre site for building because it was ''too rural,'' Bartletti said.

The site is 9.3 miles from Peoria's downtown, said a CMS spokesman. IDOT's main headquarters in Springfield is about four miles from downtown.

IDOT's former Peoria headquarters, a sprawling brick structure with 36,000 square feet on the city's north end, will continue to house materials-testing labs, but the site soon will be largely abandoned.

The IDOT lease was not Becker's only deal with the state.

Soon after signing the IDOT lease in Peoria, Thompson aides signed a $1.1 million lease for the Illinois Department of Employment Security to move into a building owned by Becker's business partner, Russell Waldschmidt. Less than a year later, Waldschmidt sold the building to Becker's son, George Raymond Becker, Jr.

Later in 1991, the General Assembly restored funding for leased office space for the Illinois Industrial Commission in another Becker-owned building. The five-year lease is worth about $41,000 annually.

Becker's construction company also has been a successful competitor for state road building jobs. In 1987 and 1989, his company was the low bidder on two contracts worth nearly $2 million for paving and resurfacing state highways near Peoria, an IDOT spokesman said.

Becker and his partner, Waldschmidt, said Becker's status as a confidant to the Thompson administration played no role in landing the leases.

But administration sources said Thompson's aides demanded that the transportation agency lease be signed before Thompson left office. Some top administrators had favored putting the lease on hold, a common practice during transitions, since it would bind Edgar's administration to the pact. Their concerns, however, were overruled by Thompson's key aides, according to interviews.

Even after Thompson left office, he continued to turn to his old friend for favors. Several months after Thompson left the Executive Mansion, the developer lent his private airplane to the former Governor to fly to Jackson, Miss., for a Republican Party function, according to a Thompson spokeswoman.

CMS officials have been at loggerheads with the state Auditor General's office for more than a decade because of their insistence that state law does not require leases to be competitively bid.

Again, what we are talking about here is competitively bidding a construction contract. The House has taken a position in opposition to the Senate's requirement on an appropriation of $50 million to the State of Illinois that that money be competitively bid, that the construction contracts be competitively bid in accordance with the Federal law. The House position on this, to date, is that the project not carry that restriction and that States' so-called competitive bid guidelines are adequate.

We are here examining some of the problems that have occurred in recent memory in the State of Illinois regarding leases, construction projects, and the like, which really weren't what we would think should be a proper competitive bidding and where there has been some slippage.

State purchasing laws, a hodgepodge of more than 100 provisions adopted over the years, make no mention of leases. And a 1981 report by state auditors found that 96 percent of the state's leases were awarded without bid.

That is why there are so many articles inches thick and investigative reports, over many different administrations and many Governors in the State of Illinois, of deals that appeared to involve, or may have involved, or the writers thought involved, political favoritism.

CMS has argued that because leases are not specifically included among the goods and services required to be competitively bid, they are exempt from bidding. State auditors have argued that because leases are not listed among the exemptions, they must be bid.

There is no way to competitively bid real estate, said the CMS' Bartletti.

Simply put, there are no two real estate parcels in the world that are alike. Real estate is exclusive by definition. There is only one parcel at a certain intersection. Location is everything in real estate, he said.

Among the State purchasing reforms to be proposed in the general assembly's spring session will be a requirement to bid leases competitively, said State Senator Judy Barr Topinka (R-Riverside).

The proposed reform, Topinka said, is prompted largely by ''the scandal'' created

by a lease state officials signed in 1989 to rent the shuttered St. Anne's Hospital on Chicago's West Side.

State officials needed the building to house patients from the Illinois State Psychiatric Hospital, which had to be closed for extensive renovations.

Taxpayers will end up paying $16.1 million for a four-year lease of the hospital, including costs of transferring patients, mainly because the lease failed to shield the state from huge repair bills.

The state could have bought the building for $3 million.

Let's review that again.

State officials needed the building to house patients from the Illinois State Psychiatric Hospital, which had to be closed for extensive renovations.

Taxpayers will end up paying $16.1 million for a four-year lease of the hospital, including costs of transferring patients, mainly because the lease failed to shield the state from huge repair bills.

The State could have bought the building for $3 million.

The State could have bought it for $3 million. But they will end up paying $16 million for a 4-year lease of the hospital.

In that difference between $16.1 million and $3 million, look at the money that was lost for the taxpayers. How many taxpayers had to work how many hours? How many couples had to struggle working 2, or 2½, or 3 jobs to pay their taxes to the State of Illinois and to the Federal Government just to see that money go to State officials?

Some might conclude from such articles that in many cases when there are not proper controls, what the State officials wind up doing with that taxpayer money is really tantamount to lighting a match to it.

I now move on to another issue that has been talked about in Illinois for a very long time. It actually goes back to the early 1980s, and it is still a problem for the taxpayers in the State of Illinois. That is the subject of hotel loans given out by the State that were never fully repaid.

There are some of these issues that we could highlight on which I am seeking to narrow the focus and ultimately tie all of this back into what is going on down in Springfield.

I am going to turn to a discussion of State loans that were made back in the early 1980s for the construction of several buildings around the State, including two hotels: One in Springfield, IL, and the other, as I recall, at Collinsville, IL, which is down in the southern part of the State in the metro East St. Louis area. I am very familiar with both of these hotels. Of course, I see them often on my trips to Springfield and Collinsville. These hotels are actually pretty famous in the minds of many taxpayers because the taxpayers gave loans for the prominent people to develop these hotels and the loans were never fully paid.

This article, which comes from the Chicago Sun Times, dated April 26, 1995, is by Tim Novak, who at that time was in Springfield. He wrote this article. The headline is, ''Taxpayers Stuck With $30 Million Hotel Tab.''

Illinois taxpayers will lose $30 million today when state Treasurer Judy Baar Topinka closes the books on two hotel loans that former Gov. Jim Thompson and former Treasurer Jerry Cosentino made to political cronies.

The hotels owe the state $40.3 million under low-interest loans they got in 1982, but Topinka has agreed to settle their debts for $10 million, the Sun-Times has learned. She plans to announce the deal today.

Under the deal, the Springfield Renaissance Hotel headed by Republican power broker William F. Cellini will pay the state $3.75 million of the $19.8 million it owes.

The state will also collect $6.3 million from the Collinsville Holiday Inn, partly owned by Gary Fears, who raised money for Democrats and Republicans. The Collinsville hotel owes the state $20.6 million.

Topinka said it's the ''best deal'' she could get from the hotels, which have often skipped loan payments while their value has fallen. The deal will save the state at least $6,000 a month it spends to manage the loans.

''The taxpayers are going to take a bath, no question,'' Topinka said. ''But the property is so depressed, we will never get back what we spent. Our little escapade into the hotel business has not been remarkably fruitful.

''I may open myself up to criticism on one hand, but on the other hand, I have got to settle this because the longer this goes on, the more we lose because the property value (of the hotels) keeps going down.''

Former Treasurer Patrick Quinn, a Democrat, said Topinka is giving another sweetheart deal to political insiders.

''These particular individuals . . . are getting off very lightly,'' Quinn said of Cellini and Fears. ''The taxpayers are being fleeced again. They were fleeced when the loans were made. They were fleeced when the loans were refinanced.

''If you foreclosed, you would have assets that you can sell for a greater price than they're getting now,'' Quinn said. He claimed that the hotels are worth far more than the $10 million the owners will pay under Topinka's deal.

Local assessors say the hotels are worth a total of $13.2 million—$7.9 million for the Springfield hotel and $5.3 million for the one in Collinsville.

Topinka said the hotels are worth only a total of $6.5 million, much less than the $10 million the state will receive. Topinka said the Springfield hotel is worth $3 million and the one in Collinsville is worth $3.5 million.

''I didn't make the (original) deal,'' she said. ''I'm the garbage man trying to clean up.''

The loans were to expire in 2010. The state cannot foreclose on the hotels until 1999, and then only if the debts exceed $18 million on the Springfield hotel and $19.9 million on the Collinsville one.

Quinn spent four years trying to get money out of the hotel owners, particularly Cellini, who made millions as the lead investor of the state's first riverboat casino, the Alton Belle.

Quinn urged the Illinois Gaming Board to revoke the casino license last year unless Cellini pays off the hotel loan. The board refused, saying the hotel and casino were separate, state-sanctioned deals.

Cellini is among 80 investors in the Springfield hotel. He could not be reached for comment. B.C. Gitcho, managing partner of the Collinsville hotel, referred questions to attorney Dan K. Webb, a law partner of Thompson's.

Webb, who represents both hotels, could not be reached for comment.

Thompson, a Republican, and Cosentino, a Democrat, made the hotel loans in 1982 under the governor's Build Illinois program, designed to create economic development and jobs.

Cellini's group, President Lincoln Hotel Ventures, used the money to build a luxurious hotel about six blocks from the state Capitol. Fears' group, Collinsville Hotel. Venture, built a hotel about 20 miles east of St. Louis.

The loans originally had a 12.25 percent interest rate. The owners were required to make mortgage payments only in those quarters in which the hotels made profits. The owners often skipped payments, claiming they made no money in those quarters.

Before Thompson and Cosentino left office in 1991, the loans were restructured with a new interest rate of 6 percent. The interest was deferred until the principal was paid off.

Since 1982, the state has collected $1.3 million from the Springfield hotel and $1.4 million from the Collinsville hotel.

Mr. President, there is another article on that hotel loan. I point out at this time the hotel for which that loan was given, that was built in Springfield, IL—one of them was for a hotel in Springfield, the other for a hotel in Collinsville, IL.

This is a map of downtown Springfield. This is the State capitol where I used to go when I was a State senator in Springfield for 6 years. This is the Abraham Lincoln neighborhood. Mr. Lincoln's neighborhood is run by the National Park Service. Abraham Lincoln's home is here. Senator DURBIN and I have our Springfield district offices in that neighborhood. It is beautifully maintained to look as it did in Mr. Lincoln's era.

Here is the Springfield Convention Center, and next to the Springfield Convention Center we see the Renaissance Springfield Hotel.

As we saw that investor deal, headed by Mr. William Cellini from Springfield, they got that $15 million—I believe was the loan—back in the early 1980s. There was an attempt to settle the loan after not much of that money had been paid back. In fact, that settlement that was just described, to my knowledge, never went through.

I will continue reading some articles and examining this hotel issue because since it is so close to where the proposed Lincoln Library site is, I think this will give a picture of how this connects together and why in my mind—being familiar with this whole history—red flags were raised. I believed we were on notice that we needed to do everything we could to protect taxpayers' money in the construction of that proposed Lincoln Library, which is a $120 million project.

Mr. DORGAN. Will the Senator yield for a question?

Mr. FITZGERALD. I yield.

Mr. DORGAN. I believe I will be recognized following the Senator's presentation, but for purposes of timing, how long does the Senator expect to continue speaking?

Mr. FITZGERALD. I will speak as long as I need to make the point on this project. I imagine it will be for quite some time.

Mr. DORGAN. If I might, the Senator certainly has a right to speak for as

long as he chooses once he is recognized in the Senate, but for the purpose of others who desire to speak on the conference report, I am curious if we could get some time frame.

I am willing to come back to the Chamber if the Senator will give me an idea of when he might complete his remarks.

Mr. FITZGERALD. All I can say at this time—I hope the Senator will appreciate this—I will need an extended period of time, and I cannot give a good timeframe. You may want to go back to your office.

Mr. DORGAN. Mr. President, that is a fair answer.

I ask if, perhaps 10 minutes before the Senator finishes, he would say ''in conclusion,'' which would trigger me to come back to the floor.

Mr. FITZGERALD. I will do that.

Turning to a June 5, 1995, Chicago Tribune article, by Rick Pearson, a Tribune staff writer, the headline is: ''Taxpayers Face a Big Loss on Hotel Loans; GOP Insider Denies Political Deal.''

He has achieved a unique and almost mystical aura as a clout-heavy Republican power broker, fundraiser and riverboat gambling captain.

But William Cellini says he doubts he will ever be a hotel developer again.

Cellini is at the center of a controversy involving a proposal by state Treasurer Judy Baar Topinka to settle $40 million owed to taxpayers on two hotel loans for $10 million. He said he and other investors in the Springfield Renaissance never made a dime and will never see any return.

Cellini also maintained that the state has probably recouped the original $120 million lent to developers of the Renaissance, the Collinsville Holiday Inn and 16 other projects because the developers paid 17 percent interest during the construction in the high-interest period of the early 1980s.

''Would I do it again? Never,'' Cellini said in his first public comments on the hotel deal. ''Well, never is a long time. Let's put it this way: I'll never do another one with the government. You're too high-profile, and then everybody comes to these (political) conclusions.'

Not that anyone is suggesting any tag days for the 60-year-old Cellini.

He has parlayed his position during the 1960s as state transportation secretary under Gov. Richard Ogilvie into influential leases and contracts, a role as head of the road-building Illinois Asphalt Pavement Association, and chairmanship of Argosy Gaming Co., which operates the Alton Belle riverboat casino. Cellini's stake in the riverboat is worth more than $20 million.

Yet Cellini disputed the perception that the hotel settlement reached in April with Topinka is a sweetheart deal for himself, the Renaissance's 84 other investors, bipartisan fundraiser Gary Fears and investors in the Collinsville Holiday Inn.

Instead, he said, taxpayers will get about $2 million more than the highest bid offered to former state Treasurer Patrick Quinn when he attempted to shop the two hotel loans last year to other investors.

In addition, Cellini said, investors in the Springfield hotel put $10.1 million of their money into launching the project, along with the state's $15.5 million loan and a $3.1 million federal urban-development grant.

Boy, that is interesting. On that loan for that Springfield Renaissance Hotel, the investors put in $10 billion of their money, the State loaned $15 million of State taxpayers' money, and the Federal Government gave $3.1 million in an urban development grant for that hotel.

''People are saying, 'This hotel was built with all state money. Cellini didn't put in anything, and now he's walking away with the marbles.' That isn't true. We put in almost as much as the state, for sure $10 million in cash. And we will never get it back,'' Cellini said.

The proposed settlement with Topinka has been put on hold pending review by Atty. Gen. Jim Ryan, another Republican. But under the agreement, Cellini and Renaissance investors would pay the state $3.75 million of the $19.8 million they owe.

Meanwhile, the Collinsville Holiday Inn would pay $6.3 million of $20.6 million owed to the state.

Topinka, a Republican who took office in January, has said the loans were a ''bad investment'' for the state. She also said the settlement is the ''best deal'' she could get for taxpayers because the properties' values are depressed.

The loans, first made in 1982 by then-Gov. James Thompson, a Republican, and then-Treasurer Jerome Cosentino, a Democrat, originally carried a 12.25 percent interest rate. But Thompson and Cosentino revised the loans in 1988 to require mortgage payments only when the hotels were profitable. Few payments were made.

That is interesting. The loan was not being fully repaid. Yet in 1998 they revised the loan documents so that mortgage payments only had to be made when the hotel was profitable. And then few payments were made.

Shortly before Thompson and Cosentino left officein 1991, the loans again were restructured to call for 6 percent interest, with all payments first applied to principal on the debt.

Cellini, who is a general partner of the Renaissance and owns 1.01 percent of the stock, said the original loan, the subsequent restructuring and the settlement plan were normal business deals and didn't involve politics.

The projects initially were meant to improve economic development, but they were written down because of market conditions, he said.

The lavish Renaissance, five blocks from the Capitol, pays $100,000 a year to help retire bonds used to build an adjacent city convention center. The hotel has a payroll of $2.8 million and pays $1.3 million a year in taxes, he said.

''It isn't that this was different or it was something that just because of political contact there was this discounting,'' Cellini said. ''There isn't a first-class, full-service hotel that was built in Chicago from '85 to today that is not only not paying their mortgage loans but I bet you some of them aren't paying for their operations.''

Cellini also disputed reports from Topinka's office that personal guarantees he signed on the loan were waived by Thompson and Cosentino. Such a waiver would have helpted Cellini when Argosy appeared before the Illinois Gaming Board seeking a license for the Alton Belle casino.

But aides to Topinka confirmed Friday that when the hotel was opened, Cellini satisfied the terms of a construction loan and was released from his personal guarantee.

Cellini also said that while the hotel had an assessed value of $7 million two years ago, the value of the real estate now is only slightly more than the $3.7 million value of the loan that investors have agreed to pay.

Mr. President, I ask unanimous consent that the Senator from Louisiana be recognized at this time, and that I be rerecognized upon the completion of her remarks and that my rerecognition count as a continuation of my current speech.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I know the Senator from Illinois has been on the floor for quite some time speaking on an issue about which he obviously feels very strongly and about which he is quite knowledgeable and on which he has been going into some detail. Hopefully, it can be worked out, or some accommodations can be made.

I am here, actually, to speak about an issue that is related to this bill but is completely different from what my colleague from Illinois has been speaking about. This is about the underlying bill, the Interior appropriations bill, and about the CARA Coalition, the Conservation Reinvestment Act—which you yourself have been familiar with and were actually very helpful, Mr. President, and were supportive along the way. I thank you for that. I want to say a few words about the Interior appropriations bill and how it falls so short of what many of us were hoping.

I realize this is a process; it is a democratic process. I realize we cannot always get what we want. But I do believe we should always try our very best to get what we believe is not only best for our State but best for our Nation. That is what the CARA Coalition represents, a group of Governors, almost every Governor in the Nation, mayors—almost all of the mayors in the Nation, Democrats and Republicans—over 5,000 environmental and business organizations and recreational organizations throughout this Nation that have been trying to communicate to the White House and to the appropriators, both Democrats and Republicans, and to the President himself, how important it is to try to take this time, this year—not next year but this year—to lay down a real legacy for the environment, something that recognizes the importance of purchasing Federal lands when appropriate but also a legacy that realizes how important it is to give some money, not to Federal agencies but to State governments and to local officials, so Governors and mayors can make plans based on their local and State needs.

I know that you agree with me, Mr. President—actually, many do in this Chamber—that Washington doesn't always know best. The CARA Coalition thinks sometimes Washington has good ideas, but we think sometimes States and Governors and mayors and county commissioners have good ideas. Sometimes parents who run Little League

Baseball leagues in their communities have good ideas. We think volunteers in communities have good ideas. But there are a handful of people who think—it is just disturbing to me, and I do not understand it—there are some people here, unfortunately on both sides of the aisle, who think the only decisions that are good come from Washington. So the CARA Coalition wants to say the Interior bill fails—fails to take advantage of the partnerships that are available at the State and at the local level.

In addition, I have to say the Interior bill also fails to take into account the important contributions that are made by the coastal States to this endeavor.

While the amount of money that the Interior bill has come up with is over $1 billion in the first year, a good portion of that money, about half of it, $500 million, actually does not come from the general fund. It comes from offshore oil and gas revenues. The moneys we use in this bill that were outlined earlier to fund the Land and Water Conservation Fund, which was authorized and established over 30 years ago but never funded to its levels, either at the Federal or the State side—that money comes from offshore oil and gas revenues.

Those revenues primarily come from the Gulf of Mexico and from Louisiana, Texas, Mississippi, and to some degree Alabama. The drilling for natural gas, which is an environmentally friendly fuel that helps us reduce the harmful elements in the air, takes place in the Gulf of Mexico, and the revenues generated from those oil and gas wells fund the land and water conservation bill.

Another shortcoming of the Interior bill is that it fails to recognize the contributions that are made by Louisiana, Mississippi, and Texas. It does not provide a fair share of those revenues back to our States. It does not include coastal impact assistance. There is a possibility under the agreement with the chairmen of the committees that some of that can possibly be taken care of in the Commerce-Justice-State bill. We are very hopeful some of that money might become available.

This plan for an environmental legacy, despite the fact that this may be taken care of to a small degree in another bill, in the Interior bill, fails to recognize the contribution made by States that allow offshore oil and gas drilling.

I have held up this plan many times on the floor. This is the ''Coast 2050'' plan from Louisiana. This is a plan that says: ''Without bold action now, a national treasure will be lost forever.'' That treasure is the largest expanse of coastal wetlands in North America. The largest expanse of coastal wetlands in North America is at risk. The CARA Coalition came to Washington to say: We do not want all of the money for Louisiana, Mississippi, and Texas. We do not even want 50 percent of the money. We do not even expect 25 percent of the money. But we think we are in our right to ask for at least 10 percent of the money that is generated from offshore oil and gas revenues to come back to the coastal States, the great coastal areas of our Nation, for restoration.

The coast of Louisiana is home to 2 million Americans, and the other statistics are awesome. The ecosystem contributes nearly 30 percent by weight of the total commercial fisheries harvested in the entire Nation. It provides wintering habitat for over 70 percent of migratory waterfowl for the whole Nation. And 18 percent of U.S. oil production, and 24 percent of gas production come from Louisiana primarily and the Gulf of Mexico. Our port system ranks first in the Nation, and we provide commercial outlets for the transportation of goods into this Nation and out of this Nation.

As a Senator from Louisiana—and I know Senator BREAUX joins me—I thought we could expect some recognition of what the coastal States mean to this Nation and some recognition of a coastal impact assistance piece or coastal stewardship piece, which CARA had in mind and which this Interior bill—although it is recognized, it has moved some of the money over to Commerce—does not recognize in its legacy.

I say for the CARA Coalition that we have always believed the legacy that we are trying to leave is not just about interior States; it is about coastal States. It is not just about Federal spending and decisions made at the Federal level; it is about decisions made at the local level and at the State level.

The underlying bill, while I know it took some work and it took some effort and there have been lots of negotiations at every level, fails in many aspects in terms of what we had hoped for this year. We will continue to hope for it if it is not done in this Congress.

There is still time. It is unlikely that what we are asking for can be done in this bill. The conference is closed. We do not, under the rules, have an opportunity to amend this particular bill, but there are many other bills moving through. There is still action that can be taken on the part of the Democratic and Republican leadership. The President himself could weigh in more strongly and say: Yes, let's take what we can on lands legacy, but let's add in addition to it the CARA legislation.

I will try to explain a few other things about the underlying bill and how it falls very short of where we want to be.

Supporters of the underlying bill claim there is money in this bill for conservation programs, and they are correct. There is even more money than was originally budgeted for conservation programs. The problem is that each of the programs have to compete against each other for limited dollars. Unlike CARA, which had the programs pretty much clearly defined and moneys attached to each program so that Governors, mayors, and program administrators could count on that money, the underlying bill does not allow for that. It allows for competition, for an annual grab-bag approach every year. Let me give an example.

In the first category, which is under the land conservation, preservation, infrastructure improvement trust fund, which is what this bill now calls it—it is not lands legacy, it is not CARA, it is called the land conservation, preservation, infrastructure improvement trust fund. There is $539 million in that fund, but out of that fund, the Federal side of land and water and the State side of land and water have to compete for that $539 million.

We heard the distinguished chairman from Washington say he had over $1 billion in requests. He said he had over 1,000 requests totaling over $1 billion. That is just requests from the Federal side. If there are $1 billion in requests every year for the Federal side of land and water, and we only have in this bill $539 million to fund it, I argue there is not going to be anything left for the State side of land and water. They have been underfunded for 30 years. The Governors have been left holding an empty bag. When the mayors look in the bag, there is no money—promises, promises, but no money. While this trust fund attempts in a way to put this in categories, it fails to deliver the money necessary for the State side and the Federal side.

Let me go into the next category which talks about State and other conservation programs. It talks about the cooperative endangered species fund, which is important; State wildlife grants, which basically, according to the Wildlife Coalition, will never get to the States because it will take 3 years to come up with a plan, and then when the States come up with a plan, it will take so much longer for it to be approved, so this $50 million is not really worth much at this point.

The State wildlife grants, the North American wetlands conservation, science programs, forest legacy, and additional planning inventory and monitoring, all of those funds have to compete in this ''trust fund'' for limited resources.

Instead of being able to count on money every year for the endangered species fund, instead of being able to count on a real State wildlife fund on which local officials can count and on which preservationists and conservationists can count, it is not there. Forest legacy cannot count on it. The chances of funding it are minimal.

I will go to something Members can appreciate because they heard so much from their mayors. The next category is urban and historic preservation.

It includes the program we know as UPARR. It includes a very popular and effective program called Historic Preservation. It includes Urban and Community Forestry and the Youth Conservation Corps.

They are good programs. The problem is, they have to compete for the same pot of money, fighting among themselves. We had hoped, and we thought, it was time—and we still believe it is time, the CARA Coalition—to get the environmental community and the business community and the recreational activists and enthusiasts in this Nation working together. That is what the CARA Coalition represents. Instead of fighting over crumbs, instead of fighting over very limited amounts of money, we were hoping to build, first, on a relatively small amount of money but build together. And as the budget provided, as political opportunities provided, we were willing to come back and wait and be patient and get additional moneys for these programs.

But to force these groups, which have had to live on so little for so long, to have to compete amongst each other every year, year in and year out, I think is far less than what we could have done and what we should have done.

We do not probably have the support to defeat this Interior appropriations bill. I would have to say, there are some very good things in this bill. The appropriators worked very hard. I know it is very tough to try to put together a bill that can meet the approval of over 500 Members—both in the House and in the Senate—representing different parties and different interests.

(Mr. SMITH of New Hampshire assumed the chair.)

Ms. LANDRIEU. I want to just say how much I respect our leader, Senator BYRD, and the work that he and his staff have put in. But I believe it is important—and I feel compelled as the leader of the CARA Coalition in the Senate—to point out that there are real differences. And those differences really matter to environmental groups, to wildlife groups, to coastal impact assistance organizations that are fighting for coastal impact assistance and more acknowledgment of the needs of our coasts. And it matters to parents, to volunteers, and to community organizations.

So I think that we should be truthful and honest—and I am not saying that people have not been truthful and honest, but I do think we have to be very clear that while this trust fund could potentially be a beginning, it is not nearly where we need to be in terms of delivering a real legacy for this Nation, a legacy of which Republicans can be proud, a legacy of which Democrats can be proud, a legacy of which this President can be proud.

So I want to take a few minutes, if I could—and I know we have quite a bit of time and no time limit—so I would like to take a moment to go through this large binder here to talk about our coalition because there is still time remaining in this session. We do not know whether we are going to be in for this week, whether we may be here for another 2 weeks, or another 3 weeks. There are still many serious negotiations going on between the House and the Senate, between congressional appropriators and the White House, on a variety of issues that are important to our Nation.

Some of those issues have to do with health care; some of them have to do with education; some of them have to do with transportation. So we have time.

I have come to the floor to try to explain, in my remarks, the differences between what the Interior bill has laid down and for what the CARA Coalition was hopeful.

I also want to point out and add to the RECORD this extraordinary coalition that has been supporting this legislation, and to ask them to use the time remaining to call the leadership, Senator LOTT, Senator DASCHLE, and the President himself, and say thank you for the work that we have done. But let's not miss this opportunity to do better. Let's not miss this opportunity to do better this year, and to hopefully build in the years to come on what the Conservation and Reinvestment Act really envisions for our Nation.

Since I am a Senator from Louisiana, I want to thank this extraordinary list of supporters from Louisiana who are registered here in this book. This book is actually a book of all the States. There are 5,000 organizations—an unprecedented coalition, of, as I said, Governors, mayors, county officials, conservation and wildlife organizations, sportsmen's groups, parks and recreation advocates, business and industry groups, historic preservationists, and soccer and youth sports organizations that have called on us to act.

I want them to know that I have heard their message. I want them to know that 63 Senators have heard their message. I want them to know that Chairman MURKOWSKI and the ranking member, Senator BINGAMAN, have heard their message. We want to work with them in the remaining weeks of this session, and for as long into the future as it takes to actually get an environmental legacy for this country of which we can all be proud.

Let me just say, in this book is a letter to each of the Senators, signed by anywhere from 50 to literally hundreds of organizations in their States, urging them to adopt CARA, the Conservation and Reinvestment Act, the principles outlined in CARA.

I thank, particularly, from my State of Louisiana, for his extraordinary leadership, our Secretary of Natural Resources, Jack Caldwell, who works for a Republican Governor, Gov. Mike Foster. In our State this has truly been a bipartisan effort.

I thank our Louisiana Wildlife Federation; the Coalition to Restore Coastal Louisiana, which produced this extraordinary document, for their work and help and advice through this process.

I thank our Lieutenant Governor, who is a colleague of mine, and a good friend, Kathleen Blanco, and her Office of State Parks.

I particularly thank the Louisiana Chapter of the Sierra Club that spoke out early in support of this effort.

I thank the Louisiana Legislature that was the first legislative body in the Nation to adopt a resolution in favor of the Conservation Reinvestment Act. And many State legislatures around our Nation have followed that show of support.

Almost every elected official in our State—particularly, I want to single out Mayor Marc Morial, the mayor of New Orleans, who will be leading the U.S. Conference of Mayors next year as chairman and a leading member of that organization, for his outstanding advocacy for UPARR and for other portions of the CARA legislation.

I thank Jefferson Parish President Tim Coulon, who is a Republican. Again, our partnership has been quite bipartisan in Louisiana. I thank him.

We have led this effort, but we have been joined by many States in the Union, by many officials from all parts of this Nation.

Just for the record, I want to read a few of the groups from the State of Mississippi that have been extraordinary and helpful in this—and to thank Senator TRENT LOTT for his support—and to continue to encourage him and our leader, Senator DASCHLE, to find whatever avenues are necessary to build on the good work that has been done this year in this regard. There are actually pages and pages of supporters from Mississippi.

I will only read out the very top few, but there are literally—it looks to be over 200 supporters from Mississippi, the first being Mississippi Heritage Trust, Mississippi Department of Wildlife Fisheries and Parks, Mississippi Wildlife Federation, the Chapter of Wildlife Society, the Chapter of American Planning Association, the School of Architecture for Mississippi State—and I could go on through this—the city of Hattiesburg, the city of Laurel, the Keep Jackson Beautiful Coalition, literally hundreds of organizations in Mississippi.

For the RECORD, I will recite some of the organizations from South Dakota because the leader has been on our side. Both Senator DASCHLE and Senator TIM JOHNSON were so helpful in this effort. We also have pages and pages of organizations: Governor Bill Janklow, the South Dakota Department of Game, Fish and Parks, the South Dakota Parks and Recreation Association, the South Dakota Conservation Officers Association, Beadle County Master Gardeners, the Beadle County Sportsmen's Club, the Optimist Club of Huron. Throughout their entire State, from mayors to elected officials to conservation organizations, they have let their voice be heard. I want the South Dakota supporters to know that their leader has heard them, has

been supportive, and has been very helpful.

I also thank our House colleagues: Chairman YOUNG from Alaska; the ranking member, GEORGE MILLER of California; JOHN DINGELL of Michigan, who has been an outstanding advocate for CARA; from my State particularly, BILLY TAUZIN, who represents south Louisiana and is an excellent supporter of CARA; and CHRIS JOHN, who has been very helpful, a member of the committee in the House. We have had a coalition of Senators and House Members, of elected officials around the Nation.

Since the session is not over yet, our fight is not over. We recognize that we can't have everything we have asked for, but we recognize that we would never get anywhere if we didn't ask. If we had not put this effort forward, we might never get to a real trust fund for the environment for our Nation. I think the effort has been worth pursuing and the effort is still worth pursuing.

I am not going to ask my colleagues to vote against this bill. Some of them may do that for their own reasons. Senator FITZGERALD and others who don't think there are enough property rights protections may, for their own purposes, want to do that. I probably will cast a vote against the Interior bill because it falls short of what we want.

But this is a democratic process. We believe what we are fighting for is in the right direction. We believe the CARA Coalition represents truly a bipartisan effort that can gather the support of not only Federal officials but State officials. And we believe that this is, in fact, a beginning. There is still time left to build on it. I am hoping leaders from other committees of the Senate can potentially give some support, as they have been from the beginning, and help as we try to put our best foot forward and move ahead on this legislation.

I will go over some of the other numbers in which some of my colleagues may be interested on this particular bill. As I said earlier, the basis of CARA was to give guaranteed funding in certain categories for environmental programs. Although this trust fund lays down broad categories, they are not specific enough so that people can actually depend on them and States can depend on them.

For instance, under the land acquisition part of this bill, let's say for Arizona, in this conference committee report there are about $15 million for land acquisition. Under the CARA proposal, as compromised between the House and Senate, Arizona would have received and could have counted on approximately $47 million each year.

Arkansas—and Senator LINCOLN has been an outstanding supporter of CARA—under the land portion of this bill actually gets zero money. This is legislation for billions of dollars that are earmarked for other places, but under this trust fund concept, Arkansas gets actually zero. Under CARA, they would have a guarantee of $14.9 million.

Colorado in this bill has $5.3 million. Under CARA, they would have $46 million each year for the State PILT, for payment in lieu of taxes, for land acquisition at the State level, not directed by Federal agencies but at the State level. They would have had money for historic preservation and for urban parks for cities such as Denver and others in Colorado.

Connecticut has $1.6 million approximately. They would have had $17 million of guaranteed funding.

Delaware has $1.3 million; under CARA, $14 million.

Georgia, which, according to our records, has about $650,000 for land acquisition projects, would have had $32 million under the Conservation and Reinvestment Act.

Hawaii, which has $2 million in this bill, would have counted on about $29 million a year.

Idaho, which has about $7.5 million, would have gotten $39 million a year, primarily in PILT payments, some on the State side of land and water, and some in other areas.

Illinois, which is a large State, a very important State in our Nation, and one of the most populated States, under this trust fund has zero money allocated for this year but would have had $38 million every year under CARA.

Indiana has $3.8 million, as opposed to our proposal for $25 million.

As I read through some of these numbers—I would like to read through them all for all the States—let me say that the underlying bill on the trust fund has approximately the same amount of money the CARA Coalition desired.

Our coalition wants to be respectful and appreciative of budget constraints. We recognize there are a great many needs in this Nation, from support for teachers and schools to support for health care, to the lockbox for Social Security and Medicare. We have examined the state of the budget. But we believe we could have spent and still believe that half of 1 percent of the surplus for an environmental trust fund that we could count on year in and year out was not too much to ask for. In fact, the appropriators have basically agreed with that concept because that is the amount of money they have actually put in this bill.

The problem is, the framework they put in forces organizations to compete year in and year out, not being able to depend on money. It well underfunds PILT, payment in lieu of taxes, which is so important to our Western States. The underlying bill gives all of the money, or 85 percent of it or more, to Federal agencies and shortchanges our Governors and our mayors and our local elected officials. And it does not fund, as clearly as it should, some of the other important programs we have outlined as authorizers in our compromise between the House and the Senate.

(Mr. GREGG assumed the chair.)

Mr. REID. Would the Senator yield for a question?

Ms. LANDRIEU. Yes, if I may retain the floor.

Mr. REID. I ask my friend, we have Senator DORGAN, Senator CRAIG, and others wishing to speak. No one wants to take away the time the Senator deserves on this issue. Can she give us an idea of how much time she is going to take?

Ms. LANDRIEU. I will take probably another 10 minutes, and then I will yield back my time, if I am able to, to Senator FITZGERALD, who continues to want time on the floor. We can check with Senator FITZGERALD.

Mr. President, I will continue to read some of this into the RECORD.

Iowa, for instance, is the only State of the Union to date that has not received any money from the Land and Water Conservation Fund in 30 years, as the records will reflect. This year, Iowa has $600,000. Under CARA, we could have made a commitment of approximately $11 million per year.

Kansas—and Senator ROBERTS has been a terrific supporter of CARA, and I am appreciative of his support, particularly for the wildlife portion of our bill—gets zero in the trust fund for this year. Kansas would have gotten about $11.9 million under CARA.

Kentucky, $2.5 million; $15 million under CARA.

Maine, $1 million under this bill for this year; $31.9 million would have been directed to Maine under the CARA proposal.

Maryland, which sits on the shores of the great Chesapeake Bay—an area that deserves, in my opinion, a great deal more attention, and the local officials in the various States around the Chesapeake have done a wonderful job, and there has been much help from the Federal level, but we can still do more to protect that important ecosystem in our Nation—Maryland gets $1.2 million. Under CARA, they would have gotten $28 million a year.

Massachusetts, about $1.5 million; under CARA, $35 million.

Michigan, $1.1 million; under CARA, $42 million.

Minnesota, $2.8 million; under CARA, $29 million.

Missouri, $3.5 million; under CARA, $26.2 million.

Montana, $6.5 million; under CARA, $47.8 million.

Nebraska—and Senator KERREY has been a wonderful supporter and very helpful in terms of arguing that States and local governments should have a say as we divide this money annually and should be able to count on something and not have to wait until October, which costs the taxpayers more and which is difficult at the State level. Nebraska has a grand total of $400,000 for the Land and Water Conservation Fund. Under CARA, they would have gotten about $14.5 million.

Nevada, which is the State of my good colleague, Senator REID, got $2 million. CARA would have brought them $37 million. A lot of that money would have been for PILT payments because the Senator represents a State where the Federal Government owns 92 percent of the land.

So it is our obligation to provide money for those local units in Nevada which lose revenues when the Federal Government takes over land from the private sector. They would have benefited from the formula that would have acknowledged that and tried to, in some ways, make them whole by improving their PILT payments. They would get $38 million under CARA; instead, they get $2 million.

New Hampshire, a small State but a very important State, under this bill gets $3.6 million; under CARA, the total it would have received is $17 million.

New Jersey, the Garden State, with a Republican Governor whom I admire a good deal, Governor Whitman, just passed—and I am sure with Democratic help—a bond issue to provide over a billion dollars for Saving Open Spaces in New Jersey. They are one of the most populated States and are trying to preserve the farmland they have left and the green spaces. That is very important to many people along the east coast, the west coast, the interior, and the coastal communities. They passed a billion dollar, multiyear effort. I believe, and the CARA coalition believes, we should try to match that effort. Instead, under this bill, we have given New Jersey $2 million. CARA would have provided them a $40 million partnership every year.

New Mexico—and Senator BINGAMAN has been an outspoken advocate and a ranking member on our side—gets $4.7 million. It would be $44.9 million under CARA.

I know my time is going to be running short. In a moment, I will be prepared to yield my time back to Senator FITZGERALD, who had the floor. I was taking some time from him. I say to our floor leader, I will yield back some time to Senator FITZGERALD.

The PRESIDING OFFICER. Under the previous order, the Senator from Illinois is recognized.

Mr. REID. Parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. FITZGERALD. Yes, for a question.

Mr. REID. I just have a parliamentary inquiry. The Senator would not lose the floor. I have a question to ask the Chair.

Is the parliamentary situation that the Senator from Illinois has the floor?

The PRESIDING OFFICER. That is correct.

The Senator from Illinois is recognized.

Mr. FITZGERALD. Mr. President, I am going to continue speaking about this $120 million proposed Abraham Lincoln Library in Illinois. I realize my colleague from Idaho wishes to be recognized. What I am going to ask is unanimous consent that the Senator from Idaho be recognized for 10 minutes at this time and that I then be recognized.

Mr. REID. Mr. President, reserving the right to object, the reason I say that is, there is a unanimous consent agreement already in effect, and the Senator from North Dakota wishes to speak as well. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois has the floor.

Mr. FITZGERALD. Continuing on, Mr. President, to bring the Senate back up to date, we are talking about a proposed Abraham Lincoln Library in downtown Springfield, IL, that would cost approximately $120 million.

The library would be one of the most expensive buildings in the city of Springfield. The estimated value of the State capitol in Springfield is, I believe, $78 million, in inflation-adjusted dollars. This library would be approximately half the size of the State capitol, but it is a substantial building. It is also going to be very close to the Renaissance Springfield Hotel, which we have been examining in detail this afternoon.

The reason I am concerned or have an objection to the conference committee report now before the Senate is that the conference committee report authorizes $50 million in Federal funding for the Abraham Lincoln site but does not carry the requirement that passed out of the Senate that the project be competitively bid in accordance with Federal law. Instead, it would appear the money that is authorized in the conference committee report—instead of having a competitive bid requirement, it says that the $50 million is authorized to go to an entity that will be selected later which would design and construct the library.

The language does not make clear that the entity would be a governmental entity. It is possible, based on reading the conference report, that the $50 million could be channeled to private sources. Presumably, that would not happen however. Presumably, the money would be given to the State of Illinois.

We have reviewed what would happen if the money were given to the State of Illinois, how the State of Illinois would award construction contracts. Presumably, the State of Illinois would turn the project over to its Capital Development Board. We reviewed and examined earlier today a giant loophole in the Capital Development Board—the statute on procurement that governs the Capital Development Board. They have a right to opt out of competitive bidding. Apparently, in the statute, they can just decide they are not going to have competitive sealed bids on the project.

That loophole gives me pause for the reason that I thought we ought to have a tighter set of restrictions. I proposed an amendment that would require that the Federal competitive bid guidelines be attached to the project. I think that would take care of the problem. We are examining in detail the concerns I have and some of the red flags that have occurred to me with this project.

I spent 6 years in the Illinois State Senate in Springfield. I have a pretty good idea of how State government operates. I am familiar with many of the people who are involved with this project. After taking a very close look at the project, it originally started out as a $40 million project, then went to a $60 million project. At one time they were talking about a $140-something million project; now it is back down to a $115 million or a $120 million project. They are seeking $50 million from the State of Illinois, $50 million from the Federal Government, and $10 million in essentially tax breaks from the city of Springfield, and possibly the contribution of some land.

They are, in addition, creating a not-for-profit corporation that was filed with the office of the Illinois secretary of state in June of this year. They have recently made, are making, or have made—it is not clear which—a request to become registered as an official charity. They could solicit and retain contributions for the Lincoln Library Foundation. They have set an ambitious goal for the foundation of raising somewhere in the neighborhood of $50 or $55 million.

I received from published reports that the foundation's board of directors appear to be Mrs. Julie Cellini, who is the head of the Illinois Historic Preservation Agency, and Mrs. Laura Ryan, the first lady of the State of Illinois.

Mr. REID. Mr. President, will my friend from Illinois yield for a question without losing his right to the floor?

Mr. FITZGERALD. I yield for a question.

Mr. REID. The Senator from Illinois has the floor. The Senator from North Dakota, under a unanimous consent agreement, has a right to speak when the Senator finishes. The Senator from Idaho wishes to speak for 10 minutes. I am wondering if the Senator from Illinois would agree that Senator CRAIG could speak now for 10 minutes, with the Senator from Illinois retaining his right to the floor, and at such time as Senator DORGAN comes to the floor we allow him to speak for up to 20 minutes.

Mr. FITZGERALD. I would go along with that as long as I could be recognized upon the completion of the remarks of the Senator from Idaho and upon the completion of the remarks of Senator DORGAN, and that my recognition would count as a continuation of the speech I am now delivering on the Senate floor.

Mr. REID. That was the intent of the unanimous consent request.

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

Mr. REID. As I understand it, the Senator from Idaho is now going to be recognized for 10 minutes.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I thank both Senators and the Senator from Illinois for yielding. It certainly was his prerogative not to yield because he controls the time, and I appreciate that, and the Senator from Nevada for accommodating me and working out the differences.

Mr. CRAIG. Mr. President, I had hoped that I would be able to respond in part while the Senator from Louisiana was on the floor speaking about her concerns about the CARA legislation. She certainly has made every effort to move that legislation, which is important to her State.

Both the Senator from Louisiana and I serve on the Energy and Natural Resources Committee on which that legislation was formed. She has always been courteous. We have worked closely together on the issue.

I could not and do not support CARA as it is currently crafted and as it was voted out of the Energy and Natural Resources Committee. I said very early on to the citizens of my State and to my colleagues on that committee that I would strongly oppose any bill that created a Federal entitlement that allowed the Federal Government to own more of the State of Idaho. The Federal Government already owns nearly 64 percent of my State. And this year you watched Federal forests in my State burn, with tremendous fire and heat, causing the destruction of the environment and resources. My State forests did not burn. The private forests in Idaho did not burn because they were managed. They were thinned. They are healthy, growing, dynamic forests that provide marvelous habitat and quality water to our streams, to our fisheries, and to the life-style of my beautiful State.

Two weeks ago, I was in a helicopter flying over the nearly 1.2 million acres of charred national forests in my State—charred almost to a point of nonrecognition. It will take a decade or more for the natural environment to begin to return. That could have been avoided to some degree, if the Forest Service and its management had not become an agency of benign neglect, which had simply turned its back on these living environments, and had helped Mother Nature to improve them in a way that they would not have burned in such a catastrophic fashion.

The reason I say that is because many want the Federal Government to own more land. Somehow the Federal Government's ownership has in some people's minds become synonymous with quality environment. That is simply not true today.

Nearly 40 million acres of national forest land are in a dead or dying condition—bug-infested, overpopulated with trees, and as a result drought stricken, with the health of the trees declining and the health of the forests faltering.

Is that a way to manage lands? No, it isn't. The Senator from Louisiana knows that. She knows my strong opposition to additional ownership of Federal property in my State. She worked with me. She worked with me very closely to try to change that equation, and we simply could not get that done.

That is why we did something different in this Interior appropriations bill. It is not CARA and it is not land legacy, but it does recognize the importance of spending money for certain resource values, for certain wildlife habitat values, for certain coastal needs of the kind the Senator from Louisiana has for the general well-being of the environment with moneys coming from offshore oil royalties, many of them generated in the gulf south of her State and out into the ocean beyond Louisiana. On that, she and I do not disagree. But I will continue to be a strong opponent of an attitude or a philosophy and an effort to fund an attitude and a philosophy that somehow if the Federal Government owns the land, it is going to be better protected. In my State of Idaho, because nearly 64 percent is owned by the Federal Government, they also dictate the economy of my State.

Today we had a hearing in the Small Business Committee about the impact of forest policies on all of the small communities of my State. I chair the Forestry Subcommittee of this Senate. We have held over 100 hearings since 1996 examining the character of decision-making in the U.S. Forest Service and that they ignore small business today, and they turn their back on small communities that adjoin those forests.

Is it any wonder why nearly all of those small communities in Idaho and across the Nation today associated with public forests have 14 and 15 percent unemployment while the rest of our country flourishes because of the high-tech economy? No. It is quite obvious that is what is happening because this Government and this administration have locked the door on the U.S. forested land and turned their back and walked away. With that, thousands of jobs and 45,000 schoolchildren in rural schools across the Nation are deprived of the money that would have come to them by an active management plan of the U.S. Forest Service because of long-term policies that allowed counties and school districts to share in those revenues.

I can't stand here as someone representing the State of Idaho and say: Give the Federal Government more money to buy more land in the State of Idaho to make it Federal. I can't do that in good conscience, and I won't.

I am joined with my western colleagues to tell the Senator from Louisiana, somehow it has to be done differently. I am not going to suggest what we do in this bill is answer the problems or concerns of the Senator from Louisiana. I think it probably isn't.

But I will say it is no longer an entitlement. It is not automatic for 15 years. We do not give this administration or any future administration half a billion worth of cash a year to go out and buy more and more land to turn into forest fires or dying habitat for wildlife because they won't actively manage it and care for it.

There is a lot of money in here to help our national parks. There is money for urban parks. There is money for coastal acquisitions. There is a great deal of money—$1.8 billion, nearly $2 billion worth. A chart shows it ratchets it up over the next number of years to nearly $2.4 billion. It is not as originally envisioned by the CARA Coalition, but it is a great deal of what they asked for.

Ms. LANDRIEU. Will the Senator yield for clarification?

Mr. CRAIG. I have very limited time. I apologize.

I am not in any way—how do I say this—taking offense at what the Senator from Louisiana has said. We have worked very closely on this issue. She and I held fundamental disagreement on one portion of the bill. I made an effort to change that. I made an effort to have no net gain of Federal lands in the States. Willing seller, willing buyer—all of those kinds of things we worked to get. We couldn't get them.

So I have fought, as other colleagues have fought, not to allow CARA to come to the floor this year for a vote.

Let me talk more about something else before my time is up. I mentioned that nearly 1.2 million acres of Federal land burned in my State this year, beautiful forested land that was in trouble environmentally, and when Mother Nature came along and struck with her violence, it all went up in smoke.

There is a lot of money in this bill to begin to deal with those problems, a great deal of money in this bill to pay off the fire expenditures that are natural to do so. A lot of this money is to pay back the expenses that were incurred this year, the millions and millions of dollars spent each day for nearly 60 days across this country during the peak of the fire season when the skies of Idaho were gray to black, as it was true in other States across this Nation. There is a lot of money in this bill for that purpose.

There is also additional money in this bill, new language, and new policy, on which Senator DOMENICI of New Mexico and I worked with a lot of others, to try to create an active management scheme that will allow in areas where there are now urban dwellers—we call it the urban wildland interface—which I will come back to.

I thank my colleague from Illinois for yielding. This is an important bill. We have addressed a lot of the problems. I hope my colleagues will join in supporting the passage of the Interior appropriations conference report.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. FITZGERALD. Mr. President, reviewing again the proposed Abraham Lincoln Library in Springfield, IL, I emphasize the magnitude of the project. It is a proposed $120 million project. It started as a $40 million project, went up to $60 million, and now it is at $120 million. At one time, it was up to $140 million.

Reviewing the cost of other important buildings in the city of Springfield, the estimated cost, adjusted for inflation:

The State capitol building built in 1868 to 1888, $70 million.

The Willard Ice Building, I believe for the State Department of Revenue, a very large State office building built in 1981 to 1984, took 3 years to construct, $70 million;

The Prairie Capitol Convention Center, a large convention center, built in 1975 to 1979, $60 million.

This Abraham Lincoln Library will be one of the largest, most important buildings in the city of Springfield. I am supporting the project. However, I want the city of Springfield to get a $120 million library out of the project, not a $50 million library that just happens to cost $120 million.

It is for that reason I have tried, and the Senate has tried, to insist that the project be competitively bid. The Senate has gone on record with the legislation that cleared the full Senate last night, unanimously requiring, with our authorization of $50 million for this project, that the Federal rules of competitive bidding, which are set forth in this volume and are very extensive, very well thought out, were worked on by then-Senator Bill Cohen from Maine, now the Secretary of Defense—a lot of thought has gone into these rules. A lot of refinements have been made over many years. They have had to correct problems, and they have gone back to them repeatedly.

It has been a great focus of many Senators and Congresspeople in Washington. The intent of the Federal rules is to try to eliminate political favoritism in the awarding of construction contracts. The House has now in the conference committee, with provisions they have inserted into the conference committee, the same authorization that the Senate has backed. However, they struck the language requiring that Federal competitive bidding guidelines be followed.

The money is supposed to go to an entity that will be selected later. It is not clear exactly to whom the $50 million taxpayer money will go. It is interesting that Washington passes legislation sending out the money without saying to whom it is going; that is what this provision does. One would think we would be more careful with the taxpayer money and we would know—at least for sure it would be nailed down in law—who was getting the money. Presumably the money would wind up in the hands of the State of Illinois, and if it wound up in the State of Illinois, they would probably give it to their Illinois Capital Development Board for the Illinois Capital Development Board to construct the project in accordance with the Illinois procurement code.

Reviewing for the Senators who have just arrived, the Illinois procurement code was at one time one of the weakest, perhaps, in the country. It was strengthened a few years ago, in late 1997. I think changes were made for the better. I supported legislation—I believe it was H.R. 1633—that strengthened those guidelines. When we started to look and study in a more detailed manner how the Federal money would go, and considered what would happen if it went to the State Capital Development Board, we looked carefully at the State's procurement code and a couple of glitches popped out at us.

I want to review those glitches. The State's position on this is that if the money goes to the Capital Development Board and they build the library, they have to, under their law, use competitive bidding. It turns out, however, that contrary to the Capital Development Board's assertions, in fact, a contradiction appears in the statute governing the Capital Development Board. The portion of the procurement code that governs the Capital Board is 30.I.L.C.S.5500/30-a. It says:

> Other methods. The Capital Development Board shall establish by rule construction purchases that may be made without competitive sealed bidding and the most competitive alternate method of source selection that shall be used.

That is a great big loophole in the Capital Development Board procurement code. Thus, there is the possibility that if we give this money to the State and do not attach the Federal competitive bidding guidelines, the State could simply opt out of competitively bidding the project.

That troubled me greatly, given the magnitude of the project and given a long history in Illinois of what I would say is a fairly acute problem with procurement contracts—in construction and in leasing, particularly. It occurred to me that we needed tighter safeguards.

There is another general problem I addressed earlier with the State procurement code, and that is in advance of bidding, even when they do opt to competitively bid, they don't have to tell the bidders what weight and relative importance they are going to attach to the various criteria they must set forth. The State must tell the bidders by what criteria they are going to judge the bids and make awards, but they are not going to tell you what weight they assign to the various criteria.

The problem with that is that it is like trying to pin keylime pie to the wall. You can come in with the low bid and the State can say we gave more weight, actually, to the experience of this other bid. It costs a little bit more, but we give more weight to their experience, or vice versa; they could almost always rationalize the acceptance of any bid after the fact and make it very hard to challenge a decision by the State to not accept your bid. Of course, in contrast, the Federal code in that regard is markedly superior. It does a much better job at limiting the discretion of the procurement officers and it does that by requiring that sealed bid solicitations disclose in advance all significant bid evaluation factors and the relative importance of each factor and whether nonprice factors, when combined, will be accorded more, equal, or less weight than price.

Of course, the State rules, which do not require the relative importance for weight of the factors to be disclosed, would allow a purchasing officer to pick any bid he wants and explain his decision by saying the one factor for which that bid was better was the most important factor, and any decision could be rationalized after the fact. It would be very hard to challenge any award the State made.

Perhaps that could be why, after there have been so many articles and investigative reports written about seemingly, on their face, exorbitant rents or prices on projects, that you don't actually have much of a challenge or any history of prosecutions on that. So I feel the State code really is deficient in those two key respects. I feel the Senate did the right thing by attaching a requirement that the Federal competitive bidding guidelines attach to the project. There is greater protection for the taxpayers if we do that.

We have reviewed the history of projects in Springfield. We talked about a State loan given to a partnership that constructed the Springfield Renaissance Hotel. That hotel is located close to where the Abraham Lincoln Library is proposed to be. We talked about some of the problems that have arisen from time to time in the State of Illinois. My goal here is to try to tighten the law so we are not setting the table for another problem to occur with this project, which is, after all, being built as a monument to ''Honest Abe'' Lincoln, perhaps the greatest President in history. We want to make sure the taxpayers get the value of all the resources they are contributing.

We have reviewed how the State previously gave out loans to build the hotels. Those loans were never fully repaid. I believe there is still a substantial outstanding balance. We have, thus, in that manner, begun laying before the Senate the context in which my deep concern arises by the lose authorizing language in the conference committee report before the Senate.

Now, we read the article ''Taxpayers Stuck With $30 Million Hotel Tab.'' I want to turn to an article that appeared in the Chicago Sun Times on October 6, 1996. It is an article by Tim Novak, Chuck Neubauer, and Dave

McKinney. If I may read this article, the headline is:

Cellini State Capitol's Quiet Captain of Clout; Dealmaker Built Empire Working in Background.

Outside the state Capitol, William Cellini is just another businessman.

Inside, Cellini is one of the most powerful people in state government, a man who has built a personal empire worth at least $50 million through his ties to the governor's office dating back to 1968.

This 62-year-old son of a Springfield policeman is perhaps the most feared, respected and invisible man in those halls of power.

He's played the system brilliantly—and legally.

Cellini has never run for state office, but he's helped run state offices—reviewing choices for the governor's Cabinet, getting scores of people state jobs and at one time even approving all federal appointments in Illinois.

His unique access has put him in position for a staggering succession of state-financed deals.

He is an owner of the state's first riverboat casino. He got state money to build a money-losing luxury hotel where he throws fundraisers for Gov. Edgar. He got state funds to build 1,791 apartments in Chicago, the suburbs and Downstate. He manages offices that he developed for state agencies. He invests pension funds for state teachers. And that is just part of his empire.

But most of all Cellini has had clout with Illinois governors starting with Richard Ogilvie through James Thompson and now Edgar.

Keep in mind, this is an article from 1996. George Ryan is the current Governor of Illinois. Reading again from the article:

And those relationships have been mutually profitable: the Governors got cash for their campaigns and Cellini became a multimillionaire.

''I can't recall someone similar to Bill Cellini having that access. And for that long as well,'' said Donald Totten, the Schaumburg Township Republican committeeman who was President Reagan's Midwest coordinator.

''He seems to always have the ears of governors, which are always the most powerful people in government,'' Totten said. ''Thompson-Cellini, Ogilvie-Cellini. Edgar's got his sister on in a major job, so he has influence there.''

Cellini's sister Janis is Edgar's patronage director, in charge of hiring people for the highest level jobs. Both Cellinis accompanied Edgar on a two-week trade mission to Asia last month.

Cellini has clout. But money is the foundation of his far-reaching empire. Specifically, his ability to raise cash—primarily from road builders—while rarely giving any of his own money. Cellini raises hundreds of thousands of dollars, mainly for those Republicans, primarily candidates for governor, but also for those seeking the White House like Gerald Ford, Ronald Reagan, George Bush and Bob Dole.

Throughout it all, Cellini has been granted extraordinary powers, clout that elected officials usually reserve for themselves.

When Edgar took office, Cellini interviewed candidates for the Cabinet and made recommendations—particularly for state departments that do business with Cellini's companies.

''The reason he's involved in Cabinet selections is Bill Cellini has seen more Cabinet members come and go. He has good instincts about what it takes to be a good Cabinet member,'' said state Sen. Kirk Dillard (R–Hinsdale), who spent three years as Edgar's first chief of staff.

Cellini has also spent nearly 30 years helping scores of people get jobs in state agencies, creating what some call a patronage army more loyal to Cellini than any governor.

''He probably knows more people in state government that I do,'' Thompson told the Sun-Times in 1990 as he was winding down his 14 years as governor.

Cellini's clout has gone all the way to the White House based on letters and memos from the Gerald R. Ford Library. Under President Ford, Cellini was in charge of all federal appointments in Illinois, according to a letter from Don ''Doc'' Adams, a longtime Cellini friend who was chairman of the Illinois Republican Party when Ford was president.

''As you know Bill Cellini is the man we've designated to coordinate Federal and State appointments for the state of Illinois,'' Adams wrote in 1976 to Ford's personnel director, Douglas Bennett.

''If Doc Adams is telling the White House that Bill Cellini is the guy to go to in Illinois . . . Bill is operating as a political boss without having to be an elected official,'' said a longtime Republican who requested anonymity.

It's hard to find people, Republican or Democrat, willing to talk about Cellini and Cellini adds to the intrigue by shunning the spotlight.

Cellini ignored numerous requests from the Chicago Sun-Times to discuss his empire and power. Over the past few years, Cellini has placed many of his financial holdings in trusts to benefit his son, William Jr., 27, and daughter, Claudia, 22.

Keep in mind this article is from 1996.

Often referred to as a Downstate Republican powerbroker, Cellini has numerous business deals in Chicago and the suburbs, often working with businessmen allied with Democrats such as Mayor Daley.

Cellini spends so much time in Chicago that he bought a $594,000 condo on Michigan Avenue in 1993 without a mortgage. He also has a $325,000 home without a mortgage in an elite Springfield neighborhood. It's a long way from the Springfield duplex he and his wife, Julie, shared when he went to work for Ogilvie in 1969.

''There's no doubt he's probably done pretty well,'' Edgar said. ''But there are a lot of people who have made money off state government who have never been involved in politics . . . who have never worked a precinct or helped a candidate.

''I think there's a lot of folks who are envious of Bill Cellini.''

THE OGILVIE YEARS

''When I met Bill Cellini he was a local politician. That was it,'' said John Henry Altorfer, a Peoria businessman who hired Cellini to manage his campaign for governor in 1968.

Cellini (pronounced, Suh-LEE-nee), a former high school physics teacher, was in his early 30s and building a reputation as a Downstate power while serving his second term on Springfield's City Council. Altorfer said he thought Cellini could deliver Downstate votes and help him win the Republican nomination for governor in a four-way race that included Cook County Board President Richard Ogilvie.

Cellini ''was very energetic and had a lot of ideas,'' said Altorfer, who now lives in Arizona. ''He worked very hard for me until I lost.''

Altorfer beat Ogilvie in the Downstate counties, but Ogilvie carried Cook County and won the primary. Ogilvie brought Cellini along to garner Downstate support, a move that has left Altorfer with lingering suspicions.

''Some of my friends came to me and said, 'Do you think Bill was secretly working for Ogilvie?''' Altorfer said. ''Ogilvie had inside information about my campaign and I wasn't sure where it came from.

''The only person who worked for me who received anything was Bill Cellini,'' Altorfer said. ''I have to believe he was being repaid. I thought he had loyalties to two people, me and Ogilvie.''

Altorfer ''didn't lose because of Cellini,'' said Thomas Drennan, a political advisor to Ogilvie. ''Cellini beat our brains out'' in the primary.

''He was just an excellent organizer,'' Drennan said. ''He was like a good precinct captain, but countywide.''

Ogilvie was elected governor and he picked Cellini to become the state's public works director, overseeing construction of the interstate highway system that had started in the 1950s.

Cellini, who was 34, had experience with road construction, having served as Springfield's streets commissioner while on the City Council and as a member of the Roads and Bridges Committee when he was on the Sangamon County Board.

Cellini rose quickly under Ogilvie. Cellini headed a task force that created the Illinois Department of Transportation and he became the first director, overseeing a $1.6 billion budget and 10,000 employees. His $40,000 salary was second only to Ogilvie's.

Cellini was also chosen to head other committees. One pushed for extending the rapid transit line to O'Hare Airport. Another pushed for building the Deep Tunnel, the ongoing public works project to relieve flooding in Cook County.

''He expanded his influence when he was secretary of transportation,'' said Totten, who was a transportation deputy under Cellini. ''He was a very powerful, behind-the-scenes politician in Springfield. And he still is.''

Road construction boomed under Cellini and Ogilvie, but so did allegations of collusion among road builders seeking to cash in on the work. A handful of road builders were convicted in the federal probe and temporarily suspended from getting any more federally funded highway projects.

The probe included accusations that Cellini's top deputies used IDOT helicopters to swoop down on construction sites to pick up campaign donations for Ogilvie. No state officials were ever charged in the probe that continued after Ogilvie lost his re-election bid in 1972 to Dan Walker, the Democrat who defied Mayor Daley's machine to become governor.

Mr. DORGAN. Mr. President, I wonder if the Senator from Illinois will yield at this point.

Mr. FITZGERALD. I will yield for a question.

Mr. DORGAN. Mr. President, my understanding from the colloquy with the Senator from Nevada is that the Senator from Illinois indicated he would yield to me for 20 minutes without him losing the continuity of his presentation and with the stipulation he be recognized upon the completion of my remarks.

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the Senator from North Dakota now be recognized for 20 minutes and that I be rerecognized upon the completion of his remarks and that my rerecognition

count as a further continuation of the speech I began earlier today.

The PRESIDING OFFICER (Mr. CRAPO). Without objection, it is so ordered. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I want to say a few words about the Interior conference report which is before the Senate, but first I want to make some brief comments on a bill called CARA, the Conversation and Reinvestment Act.

My colleague from the State of Louisiana and other colleagues from the State of Florida and many other areas of the country feel, as I do, that it is very important for us to try to finish this important bill before we finish our work this year.

CARA is a bill dealing with conservation, preservation, and reinvestment in our natural resources, wildlife, parks, and public lands. We struggled to bring that out of the Energy Committee under the leadership of Senator MURKOWSKI. My hope is, before this Congress adjourns, we will have the opportunity to pass it through the Senate and find a way to have the House of Representatives work with us to accept it so it can become law. It is a very important piece of legislation.

Mr. President, let me say a kind word about my colleague from the State of Washington, Senator GORTON, and also my colleague from West Virginia, Senator BYRD.

I come to the floor to talk about this conference report. I am on the Interior Subcommittee. I have told my two colleagues before—the chairman and the ranking member—that I think they have done an awfully good job. This is not easy work. It is hard work, trying to fit unlimited wants into limited resources. How do you do all of that? You have to make choices. Sometimes the choices are hard and painful, but you have to make choices.

While I would like to see more investment and more spending in some areas that I think are critical, I must say that this year, once again, Senator GORTON and Senator BYRD have taken another step—a significant step—in addressing some of these critical needs. And it has not always been done in the past. So I say to them, thank you. And good for you. I appreciate the work you have done.

I especially wanted to come to the floor today to speak for a few minutes about the issues of Indian education. I have been such a strong advocate of Indian schools. These schools on Indian reservations—both the BIA schools and the public schools on or near reservations—that do not have much of a tax base to help them are in desperate need of repair. The legislation that was brought to the floor of the Senate does, this time, make some significant strides in providing investments for those areas.

Let me use some charts that I have shown before to demonstrate why this is an important issue.

This is the Marty Indian School in Marty, SD. This picture shows what happens to be some of their plumbing. Take a look at that and ask if that is where you would be proud to send your kids to school—to an old 70- and 80-year-old building that is in desperate condition with, effectively, rubber Band-Aids around their water pipes and sewer pipes.

This is another picture of the Marty Indian School; an old rusty radiator with crumbling walls. Would we be proud to send our children into those classrooms?

I have been to the Ojibwa Indian School many times. This is a picture showing the plywood that separates this building from a caved in foundation, which separates children from danger. Of course, many of the children in Ojibwa go to a series of structures, modular structures, that are kind of like the double-wide mobile homes.

This picture shows the fire escape. Note the fire escape is a wooden set of stairs. These little children at the Ojibwa school move back and forth between all these modular structures, in the middle of the winter, with wind and snow blowing. I have been there. I have seen the wiring and other things that lead you to question whether those children are safe in those schools. We have report after report after report saying this school needs to be rebuilt.

Here is a fire escape made of wooden stairs in these modular classrooms. These modular classrooms go inside. Again, they are in desperate need of repair. My point is that we need to do better than this.

My two colleagues, who have put this bill together, have made a step forward this year in construction money and repair and renovation money for these schools. I say to them, thank you. I hope we can do even more in the coming years. But I appreciate the effort we have made this year.

I will make another point about Indian education. I want to read something to my colleagues. The other issue that is so important to me is the issue of the Indian tribal colleges around this country. They have been such a blessing to so many people who have been left behind.

There are so many people in this country who have been left behind, especially on the Indian reservations, living in poverty, living in communities with substantial substance abuse, violence that is the kind of unspeakable violence that breaks your heart.

I have talked about a young woman on the floor of the Senate before named Tamara Demarais. I met her one day. Young little Tamara was 3 years old when she was put in foster care. One person was handling 150 cases of these children. So that person, working these cases, put little Tamara, at age 3, in foster care and did not check closely enough the family she was putting this little 3-year-old with.

This is what happened to Tamara. At a drunken party, this little 3-year-old girl had her hair torn out by the roots, had her arm broken, and her nose broken in a severe beating.

How did that happen? Why did that happen to this little girl? Because somebody did not care enough or did not have the time to check to see whether they were putting this little girl in a family who was going to be harmful to her. She went to a foster home and was beaten severely at age 3.

I met that little girl about 2 years later. I wonder how long it will take her to get over the scars of what happened to her. But it happens too often—the struggle, the violence, amidst the poverty. How do we break out from that in these circumstances?

I want to tell you a story about tribal colleges. As the Senator from Washington will remember, in the full Appropriations committee in the Senate, I offered an amendment to add a couple million dollars. I am pleased to say that this funding stayed in this legislation. These tribal colleges are the colleges where those who have kind of been left behind in many cases go back to school. Often the only way they can do that is to have an extended family right on the reservation for child care and for other assistance; and then they can go to school.

I have talked before about the woman I met who was the oldest graduate at a tribal college when I gave the graduation speech one day. This is a woman who had been cleaning the toilets in the hallways of the college, a single mother with four children, and no hope and no opportunity.

She said to herself: I would like to graduate from this college somehow. So as she toiled, cleaning the school at nights, she put together a plan to try to figure out a way to go to that college and graduate. The day I showed up, she had a cap and gown and a smile on, because this mother of four, with the help of Pell grants and student aid and other things, was a college graduate. Imagine, that is what it does to the lives of these people.

I will read from a letter of someone who says it better than I could.

> I grew up poor and I was considered backward by non-Indians.
>
> My home was a two-room log house in a place called the ''bush'' on North Dakota's Turtle Mountain Indian Reservation.
>
> I stuttered. I was painfully shy. My clothes were hand-me-downs. I was like thousands of other Indian kids growing up on reservations across America.
>
> When I went to elementary school I felt so alone and so different. I couldn't speak up for myself. My teachers had no appreciation for Indian culture.
>
> I'll never forget that it was the lighter-skinned children who were treated better. They were usually from families that were better off than mine.
>
> My teachers called me savage.
>
> Even as a young child I wondered . . . What does it take to be noticed and looked upon the way these other children are?
>
> By the time I reached 7th grade, I realized that if my life was going to change for the better, I was going to have to do it. Nobody else could do it for me.
>
> That's when the dream began. I thought of ways to change things for the better—not only for myself but for my people.

I dreamed of growing up to be a teacher in a school where every child was treated as sacred and viewed positively, even if they were poor and dirty.

I didn't want any child to be made to feel like I did. But I didn't know how hard it would be to reach the realization of my dream. I almost didn't make it.

By the time I was 17, I had dropped out of school, moved to California, and had a child.

I thought my life was over.

But when I moved back to the reservation I made a discovery that literally put my life back together.

My sisters were attending Turtle Mountain College, which had just been started on my reservation. I thought that is something I could do, too, so I enrolled.

In those days, we didn't even have a campus. There was no building. Some classes met at a local alcohol rehabilitation center in an old hospital building that had been condemned.

But to me, it didn't matter much. I was just amazed I could go to college. It was life-changing.

My college friends and professors were like family. For the first time in my life I learned about the language, history and culture of my people in a formal education setting. I felt honor and pride begin to well up inside of me.

This was so unlike my other school experience where I was told my language and culture were shameful and that Indians weren't equal to others.

Attending a tribal college caused me to reach into my inner self to become what I was meant to be—to fight for my rights and not remain a victim of circumstances or of anybody.

In fact, I loved college so much that I couldn't stop. I had a dream to fulfill . . . or perhaps some would call it an obsession.

This pushed me on to complete my studies at Turtle Mountain College and earn a Doctorate in Education Administration from the University of North Dakota.

I've worked in education ever since, from Head Start teacher's aide to college professor.

Now I'm realizing my dream of helping Indian children succeed. I am the Office of Indian Education Programs' superintendent working with nine schools, three reservations, and I oversee two educational contracts for two tribal colleges.

My life would not have turned out this way were it not for the tribal college on my reservation.

This is Loretta De Long. Loretta is a good friend of mine, a remarkable woman, a remarkable educator. She writes a letter—I have not read all of it, there is another page—but she writes a letter that describes in such wonderful, vivid detail the struggle and the difficulty to overcome the obstacles early in her life and the role the tribal college played in her life.

The Turtle Mountain Community College is a wonderful place. I have been there many times. I have spoken at their commencement. They now have a new campus. They have people going to college there who never would have had a chance to get a college education, but being able to access the extended family on the reservation for child care and a range of other things, there are people getting education at this tribal college who would not have had the opportunity before.

It is not just this college. It is the Sitting Bull College at Fort Yates. I was down there recently and helped them dedicate a new cultural center. There are so many good tribal colleges that are providing opportunity for people such as Loretta.

There are people like Loretta who are going to schools of the type I described earlier. They are going to schools with heating registers that look like this. They are going to schools with plumbing that looks like this. That ought not happen. We know better than that. We can do better than that for these kids. It doesn't matter where you are in this country, when you send a kid through a schoolroom door, you ought to believe, as an American, that we want that child to go through the best classroom door in the world; we want that classroom to be one we are proud of.

I have mentioned before—and if it is repetitive, tough luck—I have mentioned before Rosie Two Bears, who, in the third grade at Cannonball, looked up at me and said: Mr. Senator, are you going to build us a new school? Boy, do they need it. Rosie Two Bears deserves, as every other young child in this country, the opportunity to go to a school we are proud of—we, as Americans, are proud of. She goes to a school right near an Indian reservation, just off the site of the reservation, with no tax base at all. It is a public school. We need to fix that.

The point is, that is sort of a long way of describing almost an obsession of mine—that we can't leave people behind in this country. This country is doing well. I am proud of that. But we can't leave people behind. There are some young kids, especially in this country, who are being left behind, going to schools that are not adequate. There are others who will be left behind if we don't continue to strengthen these tribal colleges.

A final comment: The amount of money we provide for tribal colleges with this legislation will provide $3,477 per pupil, and that is an improvement.

Let me finish by saying I commend the Senator from Washington and the Senator from West Virginia and others with whom I have worked. But the authorization is at the $6,000 level. And, frankly, in community colleges around the country—community colleges, not tribal colleges—the average support for students is over $6,000 per student. So we are still well short in tribal colleges of doing what we can to make these the kind of institutions we all know they can be.

I conclude by asking unanimous consent that the entire letter of Dr. Loretta De Long, from which I quoted, be printed in the RECORD.

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

TURTLE MOUNTAIN AGENCY,
TURTLE MOUNTAIN, NORTH DAKOTA

DEAR FRIEND OF THE COLLEGE FUND, I grew up poor and considered backward by non-Indians.

My home was a two-room log house in a place called the ''bush'' on North Dakota's Turtle Mountain Indian Reservation.

I stuttered. I was painfully shy. My clothes were hand-me-downs. I was like thousands of other Indian kids growing up on reservations across America.

When I want to elementary school I felt so alone and different. I couldn't speak up for myself. My teachers had no appreciation for Indian culture.

I'll never forget that it was the lighter-skinned children who were treated better. They were usually from families that were better off than mine.

My teachers called me savage.

Even as a young child I wondered . . . What does it take to be noticed and looked upon the way these other children are?

By the time I reached 7th grade I realized that if my life was going to change for the better, I was going to have to do it. Nobody else could do it for me.

That's when the dream began. I thought of ways to change things for the better—not only for myself but for my people.

I dreamed of growing up to be a teacher in a school where every child was treated as sacred and viewed positively, even if they were poor and dirty.

I didn't want any child to be made to feel like I did. But I didn't know how hard it would be to reach the realization of my dream. I almost didn't make it.

By the time I was 17 I had dropped out of school, moved to California, and had a child.

I thought my life was over.

But when I moved back to the reservation I made a discovery that literally put my life back together.

My sisters were attending Turtle Mountain College, which had just been started on my reservation. I thought that was something I could do, too, so I enrolled.

In those days, we didn't even have a campus. There was no building. Some classes met at a local alcohol rehabilitation center in an old hospital building that had been condemned.

But to me, it didn't matter. I was just amazed I could go to college. It was life-changing.

My college friends and professors were like family. For the first time in my life I learned about the language, history and culture of my people in a formal education setting. I felt honor and pride begin to well up inside me.

This was so unlike my prior school experience where I was told my language and culture were shameful and that Indians weren't equal to others.

Attending a tribal college caused me to reach into my inner self to become what I was meant to be—to fight for my rights and not remain a victim of circumstance or of anybody.

In fact, I loved college so much that I couldn't stop! I had a dream to fulfill . . . or perhaps some would call it an obsession.

This pushed me on to complete my studies at Turtle Mountain College and to ultimately earn a Doctorate in Education Administration from the University of North Dakota.

I've worked in education ever since, from Head Start teacher's aide to college professor.

Now I'm realizing my dream of helping Indian children succeed. I am the Office of Indian Education Programs' superintendent working with nine schools, three reservations, and I oversee two educational contracts with two tribal colleges.

My life would not have turned out this way were it not for the tribal college on my reservation.

My situation is not unique and others feel this way as well. Since 1974, when Turtle Mountain College was chartered by the Turtle Mountain tribe, around 300 students have

gone on to earn higher degrees. We now have educators, attorneys, doctors and others who have returned to the reservation. They—I should say, we—are giving back to the community.

Instead of asking people to have pity on us because of what happened in our past, we are taking our future into our own hands.

Instead of looking for someone else to solve our problems, we are doing it.

There's only one thing tribal colleges need.

With more funding, the colleges can do even more than they've already achieved. We will take people off the welfare rolls and end the economic depression on reservations. Tribal colleges have already been successful with much less than any other institutions of higher education have received.

That is why I hope you will continue to support the American Indian College Fund.

I'm an old timer. The College Fund didn't exist when I was a student. I remember seeing ads for the United Negro College Fund and wishing that such a fund existed for Indian people.

We now have our own Fund that is spreading the message about tribal colleges and providing scholarships. I'm so pleased. I believe the Creator meant for this to be.

But so much more must be done. There still isn't enough scholarship money available to carry students full time.

That is my new dream *–*–* to see the day when Indian students can receive four-year scholarships so they don't have to go through the extremely difficult struggle many now experience to get their education.

I hope you'll keep giving, keep supporting the College Fund, so that some day this dream becomes reality.

I know it can happen because if my dream for my future came true, anything is possible.

Thank you.

Sincerely,

LORETTA DE LONG, ED.D.,
Turtle Mountain Chippewa,
Superintendent for Education.

Mr. DORGAN. I have a number of other letters from people whose stories are just as inspiring, about their lives and the changes in their lives as a result of being able to access the education opportunities at tribal colleges.

Mr. GORTON. Will the Senator yield?

Mr. DORGAN. I am happy to yield for a question. The Senator from Illinois will retain the floor following my presentation.

Mr. GORTON. That is correct.

I want to thank the Senator for his compliments and to say what is obvious—that his dedication and commitment to his constituents in this connection is both praiseworthy and effective.

Earlier in the course of this debate, the Senator from New Mexico, Mr. DOMENICI, was here to speak to the same subject. He and the Senator from North Dakota made a very good team. Together they persuaded the President to include this very significant amount of money, both for the construction of new Indian schools and for the repair of those that can appropriately be repaired or remodeled. But as the Senator from New Mexico pointed out, this is the first major contribution to that. I can say that as long as I am in this position and as long as the Senator from North Dakota is in his, I know we will keep this in the forefront of our consideration. And I tell him that we are going to try to get to the bottom of that priority list as well as to the top of the priority list.

The Senator from North Dakota has done a good job in a good cause, and this bill takes a major step forward in meeting those priorities.

Mr. DORGAN. Mr. President, may I ask how much time is remaining?

The PRESIDING OFFICER. Fifteen seconds.

Mr. DORGAN. If I might just conclude, I thank the Senator from Washington. I should certainly have, at the start of my presentation—and I did not—given credit to President Clinton. In his budget request, the Senator from Washington mentioned he did start a process this year to say we must do better.

So also, it seems to me, this administration deserves significant credit for the first steps in what I am sure will be a long journey, but one that we must complete. I thank the Senator from Washington and also the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. FITZGERALD. Mr. President, I thank my colleagues from North Dakota and Washington. I appreciate this opportunity to continue reading an article from the Chicago Sun-Times dated October 6, 1996. The article is by Tim Novak, Chuck Neubauer, and Dave McKinney, headlined ''Cellini: State Capitol's Quiet Captain of Clout; Dealmaker Built Empire Working in Background.''

As you will understand, if you listen to the articles I am reading, we are ultimately leading up to a tie-in back to the Abraham Lincoln $120 million Presidential library in Springfield, IL. The article earlier discussed the Ogilvie years—Governor Ogilvie's administration in Illinois. And where we last left off was at the beginning of the Walker years. Walker was the Governor of Illinois who succeeded Ogilvie in the early 1970s.

Continuing with the article:

With Walker in the governor's office, Cellini was out of a job, never to return to the state payroll. But his ties to state government grew under the Democratic governor.

''He still had all his contacts with IDOT,'' said Joe Falls, a former Downstate GOP leader who ran IDOT's safety programs under Cellini.

''Walker and all his people still needed his help and Bill cooperated,'' Falls said. ''He had friends on both sides, but when it came down to an election, he was always a Republican.''

Cellini became executive director of the Illinois Asphalt Pavement Association, representing virtually all state road builders, many engineering firms and other companies that build and repair state roads. And he still runs the association, serving as executive vice president.

It's an association that has been quite beneficial for the road builders and Cellini, although his salary was a modest $49,140, according to the group's 1990 income tax returns.

Under Cellini's leadership, the association members have donated hundreds of thousands of dollars to governors and other state officials over the years. Edgar has received at least $375,000 from the association's members over the past 30 months. And the association's political action committee, the Good Government Council, has given more than $100,000 to other state officials.

''He and the asphalt pavers continued to play the same games as always but with a Democratic administration,'' a longtime Republican official said.

''The key to the asphalt pavers is that they get contracts for their work on a predictable basis,'' the official said. ''The business continued to flow and the campaign contributions flowed to the Democratic governor, just like the Republican governor.''

While heading the asphalt association, Cellini developed his reputation as a national transportation authority while expanding his political power.

Soon after Cellini left the state payroll, President Richard M. Nixon appointed him to the National Highway Advisory Committee.

Cellini found the federal post was advantageous, personally and politically. When his four-year term was set to expire in March, 1976, Cellini lobbied President Gerald Ford for an appoint to the National Transportation Policy Study Commission.

''The commission has been perfect for my simultaneously covering political meetings in D.C. and around the country, while keeping up with my profession in transportation and public works,'' Cellini wrote in a letter to Ford's personnel director Douglas Bennett on March 11, 1976.

''Of course, I'm counting that my serving as President Ford Committee's Downstate Coordinator for Illinois won't be a disadvantage,'' he added in the letter obtained from the Ford Library.

Cellini got the appointment. He also was chosen to give a speech seconding Ford's renomination at the 1976 Republican convention.

''They were looking for somebody with an ethnic connection, and (Ogilvie) probably recommended him,'' said Falls, who ran Ford's Illinois campaign.

Cellini was widely hailed for helping Ford win Illinois, although he lost the election to Jimmy Carter, one of the few times a presidential candidate won Illinois, but lost the White House.

As Cellini was expanding his power, he got into real estate development and management using the name New Frontier. The company specialized in building and managing apartments, usually with state financing, for senior citizens. The firm later branched into office buildings that were leased to the state.

In the waning days of the Walker administration, New Frontier got its first state deal when Cellini secured $5.4 million in state funds to build a 212-unit building near the state Capitol. The building includes offices for the asphalt pavement association and Cellini's companies, including New Frontier.

It was the first of several real estate deals New Frontier would get from state government.

THE THOMPSON YEARS

Cellini turned state government into a cottage industry after the Republicans regained the governor's office with the election of James R. Thompson in 1976.

Cellini averaged more than a deal a year with the state before Thompson stepped down after 14 years in office. And state officials say they were probably others that no one was aware of.

Cellini's personal income soared in the early Thompson years. Cellini's taxable income was $185,558 in 1978, and it nearly doubled to $368,100 in 1979, according to records

he filed in federal tax court. He had no taxable income in 1980, $27,539 in 1981 and $252,349 in 1982.

Cellini's use of tax shelters created problems with the IRS, which ordered him to pay $78,120 in back taxes for some of those years, according to tax court records filed in 1992.

New Frontier—the company Cellini started shortly before Thompson took office—and its owners were worth $30 million when Thompson left office, according to a biography New Frontier used to attract clients in 1990.

Under Thompson, Cellini and New Frontier built nine apartment buildings in Chicago, the suburbs and Downstate with an additional $84.1 million in loans from the state housing authority, whose chairman A.D. Van Meter is a close friend of Cellini.

New Frontier also became one of the state's biggest landlords in Springfield, providing offices for several agencies such as Corrections, Public Aid and IDOT, the agency Cellini started.

Sometimes the state agreed to move into the buildings before New Frontier bought them. Sometimes the State hired New Frontier to erect buildings and lease them to the state, all without competitive bids, which Illinois does not require for its real estate transactions.

When New Frontier was chosen to build and lease a building for IDOT, Cellini already had an option to purchase the land.

Cellini has sold all of those buildings, but New Frontier still manages them.

And Cellini created new companies to get other deals under Thompson.

The President Lincoln Hotel Corp. got a $15 million loan from Thompson and state treasurer Jerry Consentino, a Democrat, so Cellini could build a luxury hotel in Springfield, a long-time dream that no one else would finance.

Cellini's dream has turned into a nightmare. Before Thompson and Cosentino left office, they renegotiated the loan twice lowering the interest rate to 6 percent from 12.5 percent to keep Cellini from defaulting. The current agreement prevents the state from foreclosing on the hotel until 1999, while Cellini can skip quarterly mortgage payments when the hotel operates at a loss.

The deal has caused a political backlash for Cellini.

State Treasurer Judy Baar Topinka cut a deal last year to let Cellini's hotel and another state-financed hotel in Downstate Collinsville pay $10 million to settle their debts which totaled $40.3 million. Attorney General Jim Ryan squashed the deal, arguing the hotels were worth more than $10 million.

Cellini and the Collinsville hotel owners, who include politically connected developer Gary Fears, sued, arguing that Ryan had no authority to cancel their deal with Topinka. The pending suit was brought by Winston & Strawn, the powerful law firm where Thompson now works.

Cellini's hotel plays a prominent role in his empire. When road builders come to bid for state contracts, many of them stay in the hotel resplendent with Italian marble, cherry wood and special shower rods that were invented and patented by Cellini—designed to keep the shower curtain from sticking to the backside of his guests.

The hotel is also the place where Cellini throws fund-raisers, like the bash he threw for Edgar the day after Topinka agreed to settle the hotel loan.

Cellini had made a lot of deals, but he hit the jackpot when he and a new group of partners got a riverboat casino license from the state two months before Thompson left office. Cellini's Alton Belle was the state's first floating casino when it opened a few months after Edgar took office in 1991.

Within two years, Cellini's group issued public stock in their casino company, Argosy Gaming, a deal that immediately netted Cellini $4.9 million and left him as one of the largest stockholders whose stock was worth $50 million. Since then, the stock's value has fallen and Cellini has sold off some shares. His family's remaining stock was worth $12 million last Wednesday.

''Right now the way Bill makes his money is by ownership of that boat,'' said a former state official, who asked not to be identified. ''It's questionable if . . . he needs to do any of these other deals. It's thought that he's hooked on deals. He just can't resist making deals.''

And while most of those deals came under Thompson, the former governor told the Sun-Times in 1990 that he had nothing to do with Cellini's influence.

''He was on the political scene when I became governor,'' Thompson said. ''He'll be on the political scene when I leave.''

THE EDGAR YEARS

Cellini has remained close to the governor's office, although his deals have slowed since Edgar replaced Thompson in 1991.

Cellini has been an important source of campaign contributions for Edgar, who spent $10.8 million to win re-election in 1994.

Two of Cellini's family members have positions in the Edgar administration: sister Janis as patronage director, and wife Julie, who has continued as chairman of the Illinois Historic Preservation Agency, an unpaid position she got from Thompson.

As we will recall, the Illinois historic preservation agency, which I believe Mrs. Cellini still runs or is in charge of, will probably be in charge of the Abraham Lincoln Presidential Library in Springfield.

New Frontier is constructing an addition to a building occupied by the state Environmental Protection Agency. New Frontier was hired to build the addition by the three businessmen who own the Springfield building. New Frontier has managed the building for the past 10 years. The state will pay $75 million to rent the complex that it will own at the end of the 20-year deal.

Cellini lobbies for several major clients, including Chicago HMO. The state paid Chicago HMO $155 million last year to provide health care for 75 percent of the 180,000 welfare recipients who are in managed care programs. Those numbers are likely to grow as Edgar pushes more welfare recipients into managed care.

With these vast business deals, Cellini's wealth has soared. In addition to his Argosy Gaming stock, his family has a stock portfolio worth at least $2.26 million. They own 108 stocks that are each worth at least $20,000 and 20 other stocks each worth at least $5,000, according to an ethics statement his wife filed earlier this year.

And the family earned at least $165,000 in capital gains last year from the sale of stocks they owned in 33 companies, according to the ethics statement.

Cellini remains in regular contact with Edgar's chiefs of staff, said Dillard, who had the job for three years.

''When I was the governor's chief of staff, Bill and I talked but it wasn't nearly as often as people imagined . . . a couple times a month,'' Dillard said. ''It could be (about) upcoming political races or just rumors he would pick up.

''One of the things that makes Bill Cellini a trusted adviser is the longevity and breadth of his experience in state government,'' Dillard said.

''Bill Cellini personally cares in a friendship type of fashion . . . about governors Thompson and Edgar,'' Dillard said. ''He's very different . . . from many of the other individuals who tangentially profit from government.''

Edgar's staff has consistently tried to downplay Cellini's clout, but the governor admits he has a close relationship with Cellini.

''Bill Cellini has been a friend of mine,'' Edgar said. ''We were both here in the '60s. I was starting out in the Legislature and he was in the Ogilvie administration. I've known him a long time.

''We don't socialize much, but we have over the years done things. . . . Our daughters were about the same age,'' Edgar said. ''If there's some issue he's got or some political thing coming up, we might talk about it. But we don't see each other that much.''

Cellini's clout is greatly exaggerated, Edgar insisted, the product of stories such as this.

''It's something you in the media have kind of continued to perpetuate that aura about Bill Cellini.''

There is another article on this same issue that came out a few years earlier. I would like to share that with the Senators who are here and the people in the galleries.

Continuing along on the history of what has transpired in State government in Springfield over the years, all leading up to why I am concerned that we have to make sure this $120 million building project in Springfield is competitively bid according to the strict guidelines so that no taxpayer money goes off on insider dealing in Springfield, this article appeared in the Chicago Sun-Times of Thursday October 11, 1990. It is written by Mark Brown and Chuck Neubauer. The title of the article is ''Influence Peddler Turns Clout To Cash.''

As lobbyist, landlord developer, hotel operator and all-purpose influence peddler, William F. Cellini has become a legend in Springfield for his prolific ability to cash in on State government. A budding political and business force when Governor Thompson was elected in 1976, this son of a police officer is now regarded by many as the State's most influential Republican not holding elective office. Much of that reputation is based on the goodies he has culled from the Thompson administration—six major State office leases, plus State financing for eight apartment projects, one office building, and a luxury hotel.

Like all legends, it often is difficult to sort fact from fiction where Cellini is concerned. For every business deal that can be traced to him, there are always two more in which he was rumored to be involved but left no fingerprints.

Cellini, 55, tends to add to the mystery, rarely talking to reporters. He did not answer Chicago Sun-Times requests for an interview for this story.

Although he served as the state's first transportation secretary, under Gov. Richard B. Ogilvie, his only official positions these days are with the Sangamon County Republican organization.

While acknowledging Cellini's influence, Thompson denied that it stems from him.

''He probably know more people in state government than I do,'' Thompson said.'' . . . He was on the political scene when I became governor. He'll be on the political scene when I leave. He doesn't need me to front for him.

Thompson said he speaks to Cellini no more than once a year. But they have communicated in other ways.

In one 12-month period encompassing his 1986 re-election campaign, Thompson reported using $765 in campaign funds to buy

five antiques as gifts for Cellini and his wife. Thompson sent gifts for Christmas and as thank-yous for fund-raisers hosted by the Cellinis. The governor even remembered their anniversary.

Although Cellini's personal political donations to Thompson are not especially large, he is known for his ability to raise money from others.

''He's been very helpful,'' Thompson said.

One source of Cellini's clout is his role as executive vice president of the Illinois Asphalt Pavement Association, a trade group of road builders who have fared well under Thompson's policies. Their combined fundraising prowess is considerable.

Cellini also gets paid to protect the interests of three other groups, the Illinois Association of Sanitary Districts, Illinois Concrete pipe Association and Prestressed Precast Producers of Illinois.

His primary business, however, is the New Frontier Group, a diversified, Chicago-based real estate organization that was less than two years old when Thompson was elected. It now boasts that it has developed more than 1.3 million square feet of office space and 2,550 housing units.

Much of that growth is attributable to Cellini's adept use of government programs.

With $55 million in low-interest financing from the Illinois Housing Development Authority, a quasi-state agency under Thompson's control, New Frontier Developments Co. has built eight government-subsidized apartment projects since 1976.

Cellini's New Frontier Management Co. serves as the management agent not only for his own properties but for many other Chicago-area apartment buildings.

Cellini and New Frontier also emerged under Thompson as the state's favorite Springfield landlord.

His first major office deal was in 1979, when Cellini bought an abandoned seminary and leased it to the state for a Corrections Department headquarters and training school.

The controversial arrangement was typical of many of the Cellini deals that followed because state officials strayed from normal procedures to his apparent benefit.

Corrections officials were in such a hurry to get the seminary property that they passed up an opportunity to buy it outright and instead entered into a lease-purchase agreement with Cellini. They said it enabled them to move in more quickly than if they had to go through the usual purchase process.

The lease-purchase would have allowed the state to buy the facility any time over the term of the lease—at a generally escalating price. Eleven years later, though, the state still is renting.

Cellini, who had paid $3.6 million for the property and spent at least $4.2 million remodeling it, collected $9.5 million in rent from the state before selling to a Virginia company in 1987 for $9.1 million.

Cellini proved to be in the right place at the right time for many similar opportunities, renting space to the Public Aid, Transportation and Commerce and Community Affairs departments.

In the cases of Public Aid and Transportation, Cellini's company was hired to construct buildings and lease them back to the state, bypassing the state Capital Development Board, which usually constructs state buildings on a competitively bid basis.

When Transportation Department officials got around to announcing the site that they insisted on having for their new building, it turned out that Cellini already had an option on the land.

Even when Cellini began selling his buildings, at a tidy profit, his company was kept on by the new owner to manage them. The 20-year management agreements have a special termination clause that calls for a $1.1 million fee to be paid to Cellini's company if the new owner replaces it.

The most prominent symbol of Cellini's political influence is the Springfield Ramada Renaissance, a luxury hotel that he long had sought to build but couldn't get financed until Thompson and state Treasurer Jerry Cosentino approved a $15 million state loan in 1982.

The hotel has been a financial embarrassment for the state, which has twice renegotiated the loan to avoid a default.

That article ended by discussing a Renaissance Springfield Hotel which, and we have heard, Mr. Cellini was instrumental in getting a State loan to construct a hotel. We also reviewed earlier that Federal funds were involved in building that hotel, and we went through and realized that hotel has not paid back that $15 million loan—at least not as far as we know.

The proposed Lincoln Library site is going to be right near that hotel.

I turn from the hotel issue to discussing how the State awarded riverboat gaming licenses. The State, back in the beginning and the late 1980s, and I think finally in 1990, created 10 riverboat licenses. The State statute was fairly specific with respect to where many of these riverboat licenses had to be. It later turned out that in most cases, only a couple of people applied for the riverboat licenses and these licenses wound up being very lucrative. In fact, they ended up being phenomenally lucrative licenses. Again, on the riverboat licensing, as was mentioned in that article, Mr. Cellini was involved in the Alton Riverboat, the gaming company boat we have talked about.

I will proceed to discuss how those licenses were handed out.

Mr. DURBIN. Will the Senator from Illinois yield?

Mr. FITZGERALD. I yield only for a question.

Mr. DURBIN. I noticed the Senator earlier had yielded to Senators with an understanding, a unanimous consent agreement that he would not surrender the floor. I ask for the same opportunity to speak, with the unanimous consent request that the floor will be returned to my colleague from Illinois after the conclusion of my remarks.

Mr. FITZGERALD. I would be happy to accommodate my colleague. I am told that similar requests are pending from Senator GRAHAM of Florida, Senator JOHN MCCAIN, and then you? If we could work out an agreement, I would not like to bypass those who have shown up earlier. Are either of those Senators on the floor or the Cloakroom?

Mr. DURBIN. I do not believe either of those Senators are on the floor. I believe my statement will take no more than 10 minutes. With the forbearance of the Senator, I ask unanimous consent I be allowed to speak for 10 minutes, and that at the conclusion of my remarks the floor be returned to my colleague from the State of Illinois.

Mr. FITZGERALD. I am going to object to that. I am told the leader is on his way and he is going to be making a statement.

The PRESIDING OFFICER. Objection is heard. The Senator from Illinois has the floor.

Mr. REID. The Senator has the floor, but I would like to propound a unanimous consent request that we go into a quorum call for the purpose of the leader coming to the floor, and when the majority leader completes his statement, the floor return to the Senator from Illinois and that he not be charged with a second speech.

The PRESIDING OFFICER. Is there objection?

Mr. FITZGERALD. Yes, I agree to that. I have no objection.

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

Mr. LOTT. Mr. President, the Interior appropriations conference report obviously is a very important bill. There has been an awful lot of work that has gone into it. It does have bipartisan support. As I understand it, it is positioned to be signed into law. It passed the House 349–69, something of that nature.

The Senator from Illinois has some difficulties with a provision in this legislation. Certainly, as any Senator, he is entitled to make his point, and to make his point at length within the provisions of our rules. It is important we move forward now. We are prepared to move forward on this legislation.

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk to the pending Interior appropriations conference report.

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

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provision of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 4578, the Department of Interior appropriations bill:

Trent Lott; Ted Stevens; Larry Craig; Pat Roberts; Jim Inhofe; Mike DeWine; John Warner; Pete Domenici; R.F. Bennett; Richard Shelby; Kit Bond; Slade Gorton; Phil Gramm; Conrad Burns; Chuck Hagel; and Kay Bailey Hutchison.

Mr. LOTT. Mr. President, I will continue to work with Senator FITZGERALD and others to try to resolve this issue as best we can and any other problems that may exist. I do believe it is necessary to prepare the Senate for a cloture vote if it should be necessary.

I now ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

BREAST AND CERVICAL CANCER PREVENTION AND TREATMENT ACT OF 2000

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 641, S. 662.

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

The assistant legislative clerk read as follows:

A bill (S. 662) to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert the part printed in italic.

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Breast and Cervical Cancer Prevention and Treatment Act of 2000''.

SEC. 2. OPTIONAL MEDICAID COVERAGE OF CERTAIN BREAST OR CERVICAL CANCER PATIENTS.

(a) COVERAGE AS OPTIONAL CATEGORICALLY NEEDY GROUP.—

(1) IN GENERAL.—Section 1902(a)(10)(A)(ii) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)) is amended—

(A) in subclause (XVI), by striking ''or'' at the end;

(B) in subclause (XVII), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(XVIII) who are described in subsection (aa) (relating to certain breast or cervical cancer patients);''.

(2) GROUP DESCRIBED.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by adding at the end the following:

''(aa) Individuals described in this subsection are individuals who—

''(1) are not described in subsection (a)(10)(A)(i);

''(2) have not attained age 65;

''(3) have been screened for breast and cervical cancer under the Centers for Disease Control and Prevention breast and cervical cancer early detection program established under title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) in accordance with the requirements of section 1504 of that Act (42 U.S.C. 300n) and need treatment for breast or cervical cancer; and

''(4) are not otherwise covered under creditable coverage, as defined in section 2701(c) of the Public Health Service Act (42 U.S.C. 300gg(c)).''.

(3) LIMITATION ON BENEFITS.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)) is amended in the matter following subparagraph (G)—

(A) by striking ''and (XIII)'' and inserting ''(XIII)''; and

(B) by inserting '', and (XIV) the medical assistance made available to an individual described in subsection (aa) who is eligible for medical assistance only because of subparagraph (A)(10)(ii)(XVIII) shall be limited to medical assistance provided during the period in which such an individual requires treatment for breast or cervical cancer'' before the semicolon.

(4) CONFORMING AMENDMENTS.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended in the matter preceding paragraph (1)—

(A) in clause (xi), by striking ''or'' at the end;

(B) in clause (xii), by adding ''or'' at the end; and

(C) by inserting after clause (xii) the following:

''(xiii) individuals described in section 1902(aa),''.

(b) PRESUMPTIVE ELIGIBILITY.—

(1) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by inserting after section 1920A the following:

''PRESUMPTIVE ELIGIBILITY FOR CERTAIN BREAST OR CERVICAL CANCER PATIENTS

''SEC. 1920B. (a) STATE OPTION.—A State plan approved under section 1902 may provide for making medical assistance available to an individual described in section 1902(aa) (relating to certain breast or cervical cancer patients) during a presumptive eligibility period.

''(b) DEFINITIONS.—For purposes of this section:

''(1) PRESUMPTIVE ELIGIBILITY PERIOD.—The term 'presumptive eligibility period' means, with respect to an individual described in subsection (a), the period that—

''(A) begins with the date on which a qualified entity determines, on the basis of preliminary information, that the individual is described in section 1902(aa); and

''(B) ends with (and includes) the earlier of—

''(i) the day on which a determination is made with respect to the eligibility of such individual for services under the State plan; or

''(ii) in the case of such an individual who does not file an application by the last day of the month following the month during which the entity makes the determination referred to in subparagraph (A), such last day.

''(2) QUALIFIED ENTITY.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'qualified entity' means any entity that—

''(i) is eligible for payments under a State plan approved under this title; and

''(ii) is determined by the State agency to be capable of making determinations of the type described in paragraph (1)(A).

''(B) REGULATIONS.—The Secretary may issue regulations further limiting those entities that may become qualified entities in order to prevent fraud and abuse and for other reasons.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as preventing a State from limiting the classes of entities that may become qualified entities, consistent with any limitations imposed under subparagraph (B).

''(c) ADMINISTRATION.—

''(1) IN GENERAL.—The State agency shall provide qualified entities with—

''(A) such forms as are necessary for an application to be made by an individual described in subsection (a) for medical assistance under the State plan; and

''(B) information on how to assist such individuals in completing and filing such forms.

''(2) NOTIFICATION REQUIREMENTS.—A qualified entity that determines under subsection (b)(1)(A) that an individual described in subsection (a) is presumptively eligible for medical assistance under a State plan shall—

''(A) notify the State agency of the determination within 5 working days after the date on which determination is made; and

''(B) inform such individual at the time the determination is made that an application for medical assistance under the State plan is required to be made by not later than the last day of the month following the month during which the determination is made.

''(3) APPLICATION FOR MEDICAL ASSISTANCE.—In the case of an individual described in subsection (a) who is determined by a qualified entity to be presumptively eligible for medical assistance under a State plan, the individual shall apply for medical assistance under such plan by not later than the last day of the month following the month during which the determination is made.

''(d) PAYMENT.—Notwithstanding any other provision of this title, medical assistance that—

''(1) is furnished to an individual described in subsection (a)—

''(A) during a presumptive eligibility period;

''(B) by a entity that is eligible for payments under the State plan; and

''(2) is included in the care and services covered by the State plan,

shall be treated as medical assistance provided by such plan for purposes of clause (4) of the first sentence of section 1905(b).''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1902(a)(47) of the Social Security Act (42 U.S.C. 1396a(a)(47)) is amended by inserting before the semicolon at the end the following: ''and provide for making medical assistance available to individuals described in subsection (a) of section 1920B during a presumptive eligibility period in accordance with such section''.

(B) Section 1903(u)(1)(D)(v) of such Act (42 U.S.C. 1396b(u)(1)(D)(v)) is amended—

(i) by striking ''or for'' and inserting '', for''; and

(ii) by inserting before the period the following: '', or for medical assistance provided to an individual described in subsection (a) of section 1920B during a presumptive eligibility period under such section''.

(c) ENHANCED MATCH.—The first sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended—

(1) by striking ''and'' before ''(3)''; and

(2) by inserting before the period at the end the following: '', and (4) the Federal medical assistance percentage shall be equal to the enhanced FMAP described in section 2105(b) with respect to medical assistance provided to individuals who are eligible for such assistance only on the basis of section 1902(a)(10)(A)(ii)(XVIII)''.

(d) EFFECTIVE DATE.—The amendments made by this section apply to medical assistance for items and services furnished on or after October 1, 2000, without regard to whether final regulations to carry out such amendments have been promulgated by such date.

Mr. LOTT. Mr. President, I ask unanimous consent that the committee substitute be agreed to.

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

The committee amendment in the nature of a substitute was agreed to.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill, as amended, be considered read the third time.

The bill (S. 662), as amended, was considered read the third time.

Mr. LOTT. Mr. President, I further ask unanimous consent that the Senate then proceed to Calendar No. 542, H.R. 4386, all after the enacting clause be stricken, and the text of S. 662 be inserted in lieu thereof. Further, I ask unanimous consent that the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and, finally, any statements relating to this very important piece of legislation be printed in the RECORD.

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

The bill (H.R. 4386), as amended, was read the third time and passed.

Mr. LOTT. I note, Mr. President, that this is the breast and cervical cancer legislation. It has broad bipartisan support. I am very pleased we were able to

come to an agreement to bring it this far. It came up this morning in the Finance Committee. I asked the Senator from New York if he would help us get it cleared through to this point. Senator MOYNIHAN indicated he would, and he has done so, as always. I do not think we would have this clearance without his help.

Mr. MOYNIHAN. Mr. President, may I have one moment?

Mr. LOTT. Mr. President, I will be glad to yield the floor to Senator MOYNIHAN.

Mr. MOYNIHAN. Mr. President, we all thank the majority leader for this action. I know it will be particularly pleasing to the chairman of our committee, Senator ROTH, who took up this measure, introduced in the first instance by Senator CHAFEE. It came out of our committee unanimously. It is good legislation. It should be pursued. We thank the leader for his effort.

I yield the floor.

Mr. LOTT. I ask unanimous consent that S. 662 be placed back on the calendar.

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

Mr. ASHCROFT. Mr. President, I take this opportunity to commend the Senate's passage of S. 662, the Breast and Cervical Cancer Treatment Act. I am pleased to be a cosponsor of this important legislation, which provides low-income, uninsured women with access to the treatment they need to battle these two potentially devastating diseases.

In 1990, Congress created a program, administered by the Centers for Disease Control, CDC, to provide breast and cervical cancer screening for low-income, uninsured women. While this program's goal was to reduce mortality rates from these two diseases, the fact many women diagnosed under the program had no funds for treatment left our goal largely unfulfilled.

The Breast and Cervical Cancer Treatment Act moves this Federal commitment forward to the next logical step, by providing Medicaid funds to treat these women who are diagnosed with breast or cervical cancer through the CDC screening program. Under this important legislation, American women will be able to receive the treatment they need to win the fight against breast cancer or cervical cancer.

As we are in the waning days of this legislative session, I am glad to join my Senate colleagues in passing the Breast and Cervical Cancer Treatment Act, which will provide new resources and hope to low-income women with breast or cervical cancer. As the House has already passed a similar bill, it is my hope that Congress will present final legislation to the President for enactment this year.

Ms. SNOWE. Mr. President, I rise today to express my unwavering support for passage of the Breast and Cervical Cancer Treatment Act (S. 662). This bill addresses an issue that is vital to the health and lives of so many low-income women—coverage of breast and cervical cancer treatment under the Medicaid program.

This legislation was originally introduced by our late colleague, Senator John Chafee of Rhode Island. Senator Chafee was always one of the Senate's leaders on health care issues, and like all of my colleagues, I am sad that he is not with us today to see his bill pass the Senate. I know that he would be pleased to know that his bill now has the support of 75 Senators.

I also want to take a moment to note the dedication of my colleagues Senators MIKULSKI, LINC CHAFEE, GRASSLEY, and HATCH—we have put many hours into ensuring that today's legislation gets through the Senate and can be reconciled quickly with the House version. Finally, this bill would not be before us today if not for the help of the Chairman of the Senate Finance Committee—it was Senator ROTH who made a commitment to get this bill through the Finance Committee.

In 1990, while serving in the House, I was a proud cosponsor of the legislation that established the Center for Disease Control's National Breast and Cervical Early Detection Program. This groundbreaking program—sponsored in the Senate by Senator MIKULSKI—ensures that women who are medically underserved in this country receive regular screening for breast and cervical cancer. Since the program did its very first screening in 1991, over 1.4 million women have had either a mammogram or a test for cervical cancer. And more are screened every single day.

It is unquestionable that early detection is our best weapon against cancer. The success of the CDC program is proven. As a result of this program over 6,800 uninsured, low-income women across the country now know they have breast cancer and can take action to fight this disease. And over 34,000 uninsured, low-income women across the country now know they have either invasive cervical cancer or precancerous cervical lesions.

In my home state of Maine, nearly 16,000 women have gone through the screening program since it began in 1995. And as a result of this screening 46 women with breast cancer and 23 women with cervical cancer have vital information that they might not have had otherwise. I don't like to think of what could have happened if they had found out about their cancer when it was too late.

Unfortunately, screening alone—and the life-or-death knowledge about one's health that comes as a result—cannot save a woman's life. It is estimated that breast and cervical cancer will kill more than half a million women this decade alone. In fact, breast cancer is the number one killer of American women between the ages of 35 and 54. While screening is the first line of defense in fighting cancer, and is so very, very important, it is really only the first part of the battle.

When the National Breast and Cervical Cancer Early Detection Program passed in 1990, we wanted to ensure that women would receive treatment. The law was written to require states to seek out services for the women they screen in order to receive timely and appropriate treatment. But the state programs are overwhelmed. Program administrators are scrambling to find treatment services—and even then these uninsured, low-income women must somehow come up the money for costly procedures.

This legislation will give women who have been screened through the CDC's National Breast and Cervical Cancer Early Detection Program the chance to receive needed treatment that is truly life-and-death. This Act will allow states the option of providing Medicaid services to women who have breast or cervical cancer.

I would like to explain to my colleagues why this legislation is so important in a very personal way. One of my constituents went through the Maine Breast and Cervical Health Program and had an abnormal mammogram, followed by an abnormal ultrasound. She was advised to have a sterotactic biopsy but delayed for three months because she could not afford it. Three months in which her cancer could grow and spread. And while she eventually had the biopsy and was not diagnosed with cancer, these three months could have truly meant the difference between winning or losing her battle against cancer.

The women who go through this program have undergone enough solely by being diagnosed with cancer. And the stress of diagnosis is almost debilitating. But to compound this stress, to leave a woman with the knowledge that she has cancer, that she must—absolutely must— receive treatment or her cancer will spread, but to not help her find the means to fight for her life is unconscionable.

We cannot sit back and claim that a screening program is enough to save a woman's life. We know that the uninsured are 49 percent more likely to die than are insured women during the four to seven years following an initial breast cancer diagnosis. This is unconscionable—we must provide an option for uninsured women who are not able to pay for treatment on their own. We cannot sit back and watch women die from a disease that they discovered through our program but not help them fight this disease.

I am extremely pleased that the Senate is bringing the bill up for passage today; the House overwhelmingly passed its version on May 9th and I hope that the two bills will be reconciled quickly in conference.

Ms. MIKULSKI. Mr. President, I rise today in strong support of Senate passage of the Breast and Cervical Cancer Treatment Act S. 662. I am proud to be the lead Democratic sponsor of this

bill. This is legislation that will help save lives, and it has the strong bipartisan support of 76 cosponsors. It gives states the option of providing Medicaid coverage to low-income women diagnosed with breast and cervical cancer through the National Breast and Cervical Cancer Early Detection Program under the Centers for Disease Control and Prevention, CDC.

Senate passage of this legislation was a true bipartisan team effort, and I want to recognize the other members of this team. I want to commend the late Senator John Chafee, who sponsored this legislation, for his leadership and genuine commitment to the women this bill would help. I want to thank Senators LINCOLN CHAFEE, MOYNIHAN, SNOWE, GRASSLEY, and HATCH for their strong support and leadership as we have all worked together to move this legislation through the Senate. I thank the Majority Leader and the Democratic Leader for their commitment to getting this bill through the Senate.

I also want to commend Senator ROTH for his leadership in the Finance Committee to ensure committee consideration and passage of this bill. Thank you also to President Clinton and Vice President GORE who have been supportive of providing treatment to women diagnosed with breast and cervical cancer through the CDC screening program, especially by including a provision similar to S. 662 in the Administration's Fiscal Year 2001 budget.

Finally, none of us would be here today to celebrate Senate passage of this bill without the hard work, tenacity, persistence, and perseverance of Fran Visco and the National Breast Cancer Coalition. They have done an outstanding job of making sure that women's voices from across the country were heard, listened to, and well represented.

However, our work is not yet finished. The House of Representatives must now take up and pass the bill we passed today. The House should move swiftly to enact this legislation that has such overwhelming bipartisan support.

The CDC screening program celebrated its 10th anniversary on August 10, 2000. The CDC screening program has provided over one million mammograms and over one million Pap tests. Among the women screened, over 7,000 cases of breast cancer and over 600 cases of cervical cancer have been diagnosed. I am proud to be the Senate architect of the legislation that created the breast and cervical cancer screening program at the CDC, and now I'm fighting to complete the program by adding a treatment component. There are three reasons why we must swiftly enact the Breast and Cervical Cancer Treatment Act.

First, times have changed since the creation of the CDC screening program ten years ago. In 1990, when I wanted to include a treatment component in the screening program, I was told we didn't have the money. Well, now we are running annual surpluses, instead of annual deficits. The screening program was just a down payment, not the only payment. We have the resources to provide treatment to these women. I think we ought to put our money into saving lives.

Second, prevention, screening, and early detection are very important, but alone they do not stop deaths. Screening must be combined with treatment to reduce cancer mortality. Finally, it is only right to provide federal resources to treat breast and cervical cancer for those screened and diagnosed with these cancers through a federal screening program.

I look forward to working with my colleagues on both sides of the aisle to ensure swift enactment of the Breast and Cervical Cancer Treatment Act in the final days of this session. Women diagnosed with breast and cervical cancer shouldn't have to wait another year for treatment. I can't think of any better way to mark the 10th anniversary of the CDC screening program than by finally adding a federal treatment component to ensure that we make a true difference in the lives of women across this country.

Mr. ROTH. Mr. President, I am pleased that the Senate has passed legislation that will dramatically improve the lives of lower-income women faced with a terrifying diagnosis of breast or cervical cancer.

Ten years ago, Congress created the National Breast and Cervical Cancer Early Detection Program, through the Centers for Disease Control, to help lower-income women receive the early detection services that are the best protection against breast and cervical cancer. This important program has served more than a million women in subsequent years. However, the screening program does not include a treatment component. Instead, women who receive a cancer diagnosis must rely on informal networks of donated care.

Last year, Senator John Chafee introduced S. 662, the Breast and Cervical Cancer Treatment Act, to make it easier for women facing breast and cervical cancer to receive necessary treatment—and I think each and every one of us shares that important goal.

S. 662 makes treatment available through the Medicaid program. Now, maybe some of us would have approached the problem differently. I think there are very valid concerns about creating disease-specific eligibility categories within the Medicaid program.

However, despite those concerns, I am pleased that the Senate passed S. 662 because we are dealing with a thoroughly unique set of circumstances. The new Medicaid eligibility category created in S. 662 is specifically linked to a unique and existing federal screening program and must not, and will not, be viewed as a precedent for extending Medicaid eligibility body-part by body-part.

Instead, today the Senate fulfills a promise made nearly 10 years ago. We are saying to lower-income, uninsured women that we will continue to help you access the preventive health care services you need. But now, through S. 662, our commitment to you will not stop with screening. If problems are found, the federal government stands ready to work with the states to make sure you receive the treatment you need to get well.

I am grateful to my colleagues in the Senate for joining me in supporting this important legislation, and I look forward to working with my colleagues in the House to quickly reconcile the differences between our bills so we can see this necessary legislation signed into law this year.

UNANIMOUS CONSENT REQUEST—H.R. 4986

Mr. LOTT. Mr. President, I ask unanimous consent, notwithstanding rule XXII, that the Senate turn to the consideration of Calendar No. 817, H.R. 4986, relating to foreign sales corporations, and that following the reporting of the bill by the clerk, the committee amendments be agreed to, with no other amendments or motions in order, and the bill be immediately advanced to third reading and passage occur, all without any intervening action or debate.

I further ask unanimous consent that the Senate then insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate, who would be Senators ROTH, LOTT, and MOYNIHAN.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, we have been doing everything we can to move along the appropriations process. We did that on the energy and water appropriations bill. We are doing that on the Interior appropriations bill. I want the RECORD to be clear, as the leader knows, we are not holding up the Interior bill.

Mr. LOTT. Absolutely. We had some reservations on both sides of the aisle last night. The reservations on Senator REID's side of the aisle were worked out. The problem now is, as I stated, that Senator FITZGERALD has a problem. The Senator from Nevada has worked on his part of the problem on which, by the way, I agreed with him. I believe we have gotten the language we need, so it is not necessary for that objection to be filed.

Mr. REID. Mr. President, I further say under my reservation, we are also standing by ready to work on Transportation and hopefully Agriculture. It would be very nice if we could complete this work which is, as the leader knows, overdue.

The point is, I want the RECORD spread with the simple fact that I am going to object to Calendar No. 817. It is an unusual thing we have to object.

We want to move things along as quickly as possible, as indicated by the statement I just made. But as to H.R. 4986, I object. I say to the leader, there are people who are looking at this, and we hope it can be cleared at an early date.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, if I may comment, as Senator REID mentioned, we hope to move to the Transportation and Agriculture appropriations conference reports. I had hoped one or both of those would be ready today. I believe they are both close to completion. In fact, I am sure the Transportation appropriations conference report is completed, and we should have it, hopefully, early in the morning. Agriculture has been more difficult for obvious reasons: Getting an exact reliable number on what is needed for disasters, but also dealing with issues such as the drug reimportation question and the sanctions issue. They are going to attempt to close that conference this afternoon. We hope to have a vote and be ready for action on tomorrow.

With regard to this particular bill, the foreign sales corporation, I understand there are some reservations, but hopefully we can find a way to consider it.

Mr. MOYNIHAN. Would the majority leader yield for a question?

Mr. LOTT. I do not believe I have the floor, I say to the Senator, but I am sure that Senator REID would yield to the Senator.

Mr. REID. I am happy to yield to my friend from New York who is so interested in this legislation, and who has talked to me about it so many times.

Mr. MOYNIHAN. You say ''reservations.'' Sir, if there are any reservations about the legislation as such, I would hope they would bring them to the attention of Senator ROTH, myself, and others, and the administration.

This is absolutely must do legislation. If we do not do it, we put ourselves at risk of a probable certain outcome—a trade war with Europe. In fact, it would astonish us and injure us, and we will wonder what happened. And nothing need have happened.

It was found that our tax arrangements for foreign sales corporations were in violation of WTO rules. Fine. We said we will produce a different measure that is compliant. The American industry is very happy. We have the bill. All we need to do is pass it. The deadline was October 1. It has been extended to November 1. If we do not do this, we will be remembered as a Congress that did not, and not favorably, sir.

I thank you for bringing it up. I regret there are reservations, but they have nothing to do, that I know of, with the essence of this measure.

Mr. REID. I would say to my friend, I think the statement that the Senator has made should be within earshot of everyone. If there is a problem—and somewhat technical in the minds of some—they should come forward.

Mr. MOYNIHAN. I will stay here all afternoon and evening.

Mr. REID. I am sure the Senator can explain it well. So I invite Senators to do that.

Mr. LOTT. I would like to make clear, if there is a technical amendment, or if there is a germane amendment, we could certainly get an agreement to make that in order.

What bothers me is that earlier on there had been indications that there were unrelated amendments that would ball the Senate up and this bill into protracted debate. What bothers me even more is, as we get closer, hopefully, to the end of the session, the thinking, I guess, would be, well, we will just drop this into something. The opportunity for mischief at that point is endless because if one Senator shows up and objects, we could lose it.

So I know Senator REID will be working on this. But this is something that is important to our country. I assume that the White House also would like to get this done. We need to continue to focus very closely on this piece of legislation.

UNANIMOUS CONSENT REQUEST—H.R. 4868

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 841, H.R. 4868, regarding tariff and trade laws.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I do object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—H.R. 2884

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 506, H.R. 2884, which extends energy conservation programs under the Energy Policy and Conservation Act through fiscal year 2003. I further ask consent that a substitute amendment at the desk submitted by Senators MURKOWSKI and BINGAMAN be agreed to, the bill be read a third time and passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MURKOWSKI addressed the Chair.

Mr. LOTT. Mr. President, I would be glad to yield the floor to Senator MURKOWSKI.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, it is my understanding that the majority leader attempted to get a unanimous consent on the Energy Policy and Conservation Act.

That bill was objected to?

Mr. LOTT. I believe there was objection.

The PRESIDING OFFICER. Objection was heard.

Mr. LOTT. If the Senator would allow me, we have one other unanimous consent request. If we could get that entered into—it has been agreed to—then you would have the floor without the pressure of making a short statement. I think Senator REID would be able to leave the Chamber, too, if he chooses.

UNANIMOUS CONSENT AGREEMENT—H.J. RES. 110

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to H.J. Res. 110, the continuing resolution, and after the reporting of the joint resolution by the clerk, it be considered under the following agreement, with no amendments or motions in order: 2 hours equally divided between the chairman and the ranking minority member or his designee; 3 hours equally divided between the two leaders or their designees.

I further ask consent that all time be used or considered yielded back by the close of business today, and when the Senate reconvenes on Thursday at 9:30, there be 30 minutes under the control of Senator STEVENS and 60 minutes under the control of Senator BYRD for closing remarks, and at 11 a.m. the bill be read for a third time, and passage of H.J. Res. 110 occur, all without any intervening action or debate, and that this all begin immediately following the statement by Senator MURKOWSKI.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, and I will not object, I say to the leader and to the Presiding Officer, we have a number of people who wish to speak on this matter today. We have the time to do that. If we can work something out with the Senator from Illinois, there are people waiting to speak today on this matter.

Mr. LOTT. I believe the Senator from Illinois understands it will be 6 or 6:15 or thereabouts before he would be able to resume making his statement. So that would give us a couple hours that we could use before that time, and then additional time after that, if it is necessary. So hopefully we can get started right away.

Mr. REID. I say to the leader, through the Chair, the Senator from Illinois has been most gracious today. I know he believes very passionately and strongly about the issue he has been debating. But he has been very cooperative, generous in allowing us to interrupt as long as he did not lose the floor. I extend my appreciation to the Senator from Illinois for allowing us to do that.

Mr. FITZGERALD. I just reserve the right to object.

My understanding is that I will have the floor again at about 6:15.

Mr. LOTT. Or thereabouts. It could be earlier or 5 minutes later, but fully it is our intent to have the Senator from Illinois resume his statement at that time or at about that time.

Mr. FITZGERALD. I thank the leader for his accommodation.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. LOTT. Was there objection?

I believe the request was agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. I yield the floor.

Mr. MURKOWSKI. I ask unanimous consent, if I may, to proceed off the leader's time on the CR that is before the body.

Mr. REID. Reserving the right to object, Mr. President, I say to my friend, we have a number of Senators who have been waiting for a long time. Will the Senator give us some idea as to how long he will be?

Mr. MURKOWSKI. I will be very short. I imagine I will be 10, 12 minutes.

Mr. REID. Mr. President, I ask unanimous consent that following the statement of the Senator from Alaska the Senator from Illinois be given 10 minutes off the time that has been reserved for Senator BYRD.

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

ENERGY POLICY AND CONSERVATION ACT

Mr. MURKOWSKI. Mr. President, my understanding is that the leader requested unanimous consent to bring up the Energy Policy and Conservation Act, referred to as EPCA, and there was objection raised. I wonder if the——

The PRESIDING OFFICER. The Senator is correct.

Mr. MURKOWSKI. Mr. President, I would hope that my colleagues who have raised an objection to the Senate taking up this legislation would reconsider. This is a very important piece of legislation. It is the reauthorization of the Energy Policy and Conservation Act.

Senator BINGAMAN, who is the ranking member of the Energy and Natural Resources Committee, and myself, as chairman, have worked closely to come together with this compromise legislation. We have worked with the administration.

It is my understanding that the administration supports this legislation, and for good reason: Because the Energy Policy and Conservation Act, initially passed in 1975, deals with issues at hand, issues that are affecting the energy supply in this country, issues that are affecting the price of energy in this country; and issues that the administration has mandated pass the Congress of the United States, specifically, this body because these issues deal with the domestic oil supply and conservation and the Strategic Petroleum Reserve and the International Energy Program, or IEP, as the agreement stands.

Certain authorities for the Strategic Petroleum Reserve, or SPR, and U.S. participation in the International Energy Program expired in March of this year. The legislation before us would extend these authorizations through September 30, 2003.

I think it is rather ironic that we are out of compliance in the sense of having both these significant issues expire at a time when we have an energy crisis and we have not acted upon them.

I would like to point out several facts about the legislation before us and the need for that legislation.

We have seen a lot of publicity given to the Strategic Petroleum Reserve and the emphasis put on the significance of that as kind of a savings account for oil in case we have an interruption from our supply from overseas, a supply which currently is about 58 percent of our total consumption.

Title I of EPCA provided for the creation of SPR, the Strategic Petroleum Reserve, and set forth the method and circumstances for its drawdown and distribution in the event of a severe energy supply interruption or to fulfill U.S. obligations under the IEP agreement.

The SPR currently contains approximately 570 million barrels of oil and has a total capacity of about 700 million barrels, with a daily drawdown capacity of about 4.1 million barrels per day. At its peak, the SPR contained 592 million barrels of oil. Currently, the SPR contains about 570 million barrels of oil, so there has been a drawdown.

We have seen the action by the President in transferring 30 million barrels out of the SPR to be turned into heating oil. It is rather interesting to note that the formula doesn't necessarily relate to 30 million barrels of heating oil. We will actually get somewhere between 4 and 5 million barrels of heating oil out of 30 million barrels of crude oil, about a 2- to 3-day supply.

As a consequence of the President's action, there is a legitimate question of whether the President had the authority to transfer that oil out of the SPR since the authorization for the Strategic Petroleum Reserve expired March 30 of this year. In any event, there is absolutely no reason why it shouldn't be authorized, regardless of individual attitudes on the appropriateness of drawing the SPR down.

It was created in response to the difficulties faced in 1973, when we experienced the Arab oil embargo. Many of us remember that time. We were outraged. We had gasoline lines around the block and the public was indignant. They blamed everybody—the Government. How could it happen in the United States that we had run out of gasoline? The concept was simple. At that time, most of us believed America should not be held hostage again to Mideast oil cartels and that this would act as our protection against cutting off our supplies. Unfortunately, we find ourselves in a situation today where our domestic policies have led us to being held hostage by another tyrant. That tyrant in the Mideast is one Saddam Hussein.

Clearly, we are becoming more and more dependent on Saddam Hussein. Currently, 750,000 barrels a day of Saddam Hussein's oil come to the United States. It is even more significant that Saddam Hussein has taken a pivotal role in the oil issue worldwide, because the difference between production capacity and consumption is a little over 1 million barrels a day. In other words, we are producing a little over 1 million barrels more than we can consume, but that is the maximum production. Out of that, Saddam Hussein is contributing almost 3 million barrels a day. So you can see the leverage that Saddam Hussein has. He has already threatened to cut production. He went to the U.N., when they asked for specific programs for repayment of damages associated with his invasion of Kuwait. He said: If you make me do this now, what I am going to do is simply put off any further plans to increase production, and I very well may reduce production.

You can see the leverage he has if he reduces production. What is the world going to do? The price is going to go up, and they are going to pay the price.

So what we have seen today is the reality that the world is consuming just slightly less oil than we are producing. Because of this, we have not been able to build up our supply of inventory against any unexpected supply interruption, which very well could occur. The Mideast is still an area of crisis and controversy.

Here we are, as we approach the fourth quarter of the year, and we have the difference between supply and demand, the knowledge that it is going to tighten even further, and this leads, as I have indicated, to a volatile worldwide oil market.

It is troubling in the United States because we have allowed ourselves to become 58-percent dependent on imported oil, and this has grown dramatically in the past few years. What disturbs me most is the fact that we have become even more dependent on Iraq. As a consequence, it is fair to recognize that with Saddam Hussein now calling the shots in the world energy markets and the United States allowing him to do so, we have basically put in danger the security of Israel.

Make no mistake about it. Every speech he concludes, he concludes with: Death to Israel. It is kind of ironic. Maybe I am oversimplifying our foreign policy, but it seems as though we buy his oil, put it in our airplanes and go over and bomb him. We have had

flown over 200,000 sorties since the Persian Gulf war, where we go over and enforce what amounts to an air blockade. As a consequence, we are in a situation where we are supplying the cash-flow for his Republican Guard as well as the development of his missile and delivery capability and his biological capability. This is a mistake.

Because of this, it is imperative that we continue to place the focus of the Strategic Petroleum Reserve on a defensive weapon against severe supply interruptions and that we do not use it as an offensive weapon to manipulate market forces. We have debated that issue on the floor before. I think this bill achieves a balance.

What we have in this bill is very important because many Members are from the Northeast, and this bill covers heating oil reserves. The legislation contains language authorizing the Secretary of Energy to create a home heating oil reserve in the Northeast.

Several points about this: First, I have personal concerns about the establishment of such a reserve. A reserve could actually act as a disincentive to marketers to keep adequate supplies of oil on hand for fear that the price could drop out of their market at any time. That is a possibility, with the Government going into competition.

A government-operated reserve of 2 million barrels could actually tie up storage capacity that private marketers would fill and deplete usually four or five times a season. The reserve could create an unworkable, rather elaborate regulatory program used to implement it.

Second, I was most concerned about the trigger mechanism included in the House language that seemingly gave the Secretary total discretionary authority to release oil from the reserve. I believe we have addressed the majority of the problems associated with the creation of such a reserve by clarifying the trigger mechanism.

The mechanism we have in this bill allows the Secretary to make a recommendation for release if there is a severe supply interruption. This is deemed to occur if, one, the price differential between crude oil, as reflected in an industry daily publication such as Platt's Oilgram Price Report or Oil Daily, and No. 2 heating oil, as reported in the Energy Information Administration's retail price data for the Northeast, increases by more than 60 percent over its 5-year rolling average; and second, the price differential continues to increase during the most recent week for which price information is available. We have this mechanism in this legislation, and it has been agreed to by virtually every Member of this body.

As to EPCA reauthorization, the bill extends the general authority for EPCA through September 30, 2003.

On the Strategic Petroleum Reserve, the authorities for SPR are extended through September 30, 2003. It strengthens the defense aspects of SPR by requiring the Secretary of Defense to affirm that a drawdown would not have a negative impact on national security. That was an important provision Senator BINGAMAN and I negotiated.

We also have stripper well relief, the small stripper wells that we are so dependent on that were threatened the last time we had a price downturn. The amendment retains the provision contained in the House bill that would give the Secretary of Energy discretion to purchase oil from marginal—that is 15 barrels of production daily or less—wells when the market price drops below $15. Otherwise, these wells will be lost. The cost of production to get them back up is such that they would never go on line again. This would give some certainty to these producers that we really value, the strippers, as the true strategic petroleum reserve, and an operational one, in this country.

This provision would hopefully offset the loss of some 600,000 b/d of lost production that occurred because of the dramatic price decrease in 1999.

This amendment also allows the Secretary to fill the SPR with oil bought at below average prices.

We have weatherization. It strengthens the DOE Weatherization program by expanding the eligibility for the program and increases the per-dwelling assistance level.

The Summer Fill and Fuel Program authorizes a summer fill and fuel budgeting program.

The program will be a state-led education and outreach effort to encourage consumers to take actions to avoid seasonal price increases and minimize heating fuel shortages—such as filling tanks in the summer.

The Federal Lands Survey directs the Secretary of Interior, in conjunction with the Secretaries of Agriculture and Energy, to undertake a national inventory of the onshore oil and gas reserves in this country and the impediments to developing these resources.

This will enable us to get a better handle on our domestic resources and the reasons why they are not being developed.

The DOE Arctic Energy Office establishes within the Department of Energy an Office of Arctic Energy.

Most of the energy in North America is coming from above the Arctic Circle.

The office will promote research, development, and deployment of energy technologies in the Arctic.

This provision is critical as the Arctic areas of this country have provided for as much as 20% of our domestic petroleum resources—have more than 36 TCF of proven reserves of gas, and an abundance of coal, as we look at future energy needs of this country.

It might surprise members to know that the Department of Energy employs no personnel in Alaska!

There is a 5 megawatt exemption that allows the State of Alaska to assume the licensing and regulatory authority over hydro projects less than 5 megawatts.

This will expedite the process and cost of getting this clean source of energy in wider use in Alaska.

The Senate has already passed this provision.

The justification is that there is no way a small community, a small village, can put in a small hydrobelt wheel on a stream that has no anadromous fish and generate power to replace dependence on high-cost diesel, much of which is flown in, and still meet the requirement of the FERC, which licenses these small operations. And, as a consequence, we have not been able to utilize them in many of the areas to replace the high cost of diesel.

We have royalty-in-kind.

This provision allows the Secretary of the Interior more administrative flexibility to increase revenues from the government's oil and gas royalty-in-kind program.

Under current law, the government has the option of taking its royalty share either as a portion of production, usually one-eighth or one-sixth, or its equivalent in cash.

Recent experience with MMS's royalty-in-kind pilot program has shown that the government can increase the value of its royalty oil and gas by consolidation and bulk sales.

Under royalty-in-kind, the government controls and markets its oil without relying on its lessees to act as its agent. This eliminates a number of issues that have resulted in litigation in recent years and allows the government to focus more directly on adding value to its oil and gas.

Finally, the FERC relicensing study requires FERC to immediately undertake a review of policies, procedures, and regulations for the licensing of hydroelectric projects to determine how to reduce the cost and time of obtaining a license.

I remind colleagues that this is a bipartisan piece of legislation that has been developed between Senator BINGAMAN and myself on the Energy Committee. It has been cleared, as I understand it, by our side unanimously. It is my understanding that there still remains objection on the other side, although we have had assurances that we are willing to work and try to address the concerns of those on the other side who have chosen to place a hold on this legislation.

In view of the heightened emotions associated with our energy crisis in this country, this is very responsible legislation that is needed and is supported by the administration. It is timely, and it is certainly overdue in view of the fact that we are down to the last few days of this session. I hope we can come to grips with meeting the obligation we have to pass the Energy Policy and Conservation Act out of this body.

I yield the floor.

Mr. REID. Before the Senator from Alaska leaves the floor, I of course recognize the expert on our side of the

aisle dealing with this legislation is the Senator from California, Mrs. BOXER. I want to say this because I am the one who objected to this. Following what the Senator from Alaska has said—and I have the greatest respect for him, and we work together on many issues—it seems to me we can resolve this very quickly. There is a companion bill, H.R. 2884, which already passed the House. We can bring it up here as it passed the House. It would go through very quickly. We believe that would take care of the immediate problems facing us—the home heating oil reserves and the Strategic Petroleum Reserve.

The problem we have, and the reason for the objection, is that to H.R. 2884 my friend from Alaska added some very—from our perspective—very controversial oil royalties, among other things. So we believe if the home heating oil reserve is as important as we think it is—and we believe it is extremely important—and if the Strategic Petroleum Reserve is as important as we think it is, we should go with the House bill. We can do that in a matter of 5 minutes.

Mr. President, I ask unanimous consent that under the time reserved to the minority on the continuing resolution, Senator DURBIN, who has been waiting patiently all afternoon, be recognized for 10 minutes, Senator BOXER be recognized for 30 minutes, Senator GRAHAM for 30 minutes, Senator HARKIN for 15 minutes, Senator FEINGOLD for 10 minutes, and Senator WELLSTONE for 5 minutes.

Mr. MURKOWSKI. Senator BINGAMAN and I have worked in a bipartisan manner on this legislation. I am sure Senator BINGAMAN would want to express his views. I encourage him to avail himself of that opportunity. It is my understanding that the administration supports the triggering mechanism in our bill as opposed to the one in the House bill specifically, and, as a consequence, we have worked toward an effort to try to reach an accord.

We are certainly under the impression on this side that we worked this out satisfactorily to the administration. But objections may be raised. Senators are entitled to make objections, but I hope they are directed at issues that clearly address environmental improvements.

I have nothing more to say other than this legislation is needed. We have a crisis in energy, and we had best get on with it. Otherwise, I think the problem is going to suffer the exposures, particularly since we won't have authorization.

I thank the Senator.

I see the Senator from California, who may be able to shed some light on this.

The PRESIDING OFFICER. Is there objection to the time agreement as proposed by the Senator from Nevada?

Without objection, it is so ordered.

Mr. REID. Mr. President, I don't think we need unanimous consent. The time is under our control. We can allocate it any way we desire.

MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2001

The PRESIDING OFFICER. The clerk will state the joint resolution by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 110) making further continuing appropriations for the fiscal year 2001, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, it is my understanding that pursuant to the request of the minority whip, I will be recognized for 10 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. DURBIN. Mr. President, 31 years ago, when I graduated from law school here in Washington, DC, my wife and I picked up our little girl, took all of our earthly possessions, and moved to the State capital of Springfield, IL. It was our first time to visit that town. We went there and made a home and had two children born to us there and raised our family.

So for 31 years Springfield, IL, has been our home. It has been a good home for us. We made a conscious decision several times in our lives to stay in Springfield. It was the type of home we wanted to make for our children, and our kids turned out pretty well. We think it was the right decision. Springfield has been kind to me. It gave me a chance, in 1982, and elected me to the House of Representatives, and then it was kind enough to be part of the electorate in Illinois that allowed me to serve here in the Senate.

I have come to know and love the city of Springfield, particularly its Lincoln history. I was honored as a Democrat to be elected to a congressional seat of which part was once represented in the U.S. House of Representatives by Abraham Lincoln. Of course, he was not a Democrat. He was a Whig turned Republican—first as a Whig as a Congressman and then Republican as President. But we still take great pride in Lincoln, whether we are Democrats or Republicans.

When I was elected to the Senate, their came a time when someone asked me to debate my opponent. They said it was the anniversary of the Douglas-Lincoln debate of 1858 which drew the attention of the people across the United States. Douglas won the senatorial contest that year. Two years later, Lincoln was elected President.

It seems that every step in my political career has been in the shadow of this great Abraham Lincoln.

In about 1991, I reflected on the fact that in Springfield, IL—despite all of the things that are dedicated to Abraham Lincoln, the State capital where he made some of his most famous speeches and pronouncements, and his old law office where he once practiced law, the only home he ever owned across the street from my senatorial office, just a few blocks away the Lincoln tomb, and only a few miles away Lincoln's boyhood home in New Salem—of all of these different Lincoln sites in that area, for some reason this great President was never given a center, a library in one place where we could really tell the story of Abraham Lincoln's life to the millions of people across the world who are fascinated by this wonderful man.

We had at one point over 400,000 tourists a year coming to the Lincoln home. I know they are from all over the world because I see them every day when I am at home in Springfield.

I thought: we need to have a center, one place that really tells the Lincoln story and draws together all of the threads of his life and all of the evidence of his life so everyone can come to appreciate him.

In 1991, that idea was just the idea of a Congressman, and I tried my best to convince a lot of people back in Illinois of the wisdom of this notion. I worked on it here in Washington over the years. Once in Congress, people came along and said: Maybe it is a good idea. There should be a Lincoln Presidential center. We really ought to focus the national attention on this possibility.

We passed several appropriations bills in the House. Some of them didn't go very far in the Senate. But the interest was piquing. All of a sudden, more and more people started discussing this option and possibility.

I recall that in the last year of the Governorship of Jim Edgar in his last State of the State Address he raised this as a project that he would like to put on the table for his last year as Governor. He told me later that he was amazed at the reaction. People from all over Illinois were excited about this opportunity. He weighed in and said the State will be part of this process. His successor, Gov. George Ryan, and his wife Laura Ryan, also said they wanted to be part of it. The mayor of Springfield, Karen Hasara, asked that the State accept from the city of Springfield a parcel of real estate so they could build the center.

All of a sudden, there came together at the local and State level this new momentum and interest in the idea of a Lincoln Presidential library and a Lincoln center. I was energized by that.

Then, of course, the Illinois Congressional Delegation weighed in in support of it, and we have tried now to make a contribution from the Federal level toward this national project, which brings together local, State, and Federal sources in the name of Abraham Lincoln.

This Interior appropriations bill, of course, includes $10 million of a $50 million authorization for that purpose.

I think that is a good investment and a very worthy project for which I fought for 10 years.

I am happy to have joined with my colleague, Senator FITZGERALD, who offered a bill which authorized this center. He offered this bill as a free-standing piece of legislation. I coauthored it with him. He added an amendment relative to the bidding process, and that amendment was adopted in committee. It was agreed to on the floor. It is my understanding that it is now going to be sent over to the House for conference. I was happy to stand with him in that effort.

But I think I would like to reflect for a moment on this project and to say a few words about the debate that has gone on today on the floor of the Senate.

The debate seems to focus on several different aspects of this Lincoln center. I cannot tell that it is in the best location in the city of Springfield. I didn't choose that location. I believed it wasn't my place to get involved. The minute this Lincoln center was suggested, people from all over Springfield who owned real estate came flocking to my door and reminded me of what good friends they were and asked me to pick their location for the Lincoln center. I said I wasn't going to do it. It shouldn't be a political decision. It should be a decision made in the best interests of the hundreds of thousands of people who will come and visit this location.

The location which they have chosen is in a good spot when you consider the restoration of the old railroad station from which Abraham Lincoln left for his Presidency, and the old State capital which was important in his life and to this new center. They create a campus that I think will be visited and enjoyed by a lot of people.

There was also a question about the design of the center. I am no architect or planner. I really defer to others. I know what I would like. I would like to put in my two cents worth. But I am not going to act as an architect, a planner, or an engineer. That is really a decision to be made by others. It should not be a political decision.

I think what Senator FITZGERALD said during the course of this debate is that the bidding process for this center should not be political either. I agree with him completely. I think he is on the right track.

As he and I have said in various ways, a center that honors ''Honest Abe'' should be built in an honest fashion. That is what we are going to try to do in Springfield, IL. Senator FITZGERALD and I have been in agreement to this point. I believe, though, that we may have some difference of opinion in how we are going to progress from here.

I, frankly, believe that trying to create a new bidding process for this center involving Federal rules may be difficult and may be impossible. What agency is going to do it? Who is going to implement these rules and regulations? How will this law apply? But I agree with him that whatever process we use—whether it is Federal, State, or some other means—that it should be one where competitive bidding is the absolute bottom line so that it is open and honest.

That is why I asked of the Capital Development Board in Springfield, which I believe will be the agency supervising this bidding, for a letter that expressly states that this process will be done by open competition and open bidding. I received that letter yesterday.

I ask unanimous consent that it be printed in the RECORD.

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

STATE OF ILLINOIS,
CAPITAL DEVELOPMENT BOARD,
Springfield, IL, October 3, 2000.

Hon. RICHARD J. DURBIN,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR DURBIN: This letter is an additional attempt to allay concerns that have been raised about our state's commitment to competitive bidding and the efficacy of our state purchasing laws. Let me assure you that all construction contracts for this library and museum are being and will continue to be competitively bid pursuant to state law that is at least as stringent, if not more so, than federal bidding requirements.

Competitive bidding has long been the requirement for State of Illinois construction contracts and was most recently reaffirmed with the passage of the stricter Illinois Procurement Code of 1998. Only six exemptions to that provision, which are defined by rule and must be approved by the Executive Director, exist:

(1) emergency repairs when there exists a threat to public health or safety, or where immediate action is needed to repair or prevent damage to State property;

(2) construction projects of less than $30,000 total;

(3) limited projects, such as asbestos removal, for which CDB may contract with Correctional Industries;

(4) the Art-in-Architecture program which follows a separate procurement process;

(5) construction management services which are competitively procured under a separate law; and,

(6) sole source items.

None of these exceptions have ever or will apply to the library project, as they do not apply to the overwhelming majority of CDB's projects.

With regard to the federal practice of ''weighting'' construction bid criteria, there is no similar provision in state law, because there is only one criteria allowed—our bids must be awarded to the lowest responsible bidder—period. While it appears to me that the federal government has taken the approach that it will determine the responsiveness of the individual bidders after bids are received, Illinois law actually requires that process to occur before bidding takes place. Construction companies are required to become prequalified with CDB before they can bid on construction projects. It is during the prequalification process that we determine a company's bonding capacity and assess their work history and level of experience through reference checks—in short, their ability to perform construction work.

All bids for a construction project are opened during publicly held and advertised ''bid opening'' meetings. All interested constructors are informed at that time of the bid amounts. There is no provision that allows CDB not to award to the low bidder.

I hope that this clarifies some of the issues that have been raised. Please do not hesitate to call on me if I may be of further assistance.

Sincerely,

KIM ROBINSON,
Executive Director.

Mr. DURBIN. Mr. President, this letter was sent to me by the executive director of the Illinois Capital Development Board, Kim Robinson. I don't know Kim Robinson personally. But she writes to me in this letter of October 3 that there are certain exceptions to competitive bidding under the Illinois State law. She lists all six of them, and then concludes:

None of these exceptions have ever or will apply to the library project, as they do not apply to the overwhelming majority of CDB's projects.

By that statement it is clear to me that there is going to be open competitive bidding on this project.

The point that was raised by Senator FITZGERALD earlier in the debate about qualified bidders is a valid one. Who will be bidding on this project? I do not know. Frankly, no one has come forward to me and suggested that they want to be bidding on this project. It wouldn't do them any good anyway. I am not going to make that decision. I haven't involved myself in the location or design. I leave that to others.

But I hope when this happens and bidders are solicited that it is an entirely open process as well. I will guarantee that there will be more attention paid to this bid for this project in Springfield, IL, than probably anything in its history.

I credit Senator FITZGERALD for bringing that attention forward. But let us proceed with the premise that it is going to be a transparent process. And let us make certain that as it progresses we will have at least an opportunity to assess it every single step of the way.

I also add that during the course of his statement today my colleague has raised questions about previous bidding processes by Governors in the State of Illinois.

The PRESIDING OFFICER. The Senator's 10 minutes has expired.

Mr. DURBIN. I ask unanimous consent for 5 additional minutes.

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

Mr. DURBIN. Mr. President, questions have been raised by Senator FITZGERALD about the bidding processes under Governors in the State of Illinois. For the record, there has not been a Democratic Governor in the State of Illinois for 24 years. So if he is suggesting that there have been irregularities under Governors, it is likely that they have not been of my political party. I can tell you without exception that I have never involved myself in any bidding process in Springfield by the State government. I have considered my responsibilities to be here in

Washington and not in the State capital. Frankly, the people who bid on contracts and whether they are successful is another part of the world in which I have not engaged myself. I am not standing here in defense of any of these bidding processes, or making excuses for any of these processes. If there was any wrongdoing, then let those in appropriate positions investigate that and come to conclusions. Whether there was any reason for any kind of prosecution or investigation, that is not in my province nor my responsibility.

I hope at the end of this debate we can remove any cloud on this project. This project should go forward. The Illinois congressional delegation supports this project. Let us demand it be open and honest, and then let us support it enthusiastically. Frankly, I think we all have an obligation to taxpayers—Federal, State, and local alike—to meet that goal.

I close with one comment because I want to be completely open and honest on the record. My colleague, Senator FITZGERALD, during the course of the debate has mentioned the Cellini family of Springfield. The Cellini family is well known. My wife and I have known Bill and Julie Cellini for over 30 years. We are on opposite sides of the political fence. He is a loyal Republican; I am a loyal Democrat. Seldom have we ever come together, except to stand on the sidelines while our kids played soccer together or joined in community projects. They are friends of ours. I have taken the floor of the Senate to note that Julie Cellini is an author in our town who has done some wonderful profiles of people who live in Springfield.

I make it part of this record today, when I came up with the original concept of this Lincoln center, there were three people who came forward and said they were excited about it and wanted to work with me on it. This goes back 10 years now. They included Susan Mogerman, who works with the Illinois State Historical Library, as well as Nikki Stratton, a woman involved in Springfield tourism, and Julie Cellini. These three women have worked tirelessly for 10 years on this project. I never once believed that any of them would be involved in this because they thought there was money at the end of the rainbow. I think they genuinely believe in this idea and they believe it is good for Springfield and good for the State of Illinois.

I can't speak to any other dealings by that family or any other family, but I can say every contact I have had with those three women and their families about this project has been entirely honorable, entirely above board, and in the best interests of civic involvement for an extremely important project, not only to our city of Springfield but to the State of Illinois and to the Nation.

I hope when this is all said and done, this delegation can come together, closely monitor the bidding process, do everything in our power to help make this center a reality, and at the end of the day I hope we will be alive and be there at the opening of this great center.

I was honored a few months ago by our Democratic leader, TOM DASCHLE, to secure a spot as a member of the Abraham Lincoln Bicentennial Commission. I can think of few higher honors than to work and celebrate the life and accomplishments of one of the world's greatest leaders. The actual bicentennial will not be fully celebrated until 2009. This legislation is a great first step in a celebration of the life and accomplishments of a great President.

Mr. FITZGERALD. Will the Senator yield?

Mr. DURBIN. I am happy to yield to the Senator.

Mr. FITZGERALD. I compliment my colleague, my friend from Illinois. Extending my time line further, I started in 1998. There are a lot of articles going back to the early 1980s when Senator DURBIN—then Congressman DURBIN—was working hard to get this project off the ground. I compliment him for his hard work over a number of years on behalf of this project.

I appreciate his love for Springfield. Senator DURBIN has talked many times at our weekly Thursday morning breakfast about his love for Springfield. I know that he and his wife Loretta have lived in Springfield for many years. I am hopeful that we can work together and build a wonderful Abraham Lincoln Library that will truly be a credit not just to Springfield but to the whole State of Illinois and the entire country.

I also thank Senator DURBIN for his support and the amendment he offered in the Senate requiring the Federal competitive bid rules. Senator DURBIN has been very supportive and the whole Illinois delegation supports the project. There has simply been a difference of opinion as to which bidding rules should be attached.

I did want to point out that the State code does contemplate, where Federal strings are attached, Federal appropriations, that State agencies receiving Federal aid, grant funds, or loans, shall have the authority to adapt their procedures, rules, projects, drawings, maps, surveys, and so forth, to comply with the regulation, policy, and procedures of the designated authority of the U.S. Government in order to remain eligible for such Federal aid funds.

I think that provision would be helpful in the case of this grant or any other grant where the Federal Government seeks to ensure the proper accountability of the Federal funds.

I compliment my colleague and thank him for his working and allowing me to make my views known. I look forward to continuing to work with the Senator this year and in following years.

Mr. DURBIN. I thank Senator FITZGERALD.

In closing, you know your senatorial lineage is traced to Steven Douglas, and I checked the history of the Senate. I am afraid he is on our side of the aisle, and he traced himself to my seat. You have some distinguished senatorial colleagues who proceeded you, and I am certain you are very proud of them as well.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from California.

Mrs. BOXER. It is my understanding I now have 30 minutes.

The PRESIDING OFFICER. The Senator is correct.

ROYALTY PAYMENTS

Mrs. BOXER. I am pleased to come to the floor today to try to shed a little light, if not a little heat, on an issue that was raised by the Senator from Alaska, Mr. MURKOWSKI, when he asked unanimous consent that we take up H.R. 2884, but substitute his amendment to that bill, and pass it. The unanimous consent request was made by the majority leader on behalf of Senator MURKOWSKI. He came to the floor with a very eloquent discussion of why he believed it was important.

I am one of the Senators—there is more than one—who objects to this bill. I think it is very important to state clearly on the record why. First, H.R. 2884 as it came over from the House does exactly the right thing. It reauthorizes the Strategic Petroleum Reserve, and it sets up a home heating oil reserve. That is very important for the people of this country, particularly the people in the Northeast. We could pass that in 1 minute flat by unanimous consent request. No one has any problem.

What is the problem, my friends? Senator MURKOWSKI has essentially added to that bill a whole new body of law concerning royalty payments by the oil companies, which they owe the taxpayers of the United States of America. It deals with the ability of the oil companies to pay, not in cash—which is essentially the way they pay now—but in kind. It would encourage, by many of the provisions in it, the payment of these royalty payments in kind. In other words, Uncle Sam would become the proud owner of natural gas, Uncle Sam would become the proud owner of oil. And, by the way, Uncle Sam would then have to in some cases market that product.

I don't think we are good at becoming a new Price Club. I really don't. My friend from Alaska says: But the Government wants to do it, they want to do it. They came to us; they asked us; they want to do it. Show me one bureaucrat in Government who doesn't want more power, more authority, more jobs, and I will show you a rare bureaucrat.

The royalty payments that come into this Federal Government go to the Land and Water Conservation Fund. Let me be clear what a royalty payment is. When you find oil on Federal

land offshore and onshore, you must pay a percentage of that to the taxpayers. It is like rent. You are using the taxpayers' land, the offshore areas, and you have to pay a certain amount of rent based on the value of the oil or gas you recover.

This is an area that has been fraught with complication and difficulty. I frankly have found myself on the side of the consumers who have said they have been shortchanged by the oil companies. I believe that those of us who fought for 3 long years for a fair royalty payment did the right thing. Why do I say that? Because under the old system there have been lawsuits and almost in every case—I do not even know of any case where we did not prevail on behalf of the taxpayers.

I hear today that the Federal Government has collected, because there have been some recent settlements, almost a half a billion dollars of payment from the oil companies. Do you know why? Because they have been cheating the taxpayers out of the royalty payments that they were supposed to make based on the fair market value. One of the ways they have cheated the taxpayers is to undervalue the oil. If you are in beginners math, you know a percentage of a smaller number will yield yet a smaller number. So they did not do the proper math. They didn't show what the oil was worth. They undervalued the oil and then they took a percentage of the undervalued oil and gave it to the taxpayers and we were shorted a half billion dollars—maybe more. That is just the recent settlement.

So after 3 years of fighting—and, believe me, I had to stand on my feet and fight long and hard, and so did a lot of my colleagues, and I thank them—we were able to make sure that a fair way of determining the fair market value of that oil was put in place.

In the middle of all this comes the payment-in-kind program. In other words, instead of paying cash, we say to the oil and gas companies we are going to try an experiment. We are going to try a pilot program. We are going to allow you to pay your royalties in kind. That is like if you owed the Government your income taxes and said: Uncle Sam, I'm short. Will you take the payment in, say, my mother's antique chest? That's worth about $1,000 and that's what I owe.

By the way, we do this with no other commodity. We have checked the records. We say to them something we say to no one else who owes the Federal Government: You can pay your dues, your royalty payments, in kind.

I have a lot of problems with that. A lot of my colleagues think it is just great. But, again, it is my experience that we do not do too well in the business world in government. We are better off doing our work here, getting that straight. Now we are going to expand. It is going to be Uncle Sam's Oil Company; Uncle Sam's Gas Company: Drive in and fill her up.

Of course I am exaggerating; it will not be exactly that. What we will do is market the product and sell it and probably pay the oil companies to do all that marketing for us so they will get back plenty of money. We will wind up paying them to market their product. This is a very confusing matter.

So what happens? Without one hearing in the Energy Committee, we have before us a substitute bill that I have objected to and others have objected to that would essentially say, regardless of all the work, Senator BOXER, that you and many of your colleagues went through to get a fair royalty payment, we are going to come around in the backdoor when nobody is looking and we are going to put in a new way to figure out how to pay royalties. We are going to expand this payment-in-kind program even before we have held one hearing on whether it even works. The pilot programs are going to be completed very soon, in about 3 or 4 months, at least one of them. Another one will be done next year. What is the rush to pass a 5-year authorization on royalty payments in kind? What is the rush? Is that the way to govern? Is that the way to legislate?

No other industry in America gets this chance. I say, if you read the substitute offered by my good friend, Senator MURKOWSKI, you are going to find a few things in there that are going to raise your eyebrows.

In the very first draft, they set up another definition of ''fair market value.'' I protested. They dropped it. Now it just says the royalty in kind has to be paid in a fair market value, but it doesn't define it. It doesn't do what the rule does for the in-cash payments. So now you have two conflicting ways, one way that is clearly defined if you pay in cash and one way that is open to interpretation, fair market value—whatever that means—for the payment in kind.

Do you know what I see? Again, you don't have to be an expert in economics. I was an economics major, but that was so many years ago I don't pretend to be an expert. But if I say to you, ''fair market value,'' you are going to say, ''I think that is a willing buyer and a willing seller.''

If I ask Sarah here, who has worked so hard on this, she is going to say: I think that is a little risky because the seller might be a subsidiary of the buyer. That is not arm's length. It has to be an arm's length agreement.

Somebody else might say: Forget that. Let's just go to the published newspaper in terms of what the oil is selling for on that date.

Frankly, that is the one I like. That is the one we use in the definition when you pay royalty in cash.

The first problem is you are setting up a whole conflict here. I will tell you, those guys with those sharp pencils who are in the oil company, they are going to go for payment in kind because there is not any real definition. They are going to give us less oil and less value than we would get.

So then you say to my friend, Senator MURKOWSKI, let's at least put in this legislation a statement that says: Under no circumstances should we get less than we would get if it was payment in cash because, again, this money goes to the Land and Water Conservation Fund, which is our conservation fund. We buy lands with it. We fix up parks with it. And the State share—because States get a share of the royalty payment—that goes to the California classrooms.

Are they going to send oil to the California classrooms? Are they going to send natural gas?

So we said: Look, we have to work out these problems with the States. In any case, we can't have less of a payment than we would have if you paid in cash. So we said: Will you put that in the language? ''Under no case will we get less than we would get if we got payment in cash.''

Oh, no, they use the word ''benefits,'' not revenues. The benefits have to be equal or greater.

I said: Wait a minute. What does that mean?

Well, the Secretary will decide if there is a benefit.

Let me tell you I have seen Secretaries of the Interior come and go. I saw one who said: Don't worry about the ozone layer leaving us. Don't worry about a hole in the ozone layer; just wear a hat and put on sunscreen. Don't worry about cancer. That was one Secretary of the Interior.

So in this 5-year authorization that never had a hearing, before the pilot programs are through, we are leaving all this up to the Secretary of the Interior, whoever he or she may be.

We have seen Secretaries of the Interior who fought on behalf of the environment. We have seen Secretaries of the Interior who fought on behalf of big oil. I am not here to give authority to the Secretary of the Interior to decide when it is in the benefit of the United States to take less than what you would get if you received a payment in cash.

I understand from Senator MURKOWSKI's staff that he feels strongly about this and he is not going to back off. He is going to file a cloture motion and all the rest of it. That is fine. We will stay here past the election because I am going to stand on my feet because I don't think the taxpayers ought to be ripped off again. They have been ripped off for years. We finally resolved the situation, and we are now back to square one.

Again, I reiterate, the underlying bill that came over from the House is a beautiful bill.

It deals with two things which we need to do: We need to fill up the Strategic Petroleum Reserve and reauthorize it, and we need a home heating oil reserve. I will say we are told by the administration that they actually can act on this without this legislation, but it certainly would be better to have it.

I say to my friend, Senator MURKOWSKI—and I will not do it now in deference to the fact he is not here—I would like to move the underlying H.R. 2884 as it came over here and pass it 5 minutes a side. We can do it if we did not add all this royalty in-kind section to it.

The last point I wish to make on this subject is, in the Interior bill that is now before the Senate, we have already taken care of this problem. The Minerals Management Service came to us and said: We need a little help with the pilot program because we really want to make sure we are giving payment in kind every chance. The Minerals Management Service wants to go into the oil business. That is great. They want to be the Price Club of the United States of America. So they want help. OK.

We took care of them in this Interior bill. We gave them what they wanted. We allowed them to calculate this royalty in a way that they can subtract the cost of transportation, even subtract the cost of marketing oil. The oil companies get a good deal. Senator MURKOWSKI wants a 5-year authorization without one hearing. He wanted to pass it by unanimous consent, no amendments, nothing.

I may sound upset, and it is true, I am upset because I think the consumers get a raw deal. Every time we have a little problem with an energy supply, what do we hear around this place? Drill in ANWR; let the oil companies pay lower royalties, and meanwhile the oil companies are earning the biggest profits they have ever earned, causing Senator PAT LEAHY of Vermont to come down here and propose a windfall profits tax on the oil companies. But it is not good enough for them to earn $1 billion and $2 billion in a quarter—in a quarter—to have 100-percent profits and 200-percent profits and 300-percent profits. They have to pay us less in royalties. If you knew what this amount was—it is so minuscule compared to their profits—it would shock you.

It is not minuscule to the child who sits in a California classroom. It is not minuscule to the Land and Water Conservation Fund or the Historic Preservation Fund, but yet here we are when we should be doing energy conservation, when we should be having a long-term energy plan, the first thing we do, because the Senator from Alaska attaches it to an important bill, is give a break to the oil companies again with these royalties in kind.

Boy, I tell you. Maybe the Senator from Florida will be interested to know this. There is not any other business in America that pays in kind. It would be interesting if you had to pay your IRS bill and you said: I have a few extra things around the house I am going to send in.

It is hard to believe we would have an authorization to really expand the payment-in-kind program without one hearing. I am stunned. It is taken care of in the Interior bill. We gave them a narrow bill. We did not mess with the definition of how you are supposed to pay, what you are supposed to pay. We did what the Interior Department wanted.

If this is going to a cloture vote, I tell my friends, so be it. I have other friends on this side of the aisle who agree very strongly, and we are going to stand on our feet and it is not going to be pleasant, it is not going to be happy, but we are going to have to do it, and let us shine the light of truth on the whole oil royalty question.

They are going to get up and say: Oh, it's the mom and pop little guys. Fine, let's do this for the mom and pop little guys. I will talk to you about that. But do not give the biggest companies—these are multinational corporations making excess profits—another break, and suddenly Uncle Sam goes into the oil business and the gas business.

This whole issue of an energy policy is important. It came up in the debates, and what we heard from the two candidates was very different. George W. Bush had one energy policy and one energy policy alone, and that is more development at home. By the way, we have had a lot more oil development here—and I am going to put that information in the RECORD—since Clinton-Gore came in. But they want to go to a wildlife refuge and drill in a wildlife refuge.

The No. 1 goal of environmentalists in this country is to protect that wildlife refuge. They want to drill in it, and you say: Senator BOXER, how much oil is in there? The estimate is about 6 months of oil. Period. End of quote. Forever. Some say if you got every drop out of it, it could go for 2 years, but that is the outside; most people think it is 6 months.

To me that is a contradiction in terms. We have to figure out a better way. I will give you a better way. We can save a million barrels of oil a day—a million barrels of oil a day—if we just say the SUVs should get the same mileage as a car. A million barrels of oil a day, and yet when that comes up, people duck for cover around here.

How have the President and the Vice President tried to have an energy policy? First of all, since they came in, oil and gas production on onshore Federal lands has increased 60 percent, and offshore oil production is up 65 percent since they came in, while they are protecting the most vulnerable offshore tracts, off California, off Florida, and other pristine places. We have seen a huge increase there.

They worked to bring an additional 3.5 million more barrels per day into the world oil market. They have taken measures to swap 30 million barrels of oil from the Strategic Petroleum Reserve, and this will help the Northeast not have a repeat of last year's home heating oil shortage. We know it was Vice President GORE who pushed for this, frankly, along with a couple of Republicans and Democrats in the Congress, and it seems to be working. We hope it will.

They supported alternatives to oil and gas, such as ethanol, a renewable resource made from feedstock such as corn, and increasing ethanol use would help reduce dependence on foreign oil. It would help our farmers by boosting corn prices, and since ethanol can be made from waste, such as rice straw, waste straw, trimmings and trash, the greater use of ethanol can turn an environmental problem into an environmental benefit. In other words, it would take trash and turn it into energy. That is a plus.

The other half of the administration's energy policy is to improve energy efficiency. I think it is very important to look at the record here. Having told you that if we go to the Arctic National Wildlife Refuge, we will only get 6-month's worth of oil, what is the answer? Let's see what the facts show.

The administration supported a tax credit to promote alternative sources of energy—solar, biomass, wind, and other sources. The Republican Congress said no.

The administration recommended tax credits for electric fuel cell and qualified hybrid vehicles. It was a 5-year package of tax credits. The Republican Congress said no.

The administration advocated a tax credit for efficient homes and buildings. The Republican Congress said no.

The administration recommended tax incentives for domestic oil and gas industries. The Republican Congress said no.

The administration requested $1.7 billion for Federal research and development efforts to promote energy efficiency in buildings, industry, and transportation, and expanded use of renewable energy and distributed power generation systems. And the Republican Congress partially funded that program.

The administration requested $1.5 billion for investments in energy R&D for oil, gas, coal, efficiency, renewables, and nuclear energy. What was the answer of the Republican Congress? No. And they introduced legislation to abolish the Department of Energy. That is a great answer.

George Bush is saying we have no energy policy, and most of his party said: Do away with the Department of Energy. That was at a time when oil prices were low. They said: We don't need it. That is some policy.

It goes on.

The administration requested $851 million for energy conservation for the Department of Energy. The request was cut by $35 million.

They requested money to continue the Partnership for a New Generation of Vehicles. That was cut in half by the Republican Congress.

They requested $225 million for building technology assistance funding. That was cut.

They asked for $85 million to create a new Clean Air Partnership Fund to

help States and localities reduce pollution and become more energy efficient. The Republican Congress said no.

It goes on.

The administration recommended studying increases in the fuel economy of automobiles. We know that 50 percent of the cause of our energy dependence is automobiles. What did this Republican Congress do? It prohibited the administration from even studying the increases in fuel economy standards in a rider to the appropriations bill.

So now we have the Republican standard bearer standing up in a debate saying: Where is your energy policy? There were 20 initiatives. I have only mentioned part of those. And they said no to the vast majority of them, and they said, OK, we will give you a little bit for a few.

It seems, to me, disingenuous—and that is the nicest way I can say it—to be critical of Vice President GORE, saying he has no energy policy, when every single proposal, except maybe a couple, was turned down with a vengeance.

Then, when we have a problem, our friends on the other side come down and say: You see the other side, they care about the environment too much. They will not drill in a wildlife refuge.

I say, thank you for mentioning that because if there is anything I want to accomplish here in the short time that any of us has in the scheme of things, it is to protect this magnificent area.

I wish we could join hands across party lines on energy. I say to the Presiding Officer, we have worked together in the Committee on Public Works. We have worked, for example, on ways to replace MTBE in a good way. We have worked on ways to make sure that we do not rob the States of their transit funds. I think we can do this. I do not think it is fair, however, for the candidate of the Republican Party to accuse the Vice President, who has proposed numerous ways, both on the production side and on the demand side, to resolve the problem, and say, there is no energy policy, when time after time after time it has been thwarted in this very body and in the House.

I remember when I first went into politics—a very long time ago—we had an energy crisis. At that time, we realized our automobiles were simply gas guzzlers. I remember. They used to get 10 miles to the gallon, 12 miles to the gallon. I am definitely showing my age when I admit that. I remember that. And now we are doing better, but we can do better still.

I say to you that rather than go into a pristine and beautiful wildlife refuge—which we really owe to our children and our grandchildren and their kids; we owe them the preservation of that area—rather than do that, we could take a few steps here that can really make us so much more energy efficient, that we will be proud to say to our children and our grandchildren that we took a few steps. We did not inconvenience anybody.

Our refrigerators do a little bit better on energy use, our dishwashers, and our cars. I say to my own kids, who are at that age when they love those cars—I have a prejudice against those big SUVs because it is hard for me to climb into them. The bottom line is, they are very nice, but we can do better for our Nation and not be dependent on OPEC.

Fifty percent of our problem has to do with transportation. So we do not have to say: Oh, my gosh, we have a problem. Drill in a wildlife preserve. Oh, my gosh, we have a problem. Destroy the coast of California; ruin the tourism industry; ruin the fishing industry; risk oil spills. We do not have to go there.

We were sent here to find better ways of solving problems. Having an energy policy is important, but it takes two to tango. The Congress cannot do without the President, and the President cannot do without the Congress. The President proposes and Congress disposes. Unfortunately, they disposed of almost every single idea this administration had. We are suffering the consequences. So the issue is brought up at a Presidential debate, when people are pointing at each other, and we right here had a chance to do much better.

The PRESIDING OFFICER. The Senator's 30 minutes have expired.

Mrs. BOXER. I thank the Presiding Officer. This was a chance for me to explain my vociferous opposition to the substitute offered by Senator MURKOWSKI and to talk about an energy policy. I appreciate your patience, Mr. President, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that I be allowed to take 6 minutes of the leader's time to speak as in morning business on the continuing resolution.

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

Mr. BINGAMAN. Mr. President, I want to briefly describe my own thoughts on this royalty-in-kind issue.

First, let me say, the Senator from California, and, before her, the Senator from Alaska, talked about a great many issues related to our energy situation. I do not have the time and I have not come to the floor prepared to address all of those. I generally agree with the Senator from California that we need a balanced energy policy. We need to not only do things to increase supply, but we also need to reduce demand in this country. We have fallen short in that regard.

I have proposed legislation, which the administration strongly supports, much of which the Senator from California referred to, that I believe would help us to reduce demand and also help us to increase production. I am sorry that we have not been able, as a Congress, and as a Senate, to bring that up for consideration this year. I hope we still can before we adjourn, but the days are growing short.

Let me speak for a minute about the particular bill and the royalty-in-kind issue.

As I understand it, the action which started this discussion was an effort to move to H.R. 2884. This is the House version of EPCA. EPCA stands for Energy Policy and Conservation Act.

That is an important piece of legislation. It reauthorizes the Strategic Petroleum Reserve. It sets up a heating oil reserve in the Northeast, about which many feel very strongly. It does a variety of things. It gives the Department of Energy authority to pay above-market prices for production from stripper wells in order to fill the Strategic Petroleum Reserve when the price of oil falls below $15 a barrel. It does other things on the weatherization grant program. It has some useful provisions and contains a variety of other things.

It also contains a provision that the Senator from Alaska has strongly supported, and is intent upon keeping in the bill, on the subject of royalty in kind.

Let me explain my thoughts on that.

The Congress—for several Congresses now—has spent a lot of time arguing about, How do you determine what the royalty ought to be when the Federal Government allows for production of oil and gas on Federal lands? What amount of money is owed to the Federal Government?

We all know it is 12.5 percent; it is one-eighth. But how much is that in dollars? There is a lot of litigation on that subject. There has been, for a substantial period of time, a lot of debate on the subject.

The Federal agencies which manage our Federal oil and gas resources indicate that in certain circumstances they believe the United States has the opportunity to realize more money by actually taking its one-eighth in royalty in kind; that is, actually taking that royalty in the form of oil or gas instead of receiving it in cash.

The thought is that there is more of a benefit to the Government in some circumstances. Existing law authorized the Department of Interior to do that very thing. But under this authority, the Mineral Management Service, MMS, which is part of the Department of Interior, has conducted several very promising pilot programs on this subject of royalty in kind. Two of the latest of these involve Federal onshore oil, conducted in cooperation with the State of Wyoming and offshore gas in the Gulf of Mexico. Those are two examples.

Early indications from both of these are that these pilot programs will result in greater revenue for the United States and for the taxpayer than would have been received had the oil and gas been taken in value, had the Government been paid dollars instead.

As an example, the thought of the Senator from California, as I understood it, was that there is something unfair to the Government by having

the Government take its oil or its gas in kind. An analogy which we might think about is if the Government were owed one beer out of a six-pack, would it make more sense for the Government to take that beer or would it be better for the Government to go through a lengthy process of trying to establish the value of that one beer once it considered the cost of transporting the six-pack and the cost of storing it and all the other things. And in some circumstances, as I understand it, the Department of Interior, through this Minerals Management Service, has determined that it is in their interest to go ahead and take the royalty in kind instead of trying to calculate and argue about the price of it.

Based on these programs that have been in place, MMS, the Minerals Management Service, has determined that it could conduct a more efficient program, one that would be more likely to result in increased revenues, if it were able to pay for contracts for transporting and processing and selling the oil and gas it takes from Federal leases. Existing authorities allow the MMS to enter into contracts for these services but do not provide a way for them to pay except under general agency appropriations.

The amendment the Senator from Alaska has offered and I have cosponsored grants to the Department of Interior authority to use the money it makes when it sells oil and gas it takes in kind to pay for the expenses incurred in preparing it for sale, including its transportation, processing, aggregating, storing, and marketing. There is a 5-year sunset on this.

The amendment adds to existing law some very substantial protections for the Government and for the taxpayer.

It requires the Department to stop taking royalties in kind if the Secretary of Interior determines that it is not beneficial to the United States to take royalty in that form.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BINGAMAN. I ask unanimous consent for an additional 2 minutes from the leader's time.

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

Mr. BINGAMAN. It also requires that the Department report extensively to Congress on how the program is going. None of these requirements exist in current law. The royalty-in-kind provision in the Interior appropriations bill does not have these protections. This very bill we are getting ready to vote on in the next few days, the Interior appropriations bill, does grant authority to the Department to take the Federal Government's royalty in kind, but it does not have the protections that are in the amendment the Senator from Alaska and I are cosponsoring.

While 1 year is better than nothing, which is the Interior appropriations language—the Department clearly supports that provision in the Interior appropriations bill—a 5-year authorization gives the agency enough time to actually enter into contracts it would need to seriously test the workability of this program.

I wanted to clarify my own views at least as to what this provision would do. The Energy Policy and Conservation Act is important legislation. I hope we can resolve this dispute and get the legislation up for consideration in this Congress.

I do support the royalty-in-kind provision the Senator from Alaska and I have cosponsored. It will be beneficial to the Government—not to the oil industry but to the Government. It would be a win/win situation, and I do not see it as in any way breaking faith with the American taxpayer.

It would be good public policy for us to go ahead with this. I hope we can do so before the Congress adjourns.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I believe by previous order, I have 30 minutes?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRAHAM. Mr. President, I am here today in support of my colleague from Louisiana and to express my dismay at the content of the Interior appropriations conference report which we are considering. Senator LANDRIEU knows better than each of us the amount of work, dedication, and focus it took to produce the widely and wildly supported legislation, the Conservation and Reinvestment Act, or CARA, which has passed the House, passed the Senate Energy and Natural Resources Committee, and now awaits Senate floor action.

We have a unique opportunity before us in this session of the Congress: the ability to enact conservation legislation that will have a positive impact not just for ourselves but for our children and grandchildren, long after we have left this Chamber.

This opportunity is in the historical mainstream of the United States of America. We are starting a new century, the 21st century. It is the third full new century that has been started since the United States of America became a sovereign nation.

The first of those full centuries was the 19th century. We were led into the 19th century by one of our greatest Presidents, whose bust is above the Presiding Officer, Thomas Jefferson. Thomas Jefferson had a goal, a goal to acquire the city of New Orleans, which ironically is the home of Senator LANDRIEU. The purpose was to secure water transit on the Mississippi for American commerce, as it was developing in the Mississippi Valley, the Ohio Valley of the Presiding Officer, and later in the Missouri River Valley.

President Jefferson suddenly had a unique opportunity before him. While his negotiators were discussing with the French, the then-owners of New Orleans, the purchase of that city, they were met with a counter offer. Don't just buy New Orleans; buy the entire Louisiana territory.

President Jefferson seized this opportunity and fundamentally transformed the United States of America. No longer were we an Atlantic nation. We were a continental nation. No longer were we a nation in which Americans were quickly using up their original land; we were a nation that had an enormous new area to develop.

America suddenly had also been saved from the prospect of North America becoming a battleground for European rivalries because, with Louisiana in hand, the United States would be the dominant force in North America and would not have to contend with the prospect of the English, the French, the Spanish, and other Europeans attempting to settle their long animosities on our territory.

That was a truly bold idea, an idea that led us into the 19th century and has forever transformed our Nation.

We began the 20th century with another similarly bold leader, Theodore Roosevelt, whose bust is just outside the main entrance to the Senate Chamber.

Theodore Roosevelt had an idea that America should become a place which respected its natural heritage. So in his almost 8 years as President, he added to the national inventory of public lands an area that is the size of all the States which touch the Atlantic Ocean from Maine to Florida—an enormous contribution to our patrimony which, again, has served to transform both our idea of America and our access to America.

We had an opportunity to start the 21st century with an idea which, if not of the scale of either the Louisiana Purchase or Theodore Roosevelt's commitments to public lands, would have been a statement that our generation still recognized its obligation to prepare for the future, as those two great leaders had done.

That was what the Conservation and Reinvestment Act was about—to take a portion of the Anglo revenue, which the United States receives from Outer Continental Shelf drilling, and invest those funds in a better America for our future generations.

I submit that this opportunity for a bold, grand idea in the tradition of Jefferson and Roosevelt—an idea that could have come close to being a legacy—is now, in fact, sadly a travesty, a mere shadow of what could have been. I suggest that there is no more inappropriate time for us to turn timid and retreat from what could have been. When Theodore Roosevelt became President of the United States in the early part of the 20th century, the United States had a population of approximately 125 million people. By the end of the 20th century, the United States has a population of 275 million people.

The U.S. Bureau of the Census projects that by the year 2100—100

years from today—the population of the United States will be 571 million Americans. It is our obligation—as it was Thomas Jefferson's and Theodore Roosevelt's and those who supported their vision of the future—to begin the process of preparing for that next America that is going to arrive in the next 100 years. That next America has to be our grandchildren. They are the people who are going to make up the 571 million Americans in the year 2100. It is possible that some of the young people who are here with us today may live through this full century and experience what that new America is going to be like. How well we are preparing for that new America is being tested by what we are doing today. I am sad to say that in the retreat from providing for an ongoing, significant source of funding to provide for the variety of needs of that new America, we are failing the next America.

Like the occupant of the chair, I have served as Governor of a State. I believe one of the most lamentable aspects of this failure is the way in which we have treated States. States are our partners in this great Federal system. Probably of all the contributions the United States has made to the theory of government, none has been as significant as the concept of federalism: That we could have within 1 sovereign nation 50 States that were sovereign over areas of their specific responsibility, and that in many areas those sovereignties would merge in respectful partnerships in order to accomplish goals that were important to the citizens of an individual State but also important to all Americans.

Many of the programs that were the objective of the CARA legislation were in that category of respectful partnerships between the Federal Government and the State. For those respectful partnerships to be effective, in my judgment, there are some prerequisites. One of those prerequisites is that on both sides of the partnership there must be sustainability, predictability; both partners must bring to the table the capacity to carry out their mutually arrived at plans and visions.

The CARA legislation, as it was passed by the House of Representatives—I might say by an overwhelming vote—and voted out of the Senate Committee on Energy and Natural Resources, had such a vision because it would have provided through this source of funds of the Outer Continental Shelf a guaranteed source of revenue to meet the Federal side of that respectful partnership with the States in everything from urban parks to historic district redevelopment, to the development of urban forests—a whole array of needs which our growing population requires.

With that assured source of financing, there could have been some other things accomplished. One would have been good, intelligent planning as to how to go about using public funds to the greatest benefit. Part of that planning would have been to have set priorities in which people would have had some confidence. When you say priorities, by definition, you are telling some people they are at the absolute front of the line, other people are a few spaces back, and some are toward the end of the line.

But if those who stand in line believe their turn in fact will come if they are patient and, if they do the planning that is asked of them, they will finally receive their reward through Federal participation in funding, I am afraid that what we have just done is lost that opportunity because of what we have in the conference report of the Department of the Interior. Under title VII, the land conservation, preservation, and infrastructure improvement title, which is offered to us as the substitute for CARA, we have this language:

> This program is not mandatory and does not guarantee annual appropriations. The House and the Senate Committees on Appropriations have discretion in the amounts to be appropriated each year, subject to certain maximum amounts as described herein.

So we have no respectful partnership, and therefore we have no reasonable expectation that the kind of goals that were at the heart of the CARA program will in fact be realized. I suggest that our partners in the States who, from virtually every organization that represents State interests, had advocated passage of the CARA legislation will find this to be a particularly disappointing and sad day.

In addition to the fact that we are squandering the opportunity that comes with the enthusiasm of the new century, in addition to the fact that we are failing to meet the challenge for the new America, which will occupy this great Nation in the next hundred years, and in spite of the fact that we have acted in an arrogant and disrespectful way to our partners, the States, there is yet another tragedy in what is being proposed. That tragedy is our national parks.

On July 25, 2000, the Senate Energy Committee passed its version of the CARA bill, containing what I consider to be one of its most important aspects—the national park protection fund. This fund would provide $100 million in assured, guaranteed funding for the parks for 15 years, $100 million a year, for the purpose of natural, cultural, and historic resource preservation and restoration. This was a critical section of the bill. It was mirrored after a bill which I introduced in April of 1999. During our markup in the Energy Committee, I supported this section. I did believe that it should have included even more money to adequately address the needs of our national parks.

I might say in that view that I was joined by a number of members of the Energy Committee who advocated a more significant commitment to the protection of our national parks. I am blessed to say that since this bill was reported by committee, we have had even another ally join in this effort. We have had the Republican candidate for President of the United States, Gov. George W. Bush. Governor Bush, on September 13 of this year, stated that he would commit to spend $5 billion on maintenance of the national parks over the next 5 years ''to renew these national treasures and reverse the neglect.''

We are rejecting the advice and recommendation of the Governor of Texas, the Republican nominee for President of the United States, with this legislation because what it provides for national parks maintenance is only $50 million for 1 year. Fifty million dollars for 1 year is all we are going to be voting for if we accept this conference report—not the $5 billion over 5 years that Governor Bush has wisely recommended we invest in the restoration and revitalization of the great national treasure of our national parks.

The conference report today takes a tremendous step in the opposite direction in terms of a commitment for the rejuvenation of our national parks. It is wholly inadequate. I rise today to plead for our national parks.

As Senator LOTT said at a press conference in support of the CARA legislation earlier this year, even Kermit the Frog supports this bill. To borrow a phrase from America's favorite frog, ''It's not easy being green.'' It is also no simple matter maintaining the beautiful pinks and rich browns of Utah's canyons, the bright reds and oranges of Virginia's leaves in the fall, and, of course, the myriad colors that comprise America's Everglades. It is not easy. But it is critically important. It is our responsibility.

The parks tell the story of what and who we are and how we came to be. They contain the spirit of America. Maintaining these national treasures takes commitment to conservation and environmental preservation. That commitment takes money—reliable, sustainable, predictable money—in order to be able to undertake the kinds of projects which are necessary to preserve our great natural and cultural heritage.

There are many examples I might use to demonstrate this necessity for a sustained, reliable source of money to protect our heritage. Let me just use one that I have had the occasion to visit twice in the last few months; that is, Ellis Island.

Ellis Island, as we all know, is the place through which some 15 million persons seeking the freedom and liberty and opportunity of the United States first entered our country. It is a site which is seeping with the history of America. It is a site which is composed of about 40-some buildings, including the first public health hospital in the history of the United States; it is on Ellis Island.

You may have seen some television programs which were broadcast from

Ellis Island that show a series of buildings which have been renovated to their 19th century style with brilliance and beauty. Unfortunately, what you do not see are the other 35 buildings in back of those that have been rehabilitated. When you walk through those buildings, what you see is some of the history of America crumbling literally before your eyes and feet.

The reason for this crumbling is that there has not been an adequate, reliable source of funds to maintain this and many others of our national heritage. The superintendent of the park told me that if she had a reliable source of funds, she could organize a rational plan for the rehabilitation of these historic buildings and, at considerable savings to the taxpayers, commence the process of saving these buildings.

What we have before us is not a bill that gives us the opportunity of salvation. Rather, it is a program that virtually assures the disintegration of Ellis Island and other invaluable parts of our Nation's history and culture. Today, protection of our natural resources and our historic and cultural resources has fallen further and further behind.

Suffering takes many forms. Wildlife is suffering. In the park I know the best, America's Everglades and the great Everglades National Park, the number of nesting wading birds has declined 93 percent since the 1930s. One study of 14 national parks found that 29 carnivores and large herbivores had disappeared since these parks were established and placed under our trusteeship and protection. Only half the islands in the Park Service's historic collections are cataloged.

Often it takes an act of individual intervention in order to save an important national treasure. I have had the good fortune to have my daughter marry the son of a great American historian, David McCullough. David McCullough has sounded the national alarm at the disintegration of much of our historical and cultural treasures. One of those for which he sounded the alarm was the Longfellow house in Cambridge, MA. Not only was it the home of a great American family, it happened to be the home where George Washington lived when he was establishing the first components of the American Colonial Army that would eventually be victorious in the American Revolution—an extremely important site in American history, a site which, lamentably, was collapsing.

David McCullough, a sophisticated person with considerable ability to energize action on behalf of a worthy project, went to one of our colleagues, Senator KENNEDY, and brought to Senator KENNEDY's attention what was happening at the Longfellow house in his State of Massachusetts. Senator KENNEDY came to the Congress not too many years ago and got specific funding for the Longfellow house. Now it is on the road back to recovery.

But do we have to depend upon the convergence of a historian and an influential Senator to save our national heritage? Are we going to say it is important enough that we do this on a predictable, sustained, professional basis? We have that opportunity with the CARA Act. We are about to lose that opportunity with this conference report.

Only 62 percent of conditions needed to preserve and protect the museum collections within our National Park System meet professional standards for their protection. Considering only the park's portion of the CARA compromise—words which I find objectionable—but of only the park's portion of this alleged CARA compromise, we have nearly 290 million reasons to oppose it. Those 290 million reasons are the 290 million persons who last year visited our Nation's parks. That number grows each year as our children and our grandchildren take our place among the mountains, the forests, and the historic sites which comprise America's National Park System. The parks are more than just popular destinations. They are havens for more than 120 threatened and endangered species.

The National Park Service also oversees a trove of historic artifacts that represent the story of human experience in North America, some 75 million items of our history.

We owe to future generations, we owe to our children and our grandchildren, and their grandchildren, the chance to learn this story. We owe them the same opportunity to appreciate the majestic beauty of this land as we ourselves have been lucky enough to experience.

In the words of President Lyndon Johnson:

> If future generations are to remember us with gratitude rather than contempt, we must leave them more than the miracles of technology. We must leave them a glimpse of the world as it was in the beginning, not just after we got through with it.

We are seeing that opportunity to leave to those future generations a glimpse of the world as it was in the beginning, we are seeing that opportunity unnecessarily and tragically slipping away.

A steady diet of green will keep our natural treasures healthy well into the next century. We have the opportunity to do this. When the legislation establishing our Outer Continental Shelf drilling program and the royalties that would be derived was established, the theory was we would take the resources that we gathered as we depleted one natural resource, the petroleum and natural gas under our Outer Continental Shelf, and we would use it precisely as a means of investment in the future of our country by investing it in the protection of our most valuable natural historic and cultural resources.

That is the opportunity that the legislation which was introduced, passed overwhelmingly in the House, passed by the Senate Committee on Energy and Natural Resources—and I am proud to say with the support of our Presiding Officer—gave us. It is an opportunity we are about to fritter away.

The CARA compromise does not achieve any of these significant goals. This Senate will diminish itself in terms of its appreciation of our American experience. We will diminish ourselves in terms of our political will. We will diminish ourselves as viewed by the history of our own grandchildren if we are to accept this compromise as being an adequate statement, the beginning of the 21st century of what we think our responsibilities to the future are.

I urge we defeat this conference report, that we defeat this feeble compromise, and that we start again by bringing to the Senate floor the legislation which has passed out of the Committee on Energy and Natural Resources and give us an opportunity to debate it. Those who have some objections should offer amendments. That is the democratic way. I am confident it will pass and that it will be accepted by the House of Representatives, and signed with enthusiasm by the President, and then we will be worthy of the offices we hold and worthy of our responsibility to the American past and to the American future.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. What business is before the Senate?

The PRESIDING OFFICER. The pending resolution, H.J. Res. 110, is under a time limit.

Mr. GRAMS. I ask unanimous consent I be allowed to speak in morning business for up to 10 minutes.

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

PRESCRIPTION DRUGS

Mr. GRAMS. Mr. President, I come to the floor this evening to talk about an issue which has commanded a lot of attention lately in this body, an issue which has been a major concern of mine for a long time. That is, prescription drug coverage under our Medicare program.

Prescription drugs, as we all know, are becoming an increasingly important, in fact, an essential component of our health care delivery system in the United States. Because of their increasing role in the improvement of health outcomes, I believe a newly designed Medicare would unquestionably include a prescription drug benefit. Unfortunately, Medicare is still operating under a 1965 model. Our seniors continue to lack this very essential coverage.

Over a year ago I introduced the Medical Ensuring Prescription Drugs for Seniors Act, or MEDS, and this role would provide a prescription drug benefit for all Medicare-eligible beneficiaries, and on a volunteer basis. My plan would ensure that our neediest

seniors would get the assistance they need, when they need it, for as long as they need it. And MEDS, as most other plans that have been introduced in the Senate, is a comprehensive, Medicare-based approach and will take a few years to fully implement.

Though I fully support MEDS and will fight for its passage, I believe our seniors need some relief now. To that end, I am supporting Senator ROTH's bill, which would send Federal funds back to the States today in order to establish or improve our prescription drug coverage immediately for our seniors and those seniors who need that help and coverage now.

I want to be clear, the only way that Congress will be able to address the prescription drug needs of our seniors this year is to pass the Roth proposal. We need to do it. Unfortunately, our friends on the other side of the aisle disagree with that view. They would rather work to push a massive Medicare-based plan which only seems to increase the burden on the majority of seniors through increased premiums, reduced benefits, and more bureaucracy; in other words, create a bigger and bigger government bureaucracy to handle this.

I believe it is a backdoor tax increase on our seniors, which is both irresponsible, and it would be totally unacceptable, especially to those who really need the help in the coverage to afford prescriptions.

The Democratic proposal, which Vice President AL GORE and others advocate, is frought with a lot of problems. First, his plan would take 8 years to be fully implemented—8 years. The Roth bill would go into effect today. The Vice President's plan would take 8 years to phase in.

You don't hear that when they talk about it, do you? But we all know that our seniors cannot afford to wait 8 years, especially the neediest of our seniors' population, to start realizing a prescription drug benefit under our Medicare program.

This is a part of the plan that often goes unmentioned and one that needs to be highlighted. Either have a plan now that is immediate and provides help to our seniors today, or pass a plan that costs more, reduces benefits, and asks our seniors to wait 8 years to have it fully implemented under Medicare.

The second problem with the proposal is that when it is fully phased in, it will put a new tax on our seniors because it asks for premiums of $600 a year in new additional premiums over and above what they are paying. Above and beyond the fact that many seniors would find that $600 to be cost prohibitive, statistics suggest that the average senior uses only about $675 in prescription drugs in a year. I am not a mathematician by profession, but I can tell you when the proposal only covers 50 percent of the costs of the prescription drugs to begin with—so, in other words, after paying your $600-a-year premium, you have to pay a 50-percent copay on all the drugs you consume, and I believe there is also a cap with it—it means that for the additional $600 premium, again a new tax on our seniors, the average senior would receive at best $37.50 in benefits.

Considering the enormous financial burden this is going to place on an already ailing Medicare system, I am not sure the American people are going to want to assume what will inevitably be a new tax liability and at the same time risk the collapse of Medicare in order to prop up a plan that delivers only pennies a year in prescription drug benefits.

Because it is a bit politically distasteful, supporters of this plan and similar measures fail to mention the cost of these proposals. They make it sound as if this is going to provide Medicare prescription drug coverage to all seniors at no cost. That is the way they always like to present a lot of these plans, that somehow it is free. I don't know of many seniors out there who believe they are going to get something for nothing. When was the last time they had a free lunch? They know that. Our seniors are smarter than that, but yet they are being told these are things we can provide free.

The bill supported by the Vice President and a number of my colleagues will cost nearly $250 billion over the next 10 years. Aside from having to raid either the Social Security or Medicare trust funds to pay for it—and that is how they pay for it. They are going to take money from an ailing trust fund and try to shift it into expanding new benefits and saying nobody has to pay for it but they are basically robbing from Peter to pay Paul and weakening an already weak system.

An equally troubling fact is that it does nothing to modernize the Medicare program at all. It is basically just putting a Band-Aid over an old system that has problems; again, trying to bring in a 1965 model and adapt it to the year 2000. When the Medicare Commission actually made these proposals, President Clinton pulled the plug. He did not even consider what this panel was recommending. But thanks to Senators FRIST and BREAUX, they are introducing this plan which makes sense, and that is to overhaul, to reform Medicare, and to make sure prescription drugs are an important part of that. But the Roth bill would be that stopgap in order to provide coverage today for our seniors until we can have a real Medicare reform package.

In the absence of these important reforms, this plan offered by the Vice President is nothing more than a prescription for disaster. The funding comes out of the Social Security surplus, which, by the way, the Vice President claims to wall off for only Social Security and only Medicare, but while they are doing that they are trying to expand these services and say it is going to cost nothing. It is a free lunch, a free ride. Nobody believes that can happen. Especially our seniors know that there is no free lunch. Adding new demands on Medicare through the Social Security surplus without reforming the program, again, will only put Medicare further at risk than what it is today.

Finally, their proposal provides no flexibility in terms of being able to opt in or opt out of their program. Again, our proposal is voluntary. If it benefits you, you can get into it. If it doesn't benefit you, don't; keep your own coverage as you have it today. But you have a choice.

Again, these big government programs, the first thing they want to eliminate is choice for the consumer, and in this case for our seniors. You only have one shot under the Vice President's plan to get in and that is it. Seniors, as they age into Medicare, need to make a determination whether they want to get in and save a few dollars a year at best, into a system that is going to cost them at least $600 a year in more taxes. If they take it and change their mind, it is simply too late; they are stuck. They are either in or they are out.

I am happy and proud to have been one of the first to introduce a prescription drug plan in the Senate, and I am hopeful that by having done so, my commitment to this issue and our Nation's seniors is underscored. But, most importantly, I want to ensure that any effort we undertake in Congress will actually help to provide assistance to those who truly need it and provide it sooner rather than later; not with a plan where we are going to try to solve the problems for 6 or 10 percent of the population, but the way they try to solve it is to mandate 100 percent of Americans get involved in their big new bureaucracy for prescription drugs. Importantly, too, my plan does not use the Social Security surplus which I have also secured in a lockbox.

I reiterate, I believe our seniors deserve a prescription drug plan that is truly voluntary, one that will not jeopardize the future of Medicare, and one which will not place on the backs of taxpayers any additional burdens or liabilities. Instead, I am hopeful the Senate can pass legislation immediately returning the money to the States to provide relief while strengthening Medicare and implementing the long-term comprehensive benefit that does not result in a new tax on our seniors. We have an historic opportunity to help our Nation's seniors. I believe we should act now, this year.

Mr. President, I yield the floor.

Mr. GRAHAM. Mr. President, will the Senator yield for a question?

Mr. GRAMS. Yes.

Mr. GRAHAM. I say to my colleague, I am concerned that several of your criticisms sound to me as if they are really criticisms against Medicare, as opposed to the idea of prescription drugs being offered through Medicare. For instance, did you just say that you

felt it was inappropriate that there be a premium charged for the prescription medication benefit?

Mr. GRAMS. To answer the Senator from Florida, I am not opposed to a surcharge or a prescription charge but a charge that is going to assume a new $600-per-year additional tax or cost on our seniors while providing very little in benefit that would overcome that cost.

Mr. GRAHAM. So you are opposed to the principle of a shared cost program between beneficiaries and the Federal Government in delivering Medicare; is that correct?

Mr. GRAMS. That is not true. The Senator from Florida is inaccurate because in my own plan, my MEDS program is a copay and also has deductibles built in depending on wages or income. It is worked through Medicare and through the HCFA program.

So, no, I do not oppose a shared responsibility or liability but one that is a benefit to seniors, and not one that drains their pocketbooks for little or no benefit.

Mr. GRAHAM. No. 1, you understand, of course, that Part B of Medicare requires, first, a voluntary election to participate and then, second, a monthly premium which today is approximately $45?

Mr. GRAMS. Correct.

Mr. GRAHAM. You also understand the Vice President's plan would require a second voluntary election to participate in prescription drugs, and the monthly fee would be $25, or $300 a year, not $600 a year? Is that correct?

Mr. GRAMS. But his plan is not voluntary. You can voluntarily get in, but when you do not get in, you can't reapply. That is my understanding.

Mr. GRAHAM. No. 2, do you understand Part B of Medicare—I am talking about Medicare as it existed for 35 years—requires the exact same election process as the Vice President's plan would require for prescription drugs? He is doing nothing beyond what we have done for 35 years in Part B of Medicare; that is, the physicians and outpatient services. Do you agree with that?

Mr. GRAMS. My understanding is that in order to be a part of the Vice President's plan of receiving prescription drug coverage, one must pay a $50 premium per month, or new tax, in order to be involved in the system. You have one choice, one chance to get in or you are left out. So you are putting pressure on seniors at whatever age. Then, when you average in what an average senior consumes today in prescription drugs, it is very little if any benefit at all.

Mr. GRAHAM. No. 1, it is $25 a month or $300 a year. No. 2, it is a voluntary election, exactly the same way that you had a voluntary election for Part B for 35 years.

No. 3, you understand that the plan of the Vice President is a universal plan like all the rest of Medicare; over 39 million Americans who are eligible for Medicare are eligible to make the voluntary election to participate in the prescription drug benefit?

Mr. GRAMS. So you are saying the President's plan, when fully phased in, will be only $25 per month or are you talking about the initial plan with the coverage available with the caps and coverage?

Mr. GRAHAM. I am talking about the plan that will be in effect in the year 2002 when we adopt this plan. It will be a voluntary plan. It will be a plan which will be affordable. It will not only give you the benefit of access to 50-percent coverage of your immediate prescription medication cost, but it will also give you, after you pay $4,000, a stop loss, a catastrophic intercept which says, beyond that point, the Federal Government will pay all of your prescription drug bills.

That is, in my opinion, the most important part of this plan because the fear of many seniors, and the thing they see as the potential threat to not only their health but their economic security, is that they are going to fall into a serious illness where suddenly their prescription drug costs are not $20 or $30 a month but are $800 or $1,000 a month.

The Vice President's plan assures that after you have paid $4,000, then you will have a stop loss against any further payments. Don't you think that is a pretty significant security for America's seniors?

Mr. GRAMS. I disagree with the Vice President—if I may reclaim my time—and I will tell you why. Because, as you said, when it goes into effect in 2002, it is not fully implemented for 6 to 8 years. You might start off with a low payment, but it escalates to $50-a-month premiums fully implemented, and it does provide you have to pay 50 percent, up to $4,000.

To compare that with my MEDS plan, we have a $25 copay per month, $300 per year. We do not have a cap for people below 135 percent of poverty. So they will get any amount of drugs for $300 a year compared to the President's $4,000. For some who are on the edge of poverty, they do not have the $4,000, I say to the Senator, to pay for this.

Mr. GRAHAM. As you understand, all of the plans provide for no payment for persons who are above the Medicaid eligibility limit but generally below 175 percent of poverty, which means approximately $14,000 or $15,000. They would pay no premium. They would pay no copayments. They would have no deductibles. For those people, the Vice President's plan would be fully available without any charges.

What we are talking about in both plans is the people who are above 175 percent of poverty. What percentage subsidization would you provide for persons over 175 percent of poverty?

Mr. GRAMS. Not to belabor this debate, and it is good we are talking about it because the American people need to hear it, but over that amount of money you are talking about, we would still have a $25 copay, the $150 deductible, and then no cap at all on coverage. If you were at that income level, you would probably pay, at most, $175 per month for the whole year or $175 per month per year.

Mr. GRAHAM. So you pay $175 a month, is your premium.

Mr. GRAMS. If you are going to have the $25 copay and $125 a month deductible.

Mr. GRAHAM. If I had been there last night—and I know the rules of the first debate precluded having a chart—I would have loved to have had a chart and asked Governor Bush to fill in the blanks. Since we do not have Governor Bush here but you are advocating the first phase of his plan, let me ask you about a few of the blanks on his chart.

What would be your coverage for persons over 175 percent of poverty? What percentage of their prescription drug costs would you cover?

Mr. GRAMS. I am not here to try to defend or put words in——

Mr. GRAHAM. I am trying to get the facts.

Mr. GRAMS. I am trying to defend the plan I have offered, and that is my MEDS program.

Mr. GRAHAM. Let me ask about your plan. For persons over 175 percent of poverty, what percentage of the prescription drug expenses would you have the plan cover as opposed to that for which the individual would be responsible?

Mr. GRAMS. It would cover 100 percent of everything over a $25 copay and a $150-a-month deductible for those who are in that income level or above.

Mr. GRAHAM. So it would be a $150 monthly deductible and a $25 copay?

Mr. GRAMS. Yes——

Mr. GRAHAM. Is that copay per prescription filled?

Mr. GRAMS. For the month, yes.

Mr. GRAHAM. I thought $150 a month was the deductible. There is a copay beyond that?

Mr. GRAMS. Yes.

Mr. GRAHAM. How is that calculated?

Mr. GRAMS. Twenty-five dollars of the prescription.

Mr. GRAHAM. The plan would pay 25 percent——

Mr. GRAMS. That is the deductible. The individual would pay 25 percent of the cost of the prescription, and then if they were at an income level you are talking about, it would be a $150 deductible with no caps or limits for the year; not the $4,000 you are talking about.

Mr. GRAHAM. What do you estimate to be the cost of that plan that has a $150 deductible and $25 copay?

Mr. GRAMS. We have tried, but we have not had it scored yet and have not been able to get the numbers, but some of the projections we have say it will be under $40 billion a year, not the 258 or 253 the Vice President is talking about.

Mr. GRAHAM. How can you offer a more generous plan by having the beneficiary pay only 25 percent as opposed

to the Vice President's 50 percent and yet have such a lower cost?

Mr. GRAMS. Because what we are trying to do is target those who need the help, and that is about 6 or maybe 10 percent of the population. What the Vice President is doing and what you are talking about is bringing 100 percent of Americans under a new national program where the Government is going to be the purchaser and the dispenser of these prescriptions. I reject that type of a plan.

Mr. GRAHAM. Mr. President, I will conclude these questions by going back to my first assertion. We are not talking about prescription drugs through Medicare; we are talking about an assault against the basic principles of Medicare itself. That is a universal program, not a program limited by class to only the poor and near poor of America: That is a voluntary program. That is a shared cost program between the beneficiary and the Federal Government. That is a comprehensive program that covers all of the necessary health care for older Americans. And, as I believe the Senator stated in his introductory comments, nobody would develop Medicare today, in 2000, without having a prescription drug benefit.

When you attack all those principles that are the foundation of Medicare, what you are really doing is attacking one of the programs which has made the greatest contribution to lifting 39 million Americans into levels of respect and security and well-being of any program that the Federal Government has ever developed. The American people need to hear that this debate is not just about prescription drugs; it is about a frontal assault against Medicare. If this philosophy prevails, that is where the battleground will be.

I thank the Chair.

Mr. GRAMS. Reclaiming my time, not to leave the impression that by any means this is an assault on Medicare, because the plan I have proposed and outlined is handled and complemented through Medicare. I know they like to always say the Republicans are making an assault against Medicare and somehow we want to end the program of providing this help and assistance to millions of seniors across the country. That is simply not true.

This plan does nothing to make an assault on Medicare or the benefits it provides today, but it also does not turn a prescription drug program into a national prescription drug program run and handled by the Government, and that is basically my belief of what is outlined here.

We will work to preserve and strengthen Medicare, and that includes adding an affordable prescription drug plan that will take care of the neediest of the seniors in our society today.

Thank you very much, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I want to get engaged in that discussion. I guess we will have time for that later. But the fact is, I think the Senator from Florida is correct. What we are seeing here, really, is a continuation of Newt Gingrich's philosophy that Medicare should wither on the vine. We all remember that. That was this ''Contract on America.'' That was Newt Gingrich's philosophy. I think we see it further taking place here today.

The Senator from Minnesota, I think, is basically going down that same path that Governor Bush is. Basically, what they have envisioned is a prescription drug program where, basically, if you are poor, you are on welfare, and you get it. If you are rich, you don't need it, and you pay for your own or you can belong to your own insurance plan and pay for it, or maybe you have an employer-sponsored program. But if you are the middle class, and you are in that middle group, you are paying the bill for both of them. You are paying for the tax breaks for the wealthy, and you are paying for the welfare benefits for the poor so they can get their prescription drugs. But you, in the middle class, don't get anything. If you do, in fact, get in this program, you will be paying and paying and paying and paying.

The Republicans have never liked Medicare. They did not like it when it came in, and they have never liked it since. So they just keep coming up with these kinds of programs that sound nice, but basically it is designed to unravel Medicare and let it wither on the vine.

Mr. President, I want to take to the floor today again to speak about the lack of due process in the Senate regarding judgeships, and especially the nomination of Bonnie Campbell for a position on the Eighth Circuit Court of Appeals.

Her nomination has now been pending for 216 days. Yesterday, the Senate voted through four judges. Three of them were nominated and acted on in July; one was nominated in May. Bonnie Campbell was nominated in March. Yet those got through, but they are holding up Bonnie Campbell. Why?

Maybe it is because she has been the Director of the Violence Against Women Office in the Justice Department for the last 5 years; that office which has implemented the Violence Against Women Act, which, by all accounts, has done an outstanding job.

Maybe my colleagues on the other side of the aisle do not want any woman that is qualified to be an appeals court judge. Maybe that is why they are holding it up. Maybe it is because she has done such a good job of implementing the Violence Against Women Act.

Maybe they are holding her up because they think there are enough women on the circuit court. Of 148 circuit judges, only 33 are women; 22 percent. But maybe my colleagues on the Republican side think that is enough women to have on the circuit court.

I have said time and time again—and I will say it every day that we are in session—that Bonnie Campbell is not being treated fairly, not being accorded, I think, the courtesy the Senate ought to afford someone who is well qualified.

All the paperwork is done. All the background checks are done. She is supported by Senator GRASSLEY, a Republican, and by me, a Democrat from her home State. That may rarely happen around here. So Bonnie Campbell is not being treated fairly.

Senator HATCH, the other day, said, well, the President made some recess appointments in August, and that didn't set too well with some Senators. But what has that got to do with Bonnie Campbell? Maybe they don't like the way President Clinton combs his hair, but that has nothing to do with Bonnie Campbell being a judge on the circuit court.

Is Senator HATCH really making the argument that because President Clinton made some recess appointments that he didn't like, so that gives him an adequate excuse and reason to hold up Bonnie Campbell? I find that an interesting argument and an interesting position to take.

I have heard that there was a news report that came out today that some of the Senators on the other side had some problems with her views. Now, this is sort of general. I don't know what those problems are. But that is why we vote. If some Senator on the other side does not believe Bonnie Campbell is qualified or should not be a Federal judge in a circuit court, bring her name out, let's debate it. These are debatable positions. Let's talk about it. And then let's have the vote.

If someone feels they can't vote for her, that is their right and their obligation. But we did not even have that. We do not even have her name on the floor so we can debate it because the Judiciary Committee has bottled it up.

Then I was told her name came in too late. It came in just this year. I heard that again. That is also in the news reports today, that somehow this vacancy occurred a year ago, but her name did not come down until March.

So I did a little research.

In 1992, when President Bush—that is the father of Governor Bush—was President in 1992, and the Senate was in Democratic hands, we had 13, 14 judges nominated; 9 had hearings; 9 were referred; and 9 were confirmed—all in 1992. Every judge who had a hearing got referred, got acted on, and got confirmed.

Now, that was OK in 1992, I guess, when there was a Republican President and a Democratic Senate. But I guess it is not OK when we have a Democratic President and a Republican Senate.

Here we are. This chart shows this year, we have had seven nominees, including Bonnie Campbell. We have had two hearings; we have had one referred; one confirmed—one out of seven. So this kind of story I am hearing, that her nomination came in too late, is

just pure malarkey. This is just another smokescreen.

Circuit judges. They say: Well, it's a circuit court. There's an election coming up. We might win it, so we want to save that position so we can get one of our Republican friends in there.

Well, again, in 1992, circuit nominees, we had nine: six were acted on in July and August, two in September, and one in October. Yet in the year 2000, we had one acted on this summer, and we are in the closing days of October. No action.

So, again, it is not fair. It is not right. It is not becoming of the dignity and the constitutional role of the Senate to advise and consent on these judges.

Thirty-three women out of 148 circuit judges; 22 percent—I guess my friends on the other side think that is fine. I do not think it is fine.

Again, everything has been done. All of the paperwork has been in, and here she sits.

UNANIMOUS CONSENT REQUEST—NOMINATION OF BONNIE CAMPBELL

Mr. HARKIN. Mr. President, I will now—and I will every day—ask unanimous consent to discharge the Judiciary Committee on further consideration of the nomination of Bonnie Campbell, the nominee for the Eighth Circuit Court, and that her nomination be considered by the Senate immediately following the conclusion of action on the pending matter, and that the debate on the nomination be limited to 2 hours, equally divided, and that a vote on her nomination occur immediately following the use or yielding back of that time.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. Mr. President, I object on behalf of the leader.

The PRESIDING OFFICER. Objection is heard.

Mr. HARKIN. I wish I knew why people are objecting. Why are they objecting to Bonnie Campbell? Why are they objecting to a debate on the Senate floor? Why are they objecting to bringing her name out so that we can have a discussion and a vote on it?

I want to make clear for the Record, it is not anyone other than the Republican majority holding up this nominee. Every day we are here—I know there will be an objection—I am going to ask unanimous consent because I want the Record to show clearly what is happening here and who is holding up this nominee who is fully qualified to be on the circuit court for the Eighth Circuit.

Now I want to turn my comments to something the Senator from Minnesota was talking about; that is, the prescription drug program from the debate last night. Quite frankly, I was pretty surprised to hear Governor Bush talking about his prescription drug program. He calls it an ''immediate helping hand,'' and there is a TV ad being waged across the country to deceive and frighten seniors. He talks about ''Mediscare''; that was Bush's comment last night. He accused the Vice President of engaging in ''Mediscare,'' scaring the elderly.

If the Bush proposal for prescription drugs were to ever go into effect, seniors ought to be scared because what it would mean would be the unraveling of Medicare, letting Medicare wither on the vine.

Let's take a look at the Bush proposal. We know it is a two-stage proposal. First, it would be turned over to the States. It would require all 50 States to pass enabling or modifying legislation. Only 16 States have any kind of drug benefit for seniors. Each State would have a different approach.

The point is, many State legislatures don't meet but every 2 years. Even if we were to enact the program, there are some State legislatures that wouldn't get to it for a couple years.

Our most recent experience with something such as this is the CHIP program, the State Children's Health Insurance Program, which Congress passed in 1997. It took Governor Bush's home State of Texas over 2 years to implement the CHIP program. It is not immediate.

He calls it ''immediate helping hand.'' It won't be immediate because States will have a hard time implementing it. In fact, the National Governors' Association says they don't want to do it. This is the National Governors' Association:

> If Congress decides to expand prescription drug coverage to seniors, it should not shift that responsibility or its costs to the states.

That is exactly what Bush's 4-year program does. Beyond that, his plan only covers low-income seniors. Many of the seniors I have met and talked with wouldn't qualify for Bush's plan.

A recent analysis shows that the Bush plan would only cover 625,000 seniors, less than 5 percent of those who need help. His plan is not Medicare; it is welfare. What the seniors of this country want is Medicare, not welfare. Seniors would likely have to apply to a State welfare office. They would have to show what their income is. If they make over $14,600 a year, they are out. They get nothing, zero.

After this 4-year State block grant, then what is his plan? Well, it gets worse. Then his long-term plan is tied to privatizing Medicare; again, something that would start the unraveling of Medicare. It would force seniors to join HMOs.

So under Governor Bush's program, after the 4-year State program, then we would go into a new program. It would be up to insurance companies to take it. So seniors who need drug coverage would have to go to their HMO. They would not get a guaranteed package. The premium would be chosen by the HMO, the copayment chosen by the HMO, the deductible chosen by the HMO. And the drugs you get? Again, chosen by the HMO.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARKIN. Mr. President, I ask unanimous consent for at least a couple more minutes to finish up. I didn't realize I was under a time schedule.

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

Mr. HARKIN. Bush's plan would leave rural Americans out in the cold. Thirty percent of seniors live in areas with no HMOs. And contrary to what the Senator from Minnesota said, if I heard him correctly, under the Bush program, the Government would pay 25 percent of the premiums and Medicare recipients would have to pay 75 percent.

The Bush program basically is kind of scary. Seniors ought to be afraid of it, because if it comes into being, you will need more than your Medicare card. You will need your income tax returns to go down and show them how much income you have, how many assets you have. If you qualify, you are in; if you don't, you are out. That would be the end of Medicare.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, I ask unanimous consent that I be given time as needed, yielded off the continuing resolution.

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

CHILDREN'S HEALTH ACT OF 2000

Mr. FRIST. Mr. President, I have come to the floor to discuss and share with my colleagues very good news, some news that is bipartisan, that reflects what is the very best of what the Senate is all about.

It has to do with a bill called the Children's Health Act of 2000, a bill that is bipartisan, that reflects the input of probably 20 to 30 individual Senators on issues that mean a great deal to them based on their experience, their legislative history, what they have done in the past, their personal experiences, and responding to their constituents. This bill passed the Senate last week and passed the House of Representatives last week and will be sent to the President of the United States sometime either later tonight or tomorrow.

The Children's Health Act of 2000, is a comprehensive bill, a bill that forms the backbone of efforts to improve the health and safety of young people today, of America's children today. But equally important, it gathers the investments to improve the health, the well-being of children of future generations.

It is fascinating to me because it was about a year or a year and a half ago that Senator JEFFORDS and I, after working on this particular piece of legislation for a couple of years, reached out directly across the Capitol to Chairman BLILEY and Representative BILIRAKIS to work together to address a

whole variety of children's health issues, including day-care safety, maternal, child, and fetal health, pediatric public health promotion, pediatric research, efforts to fight drug abuse, and efforts to provide mental health services for our young people today.

The good news, with all of the other debates that are going on and the partisanship going back and forth, is that we in the Senate, as the Congress, we as a government have been successful in accomplishing this bipartisan, bicameral effort.

The bill that Congress now sends to the President includes two divisions or two parts. The first part, part A, addresses issues regarding children's health. The second part, part B, addresses youth drug abuse.

I would like to take a few moments to outline not the entire bill, but a number of the provisions in this bill, because I think it reflects the care and the thoughtfulness with which this bill was put together.

The first is day care safety. Perhaps the most critical section of the first part of this bill relates to day care health and safety. We based it on the bill which was called, the Children's Day Care Health and Safety Improvement Act, a bill that I introduced, again, in a bipartisan way, with Senator DODD on March 9 of this year.

Currently, there are more than 13 million children under the age of 6 who, every day, are enrolled in day care. About a quarter of a million children in Tennessee go to day care. The day care safety bill recognizes that it is our responsibility as a society, as a Government, to make sure that these day care facilities are as safe as possible, such as the health of children in child care is protected, so that when a parent, or both parents, drop that child off at day care, they can rest assured that the child will be in a safe environment throughout the day.

The danger in child care settings recently has become evident in my own State of Tennessee, again drawing upon how we learn and listen in our own States and bring those issues together and discussing them on the floor of the Senate and then fashion them into a bill. Tragically, within the span of just two years, in one city in Tennessee, four children died in child care settings. In addition, one in five child care programs in another city in Tennessee were found to have potentially put the health and safety of children at risk during the year 1999.

But this isn't just a Tennessee concern. It affects parents and day care centers and children nationwide. According to a Consumer Product Safety Commission Study in 1997, 31,000 children, ages 4 and younger, were treated in hospital emergency rooms for injuries they sustained while in child care or at school. More than 60 children have died in child care settings since 1990. The statistics are startling. They are unacceptable. The thousands of parents dropping their children off and leaving them in the hands of child care providers every day deserve the reassurance that their children will be safe throughout the day.

A recent study by the American Academy of Pediatrics reinforced this need further when it reported a disturbing trend among children with SIDS, Sudden Infant Death Syndrome. They looked at SIDS infants in day care. There were 1,916 SIDS cases from 1995 through 97 in 11 States and they found that about 20 percent, 391 deaths occurred in these day care settings. Most troubling was the fact that in over half of the cases the caretakers placed children on their stomach, where those same children at home were put to sleep on their backs by their parents. Parents and advocates who are dedicated to helping to eliminate the incidence of SIDS have urged that child care providers be required to have SIDS risk reduction education. When you hear these statistics and read these reports, you will agree. That is why I included a provision in this bill to carry out several activities, including the use of health consultants to give health and safety advice to child care providers on important issues, including SIDS prevention.

Overall, our bill authorizes $200 million to States to help improve the health and safety of children in child care settings. The grants can be used for all sorts of activities, including child care provider training and education, inspections in criminal background checks for day care providers; enhancements to improve a facility's ability to serve children with disabilities; to look at transportation safety procedures; to look and study and provide information for parents on choosing a safe and healthy day care setting.

This funding could also be used to help child care facilities meet the health and safety standards, or employ health consultants to give health and safety advice to child care providers. Many of us in this body have grandchildren or children. Our highest concerns are for the safety of those children and grandchildren. I understand the fears that so many parents have. Parents should not be afraid to leave their children in the care of a licensed child care facility. This bill, very simply, helps ensure that our child care centers will be safer.

A second portion of the first part of this bill includes provisions called the Children's Public Health Act of 2000 which, again, had been introduced in a bipartisan way by myself, Senator JEFFORDS, and Senator KENNEDY on July 13 of this past year. The purpose of this bill is to address a whole variety of children's health issues, including maternal and infant health, including pediatric health promotion, including pediatric research. Senator ORRIN HATCH, whose name was mentioned on the floor a few minutes ago, has been a real leader in another area of traumatic brain injury. Unintentional injuries are the leading cause of death in the age group between 1 and 19 years. It is those unintentional injuries that is the number one cause of death. In fact, more than 1.5 million American children suffer a brain injury each year. Therefore, in this bill we strengthen the traumatic brain injury for the CDC, the National Institutes of Health, and the Health Resources and Services Administration.

Birth defects are the leading cause of infant mortality and are responsible for about 30 percent of all pediatric admissions. This bill also focuses on maternal and infant health. This legislation establishes for the first time a National Center for Birth Defects and Developmental Disabilities at the CDC, to collect, analyze and distribute data on birth defects.

In addition, the bill authorizes a program called Healthy Start, a program to reduce the rate of infant mortality and improve those perinatal or those outcomes around the time of birth, by providing grants to areas with a high incidence of infant mortality and low birthweight. To address the fact that over 3,000 women experience serious complications due to pregnancy and that two out of three will die from complications in their pregnancy, this bill develops a national monitoring and surveillance program to better understand the maternal complications and mortality to decrease the disparities among various populations at risk of death and complications from pregnancy.

Asthma has an increasing incidence in this country and we don't know why. This bill combats some of the most common ailments. For instance, it provides comprehensive asthma services and coordinates the wide range of asthma prevention programs in the Federal Government, to address the most common childhood diseases. Asthma is a disease that affects over 5 million children in this country today.

Obesity is another problem. Again, we don't fully understand it, but it is a problem that is increasing in magnitude. Childhood obesity has doubled in the past 15 years and produced almost 5 million seriously overweight children in adolescence. It is an epidemic. This bill addresses childhood obesity and supports State and community-based programs promoting good nutrition and increased physical activity among American youth.

Lead poisoning prevention. As I look at problems across Tennessee, I was concerned to learn that in Memphis over 12 percent of children under the age of 6 may have lead poisoning. Such poisoning, we know, can contribute to learning disabilities, loss of intelligence, to hyperactivity, to behavioral problems.

In this bill, we include physician identification and training programs on current lead screening policies. We track the percentage of children in health center programs, and conduct outreach and education for families at risk for lead poisoning.

The Surgeon General's report of May 2000 noted that oral health is inseparable from overall health, and that while a majority of the population has experienced great improvements in oral health disparities affecting poor children and those who live in underserved areas represent 80 percent of all dental cavities in 20 percent of children.

Our bill encourages pediatric oral health by supporting community-based research and training to improve the understanding of etiology, pathogenesis diagnoses, or the why of the disease progression, the diagnosis of the disease prevention and treatment of these pediatric oral, dental, and cranial facial diseases. Behind all of those is pediatrics research.

Our bill strengthens pediatric research. It does it in such a way by establishing a pediatric research initiative within the National Institutes of Health. It will enhance collaborative efforts. It will provide increased support for pediatrics biomedical research and ensure that opportunities for advancement in scientific investigations and care for children are realized.

I should also mention childhood research protections, children who are involved in research, and how they are protected.

Included in this bill are provisions to address safety initiatives in children's research by requiring the Secretary of Health and Human Services to review the current Federal regulations for the protection of children who are participating in investigations. It will address issues such as determining acceptable levels of risk and obtaining parental permission. They will report to Congress on how to ensure the highest standards of safety.

This year the Senate Subcommittee on Public Health, which I chair, held two important hearings relating to gene therapy trials and human subject protections. We discovered a lapse of protection for individuals participating in clinical trial research. In the next Congress, we intend to make the further review in updating of human subject protections a major priority of this subcommittee.

The second part of this bill, division B of the bill, contains provisions which address very specifically the curse of pediatric or youth drug abuse.

The 1999 National Household Survey on Drug Abuse conducted by the Substance Abuse and Mental Health Services Administration reported that 10.9 percent of youth ages 12 to 17 currently use illicit drugs. They further estimated that 11.3 percent of 12- to 17-year-old boys and 10.5 percent of 12- to 17-year-old girls used drugs in the past month.

Just as discouraging is the growth in youth alcohol abuse. These same reports reveal that 10.4 million current drinkers are younger than the legal drinking age of 21 and that more than 6.8 million have engaged in binge drinking.

Sadly, all of these numbers detailing youth substance abuse have risen since 1992.

We addressed this tragedy again head on by incorporating the Youth Drug and Mental Health Services Act, which in a bipartisan way was introduced by myself and Senator KENNEDY last spring which was first passed in the Senate in November of 1999.

This youth drug bill addresses the problem of youth substance abuse by authorizing and by reauthorizing and improving and strengthening the Substance Abuse and Mental Health Services Administration. This bill puts a renewed focus on youth and adolescence substance abuse and mental health services. At the same time, it gives flexibility, and it demands greater accountability by States for the use of Federal funds.

Created in 1992 to assist States in reducing substance abuse and mental illness through these prevention and treatment programs, the Substance Abuse and Mental Health Services Administration provides funds to States for alcohol and drug abuse prevention and treatment programs and activities, as well as mental health services. Its block grants account for 40 percent and 15 percent, respectively, of all substance abuse and community mental health services.

In my own State of Tennessee, the Substance Abuse and Mental Health Services Act provides more than 70 percent of overall funding for the Tennessee Department of Health, Bureau of Alcohol and Drug Abuse.

This bill very quickly accomplishes six critical goals. It promotes State flexibility by easing outdated or unneeded requirements and governing the expenditure of Federal block grants.

Second, it ensures State accountability by moving away from the present system inefficiencies to a performance-based system.

Third, it provides substance abuse treatment services and early intervention substance abuse services for children and adolescence.

Fourth, it helps local communities treat violent youth and minimizes outbreaks of youth violence through partnerships among schools, among law enforcement activities, and mental health services. It ensures Federal funding for substance abuse or mental health emergencies.

And six, it supports and expands programs providing mental health and substance abuse treatment services to homeless individuals.

I will close by basically stating, once again, how excited I am about this particular bill as we send it to the President. Over the next several days during morning business, I look forward to the opportunity of coming back and discussing this bill further with my colleagues who have participated so directly in this particular bill.

I wish to respond very briefly to some comments that were made prior to me beginning my comments and the discussion on the floor in the hour preceding my comments that centered on prescription drug plans, the modernization of Medicare, and who has the best approach. The debate was very much between the Bush proposal and the Gore proposal. Let me very quickly summarize the objections that seniors have to the Gore proposal and the prescription drugs. I can do this very quickly. It really boils down to one sentence.

Under the Gore proposal, seniors will have only one choice, and they will only have one chance to make that choice. Then there is no turning back. No. 1, the Gore prescription drug proposal is centered around a Washington-run drug HMO.

Why does that bother seniors? Because an HMO ultimately, and often we see it too commonly today, sets prices, determines access, and can deny that access without any choice.

No. 2, the Gore proposal has a $600 access fee. That means if you do not use prescription drugs today, you are going to be paying $600 more today for getting nothing further; $600 access. That is before you buy any drugs whatsoever, a $600 access fee.

Our seniors are asking: Am I going to be one of the 13 million people who do not even have $600 in prescription drug requirements a year? If so, if I join that plan, I automatically am going to be paying more for what I get today.

That is for 13 million seniors. Seniors are asking: Am I going to be one of those 13 million?

Just one example: Under the Gore prescription drug proposal, if you have $500 a year in prescription drugs, and you joined his plan, you are going to have to pay $530 for $500 worth of prescription drugs today.

That is why seniors are going to object. That is why the Gore plan really, as I see it, has absolutely no chance for passage.

One other thing on the access fee: Let me tell our seniors very directly, if this bill were to pass today, if the Vice President were successful in getting this bill through today, as a senior your Medicare premiums, how much you pay every month, is going to double from what it is today. Your Medicare premium for what you pay today for Medicare is going to double. It will go from $45 to $90 within 2 years, if you join this plan.

The third I said is one choice; one chance; no turning back. You have one chance under the Gore proposal. If you are 64½ you either get this prescription drug benefit or you don't.

The problem is that a lot of heart disease doesn't develop until you are 65, or 67, or 70, or 75, or 80, or 85 years of age. At 64½, if you didn't go into these prescription drug programs, you have no chance to go into it in the future. You have only one chance; that is, when you are 64½.

People say you only live 65, or 67, or 77 years of age. If you live to be 64½,

you are likely to live to 80 or 85 years of age. You have one choice—a Washington HMO; one chance when you are 64½ and no turning back.

I make it very clear to our seniors what we are talking about when we talk about the prescription drug plan proposed by Vice President GORE.

Mr. JEFFORDS. Mr. President, it gives me great pleasure to join my colleagues today in celebrating the passage of Children's Health Act, which Senators FRIST, KENNEDY, myself, and many others introduced earlier this year. The Children's Health Act passed the Senate on September 22, the House on September 27, and is now one step closer to becoming law.

The Children's Health Act will significantly improve the well-being of children in this nation. This bill authorizes prevention and educational programs, clinical research, and direct clinical care services for child specific health issues.

President Clinton needs to sign this legislation into law now. Our nation's medical research and treatment systems must be encouraged to recognize that children have unique needs. Without the initiative of the Children's Health Act, research into many of the diseases and disorders that effect children will be overlooked and neglected.

I am also excited that the Children's Health Act includes legislation that the Senate passed last year to reauthorize the Substance Abuse and Mental Health Services Administration (SAMHSA). The Youth Drug and Mental Health Services Act is critically important for strengthening community-based mental health and substance-abuse prevention and treatment services.

We introduced SAMHSA reauthorization with strong bipartisan cosponsorship of many members of the HELP Committee. The service and grant programs administered by SAMHSA have gone far too long without being reauthorized. We will now be able to improve access and reduce barriers to high quality, effective services for individuals who suffer from, or are at risk for, substance abuse or mental illness, as well as for their families and communities.

This legislation includes the formula compromise for the Substance Abuse Treatment Block Grant that was originally included in the 1998 omnibus appropriations bill. This is an issue of paramount importance to small and rural states, and I am pleased that this legislation ratifies and continues the agreement reached in 1998.

The Children's Health Act and the Youth Drug and Mental Health Services Act are both the product of many months of work and collaboration among its many stakeholders. We have come this far because of the bipartisan dedication of members of HELP Committee and especially the leadership of Senator FRIST and Senator KENNEDY. I commend them both for their considerable efforts to help so many children and American families.

I also want to thank my colleagues in the House for their strong cooperation and support. I am so proud of being involved in this effort and I think the entire House of Representatives and Senate should be very proud of approving the Children's Health Act.

UNANIMOUS CONSENT AGREEMENT—H.J. RES. 110

Mr. FRIST. Mr. President, I ask unanimous consent when the Senate convenes tomorrow morning, the time prior to 10 a.m. be equally divided in the usual form and the previously ordered vote on H.J. Res. 110 now occur at 10 a.m.

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

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

Mr. FRIST. I ask consent that the Senate now resume consideration of the Interior conference report and Senator FITZGERALD be recognized.

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

Mr. FITZGERALD. Mr. President, Senator WYDEN has requested to speak for 5 to 10 minutes. I ask unanimous consent he be allowed to do that, then I be able to go back and speak as though it were a continuation of the speech I have had ongoing since early this morning.

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

ASSISTED SUICIDE

Mr. WYDEN. Mr. President, I come to the floor tonight to discuss the possibility that there will be an effort very shortly to override Oregon's assisted suicide law as part of a package that includes legislation that is extremely important to the country, such as legislation that would protect women from domestic violence, such as legislation that would also deal with sex trafficking—an extraordinary scourge that victimizes women and children. I think it would be extremely unfortunate to victimize the victims in that way. It is clearly not in the public interest.

Oregon's assisted suicide law involves a very controversial matter. I happen to be against assisted suicide, against the Oregon law, but the bill that cleared the Judiciary Committee on a 10–8 vote, a very narrow vote, is strongly opposed by the American Cancer Society. The American Cancer Society believes that legislation will harm those in pain. I am very hopeful that rather than tie this assisted suicide legislation to vitally needed legislation that would protect the victims of domestic violence and women and children from sex trafficking, the Senate would adhere to the agreement that was entered into in August.

In August, on a bipartisan basis, the Senate made it very clear, and I specifically addressed this on the floor of the Senate, that I was open to a fair fight, to an open debate on the assisted suicide question. In fact, I made it very clear that while I intend to use every opportunity to speak on the floor of the Senate and make sure the Members understand, for example, that the American Cancer Society believes this legislation will harm those in pain, I was willing to accept the will of the Senate on any cloture vote that might be scheduled. That was the agreement entered into in August. It provided for a fair fight on this issue.

Tonight we are told that there may be the possibility, as I have touched on, of an effort to override Oregon's assisted suicide law. By the way, Oregon is the only State in the country that has such legislation. It would be linked to the other desperately needed measures, such as the legislation to protect women victimized by domestic violence. I hope that will not be the case. I would have to oppose very strongly that kind of effort. It seems to me it is not in the public interest, and it is particularly regrettable since it runs contrary to the spirit of what was agreed to in August: That there would be an opportunity for both sides on the floor of the Senate to have this debate about assisted suicide; I would have a chance to address the issue in some detail, but if there were an effort to file cloture, I would accept the will of the Senate on that measure.

In addition, we just learned in the last few minutes there is a possibility schoolchildren in 700 rural school districts around the country could also be held hostage because, again, there may be an objection to the county payments bill legislation authored by Senator CRAIG of Idaho and myself—again, bipartisan. There may be an objection to that bill, again, on the grounds that somehow it should be examined some more and possibly linked again to the assisted suicide question.

I think, again, these issues ought to be considered on the merits. The county payments legislation passed this body by unanimous consent; 100 Senators agreed to make sure that these schoolchildren in 700 rural school districts got a fair shake. We have been working with the House. We have now come up with an agreement among the House, the Senate, and the White House. I think we can pass it 100–0 in the Senate. But we are told someone is going to object to the county payments legislation for the unrelated reason that they are not able to work out an arrangement that allows them to throw the Oregon assisted suicide law in the trash can on an arbitrary basis.

What the Senate worked out in August was fair to all sides. It ensured that we have a chance to discuss the matter of assisted suicide. It is a controversial question. I personally am

against assisted suicide. I voted against the Oregon law twice. I voted against Federal funding for assisted suicide. But I oppose the legislation being advanced here to overturn Oregon's law for the same reasons that the American Cancer Society does. It will hurt patients in pain.

I felt compelled to come to the floor of the Senate and express my concern. I think it is not in the public interest to link desperately needed legislation such as the bill to protect the victims of domestic violence to the assisted suicide law. It is not appropriate to hold hostage the victims of sex trafficking to the Oregon assisted suicide law. I hope we will not see what has been raised as a possibility in the last few minutes, and that is to hold up the county payments legislation—which has been agreed to by the House and the Senate negotiators and those at the White House—that would provide a lifeline to 700 rural school districts all across the country.

I hope that bill and the other vitally needed legislation will not be held up because a Senator decides he or she wants to throw the assisted suicide override into unrelated legislation that this country needs so greatly. I made it clear last August I was open to being fair to both sides. That is why we entered into an agreement for a fair fight. I said I would respect the will of the Senate on a cloture vote if it came to that. I think we ought to adhere to that August agreement and not link this matter of throwing Oregon's law into the trash can by tucking it into unrelated legislation.

Frankly, those who are trying to tuck this override of Oregon's assisted suicide law into other legislation—such as the bill that would protect the victims of domestic violence—are doing a tremendous disservice to the women victimized by domestic violence, to the victims of sex trafficking, to the schoolchildren who desperately need that county payments legislation. These bills ought to be considered on their merits. That was agreed to back in August with respect to the assisted suicide legislation. I will do everything in my power to insist the Senate adhere to what was agreed on last August.

I thank my colleague and friend from Illinois for his thoughtfulness.

INTERPARLIAMENTARY CONFERENCES

Mr. LOTT. Mr. President, for the information of the affected Members of the Senate, I would like to state for the record that if a Member who is precluded from travel by the provisions of rule 39 is appointed as a delegate to an official conference to be attended by Members of the Senate, then the appointment of that individual constitutes an authorization by the Senate and the Member will not be deemed in violation of rule 39.

FINAL PASSAGE OF S. 1198, THE TRUTH IN REGULATING ACT

Mr. LOTT. Mr. President, I rise today to applaud the efforts of everyone who worked to pass S. 1198, the Truth in Regulating Act. Last evening, the House passed this important legislation, following the Senate's passage of the bill on May 9th of this year. I was pleased to learn of the final passage of this bill in the House, as this event marks the culmination of the hard work of many Senators, Representatives, and members of their staffs in achieving another milestone in our journey towards comprehensive regulatory reform.

This legislation establishes a process for Congress to obtain reviews of economically significant rules. These reviews, to be performed by the General Accounting Office, will help Congress to better assess the impact of federal agency regulations. I am confident that the information which will be provided in these reports will enable Congress and the public to have a better understanding of the potential costs and benefits of these regulations, and I believe that these independent analyses will help federal agencies to develop the most efficient and beneficial regulations for all concerned.

Mr. President, passage of this legislation would not have been possible without the hard work of several Senators on both sides of the aisle. Both Senator SHELBY and Senator THOMPSON have been active in addressing this issue for quite some time, and the efforts of Senator BOND and the input of Senator LEVIN were also helpful to the process. Similarly, I know that Representatives KELLY and MCINTOSH worked hard on the House side to get the Truth in Regulating Act passed. The details of this legislation were worked out by countless hours of work by a number of staff members, both former and current, for these Senate and House members. In addition to members of my staff, these staff members include Paul Noe, Mark Oesterle, Suey Howe, Linda Gustitus, Meredith Matty, Barry Pineles, Larry McCredy, Barbara Kahlow, and Marlo Lewis.

Mr. President, I look forward to the President signing this legislation.

Mr. THOMPSON. Mr. President, I am pleased that last night the House passed on suspension the ''Truth in Regulating Act,'' S. 1198, and that this legislation will now be sent to the President. S. 1198 will support Congressional oversight to ensure that important regulatory decisions are cost-effective, well-reasoned, and fair.

The foundation of the ''Truth in Regulating Act'' is the right of Congress and the people we serve to know about important regulatory decisions. Through the General Accounting Office, which serves as Congress' eyes and ears, this legislation will help us get access to the cost-benefit analysis, risk assessment, federalism assessment, and other key information underlying any important regulatory proposal. So, in a real sense, this legislation not only gives people the right to know; it gives them the right to see—to see how the government works, or doesn't. GAO will be responsible for providing an evaluation of the analysis underlying a proposed regulation, which will enable us to communicate better with the agency up-front. It will help us to ensure that the proposed regulation is sensible and consistent with Congress' intent before the horse gets out of the barn. It will help improve the quality of important regulations. This will contribute to the success of programs that the public values and improve public confidence in the Federal Government, which is a real concern today.

Under the 3-year pilot project established by this legislation, a chairman or ranking member of a committee with legislative or general oversight jurisdiction, such as Governmental Affairs, may request the GAO to review a proposed economically significant rule and provide an independent evaluation of the agency regulatory analysis underlying the rule. The Comptroller General shall submit a report no later than 180 days after a committee request is received. A requester may ask for the report sooner when needed, as may be the case where there is a short comment period or hearing schedule. The Comptroller General's report shall include an evaluation of the benefits of the rule, the costs of the rule, alternative regulatory approaches, and any cost-benefit analysis, risk assessment, and federalism assessment, as well as a summary of the results of the evaluation and the implications of those results for the rulemaking.

It is my hope that the ''Truth in Regulating Act'' will encourage Federal agencies to make better use of modern decisionmaking tools, such as cost-benefit analysis and risk assessment. Currently, these important tools often are viewed simply as options—options that aren't used as much or as well as they should be. Over the years, the Governmental Affairs Committee has reviewed and developed a voluminous record showing that our regulatory process is not working as well as intended and is missing important opportunities to achieve more cost-effective regulation. In April 1999, I chaired a hearing in which we heard testimony on the need for this proposal. The General Accounting Office has done important studies for Governmental Affairs and other committees showing that agency practices—in cost-benefit analysis, risk assessment, federalism assessments, and in meeting transparency and disclosure requirements of laws and executive orders—need significant improvement. Many other authorities support these findings. All of us benefit when government performs well and meets the needs of the people it serves.

A lot of effort and collaboration went into this legislation, which I think is why the Senate and now the House could approve it with broad bipartisan

support. The Truth in Regulating Act is based on two initiatives—a bill originally sponsored by Senator RICHARD SHELBY with Senators LOTT and BOND, as well as a similar measure that I sponsored with Senators LINCOLN, VOINOVICH, KERREY, BREAUX, LANDRIEU, INHOFE, STEVENS, BENNETT, ROBB, HAGEL, and ROTH. I particularly appreciate that my colleagues on the other side of the aisle worked with me to pass this legislation. From the beginning, Senator BLANCHE LINCOLN made this a bipartisan initiative by joining me as cosponsor. Later, Senator JOSEPH LIEBERMAN, the Ranking Member of the Governmental Affairs Committee, worked with me to resolve his concerns before the Committee markup. This led the way for passage of this legislation through the Governmental Affairs Committee by voice vote and through the Senate by unanimous consent.

Congresswoman SUE KELLY first proposed a bill for the congressional review of regulations in the 105th Congress. After the Senate passed S. 1198 by unanimous consent in May of this year, Chairman DAN BURTON of the Government Reform Committee advanced the bill through the House. I want to thank Chairman BURTON for his leadership as well as SUE KELLY for her hard work that led to the final passage of the Truth in Regulating Act in the House.

I congratulate my colleagues in the House and Senate for pulling together to get the job done.

ON DELAYS IN SENATE CONSIDERATION OF H.R. 5107

Mr. LEAHY. Mr. President, all Democrats have cleared for final passage H.R. 5107, the Work for Hire and Copyright Corrections Act of 2000. I hope that the Senate will take up H.R. 5107 without further unnecessary delay. Representatives BERMAN and COBLE deserve credit, along with the interested parties, for working out a consensus solution in their work for hire copyright legislation. I do not know why the Senate has not confirmed their work and accorded their bill consent for final passage. Why the Republican majority has not taken up this measure since the middle of last week is another unexplained mystery.

As has been true with our bipartisan bill to provide bulletproof vest grants to law enforcement, S. 2014, and its House-passed counterpart, H.R. 4033, all Democrats have cleared these matters for Senate action. As has been true for some time with the Violence Against Women Act of 2000, S. 2787, all Democrats have cleared these matters for Senate action. The same is true with respect to S. 1796, the Justice for Victims of Terrorism Act, all Democrats have cleared these matters for Senate action. There are so many bills cleared by the Senate Democrats being held hostage without explanation by the Republican majority, it is hard to know where to begin and where to end. Here is this last week of the session the Senate could be making progress on a number of items but we remained stymied.

I regret that Congress did not complete its necessary work on the required appropriations bills before the beginning of the new fiscal year. We are again requiring the Government to exist from continuing resolution to continuing resolution. Along with the American people, I hope that we will complete our work before too much longer.

NBC AND FOX AND THE PRESIDENTIAL DEBATES

Mr. DORGAN. Mr. President, I also wish to say a word today about NBC and Fox, the two television networks that have decided they would not broadcast the Presidential debates live. I think it is deplorable, really, that networks, that use the public airwaves, and have some responsibility here with respect to the public good and public interest, have decided that Presidential debates are not important enough to preempt other programming.

I notice that NBC said its local affiliates could make their own judgment. It is not as if NBC, according to Mr. Kennard, the Chairman of the Federal Communications Commission, has not interrupted regular programming previously. In fact, they have interrupted sports programming previously. NBC, last evening, said: We have a contract to show a New York Yankees-Oakland Athletics playoff game. So they did not really want to, on a national basis, show the Presidential debate live. They did allow their affiliates to make that decision.

Mr. Kennard points out in an op-ed piece in the New York Times that in 1994 NBC was showing the NBA finals, the basketball finals, but they cut away from the basketball finals to follow that white Bronco that was meandering around the highways of Los Angeles with O.J. Simpson in the backseat. So they were able to cut away from the NBA finals to deal with the O.J. Simpson saga in that white Bronco, we remember so well, but they could not cut away from a playoff game—not the World Series; a playoff game—in baseball to televise the Presidential debate.

Fox News is another story. They did not give their affiliates any choice. From their standpoint, ''Dark Angel'' was important last night, entertainment programming. Apparently Fox News' entertainment programming is more important than televising the Presidential debates for the American people.

I agree with Bill Kennard, the Chairman of the Federal Communications Commission. He wrote a piece that says: ''Fox and NBC Renege on a Debt.'' It seems to me, in this country we ought to take this system of ours seriously. Presidential debates are very important. They have a wonderful and hallowed tradition in this country. It seems to me that television networks have a responsibility to the American people to provide live coverage of those debates.

I regret that NBC did not. And I would say to the NBC affiliate in Washington, DC, they decided to carry the debate. Thank you for doing that. Good for them. But Fox News did not give any of their affiliates that choice. I think they have made the wrong choice.

VISIT BY FORMER MEMBERS OF CONGRESS TO CUBA

Mr. DODD. Mr. President, today I join with my colleague Senator ROBERTS to draw attention to a most interesting report on our country's policy toward Cuba. Some of my colleagues may know that a bipartisan group of former Members of Congress traveled to Cuba in September on a fact-finding mission for the United States Association of Former Members of Congress. These four former members, John Brademas, Larry LaRocco, Fred Grandy, and Jack Buechner, did not travel as a group officially invited by the Cuban Government, but rather traveled on tourist visas, a distinction that allowed the delegation more flexibility to meet with representatives of a wide cross section of Cuban society, including religious and cultural leaders, as well as ordinary Cuban citizens.

Upon returning to the United States, the delegation wrote a detailed report concerning their visit to Cuba, and their recommendations on U.S.-Cuban policy. Remarkably, the recommendations contained in the report were unanimous, and were markedly similar to the recommendations made by two previous delegations in 1996, and 1999.

The report, which was released on September 5, states that ''United States policy toward Cuba should be addressed on the basis first, of what is best for U.S. national interests, and second, what is best for Cuba and the Cuban people.'' It goes on to observe that, as a policy aimed at bringing about political change in Cuba, the regimen of comprehensive sanctions and the embargo have become increasingly anachronistic. It calls upon Congress and the Administration to begin a phased reduction of sanctions against Cuba, and a first step, recommends that current legislation on Capitol Hill to remove all restrictions on the sales or gifts of food and medicines be enacted. The report concludes with the observation that the delegation found ''solid support among key independents'' in Cuba for this action.

Among other recommendations, the delegation suggested that the United States establish a bank in Havana to authorize the sale of food and medicine, that additional direct flights between the U.S. and Cuba be facilitated, and steps taken to improve Internet communication between the two countries.

These recommendations were based on the perception by the traveling delegation that the embargo on food and medicine is hurting common Cuban citizens while failing to advance U.S. national security interests on the island. The consensus in Cuba is that Fidel Castro is not being affected by this embargo—he has all the food and medicine he needs. The Cuban people recognize that the embargo hurts only themselves, and are actively seeking help from the United States.

As we approach the final days of this session, hard-fought progress toward an easing of the embargo may still bear fruit. While the Senate considers important legislation in this area, I urge my colleagues to read both the excerpts of the report at the end of my speech and the full text of the Association report, which is available from the United States Association of Former Members of Congress at 330 A Street, N.W., Washington, D.C. 20002. With that, Mr. President, I ask unanimous consent that portions of the delegation's report be printed in the RECORD.

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

THE UNITED STATES ASSOCIATION OF FORMER MEMBERS OF CONGRESS

We, the four members of a delegation of the United States Association of Former Members of Congress (AFMC), visited Cuba from May 26 to June 3, 2000, to explore firsthand the current political, social and economic realities in that country and to consider what steps might be taken to improve relations between Cuba and the United States. Before traveling we were briefed by officials in the Department of State, key Members of Congress, leaders of non-governmental organizations (NGOs) and officials of the Cuban Interests Section in Washington, DC. The report you hold in your hands reflects the collective deliberations of the delegation, and lists six specific recommendations that we all endorse. As you will see, we did not attempt to tackle every issue involved in relations between our countries; in order to make concrete and well-founded recommendations, we focused on a core of matters that seemed particularly significant to us.

This fact-finding trip was the third and last in a series funded by a grant from the Ford Foundation to the AFMC. The other two trips were made in December 1996 and January 1999. Our recommendations closely parallel those of the previous two bipartisan delegations. To date, 15 former Members of Congress (eight Republicans and seven Democrats) have traveled to Cuba on these Ford Foundation-sponsored missions. The recommendations of all three delegations have been unanimous and are remarkably similar in terms of their implications for U.S. policy.

Unlike the two previous delegations, we did not travel as a group officially invited by the Cuban Government. We had the appropriate documentation from the United States Government, including a license from the Department of Treasury's Office of Foreign Assets Control. Although the Cuban government did not extend an official invitation to the delegation, we were issued tourist visas.

The unofficial character of the visit allowed us to control our own time, to have a wide variety of meetings and to gain a much better idea of what a cross-section of the Cuban population thinks. Unencumbered by the protocol demands that normally accompany an officially approved trip, we were free to visit a range of independent organizations, art centers, church and church-sponsored groups and research centers. We were also able to attend church services, visit markets, travel into the countryside and talk freely to private citizens. The people we met with ranged from an average woman attending an Elian Gonzalez rally whom we engaged in spontaneous conversation to Cuba's Minister of Foreign Affairs; from the tour guide of the Partagas cigar factory in Old Havana to the Papal Nuncio; from the director of the government-sponsored cultural organization Casa de las Americas to the head of the Roman Catholic relief organization, Caritas; from an urban planner sympathetic to the current regime in Cuba to some of the most controversial figures—including Marta Beatriz Roque, Rene Gomez Manzano, and Felix Bonne—and independent journalists living in that country today.

On the ground in Cuba, we heard a remarkably diverse array of voices and observed a highly complex set of political and social circumstances; nonetheless, we submit this report in the conviction that the implementation of our recommendations can only further the interests of both the United States and the people of Cuba.

JOHN BRADEMAS,
D—Indiana.
J. BUECHNER,
R—Missouri.
FRED GRANDY,
R—Iowa.
LARRY LAROCCO,
D—Idaho.

RECOMMENDATIONS

Our recommendations are based on our extensive discussions during our trip to Cuba. Our recommendations closely parallel those of the two previous bipartisan delegations of the U.S. Association of Former Members of Congress.

1. Congress and the administration should begin a phased reduction of sanctions legislation, as defined in the Cuban Democracy Act of 1992 (PL 102–484) and the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Helms-Burton, PL 104–114). As a first step, current legislation on Capitol Hill (H.R. 3140 and S. 2382) to remove all restrictions on the sales (for gifts) of food and medicines should be enacted.

2. Serious consideration should be given to the establishment of a U.S. bank in Havana if legislation to authorize the sales of food and medicine is approved by Congress and the Administration.

3. Opportunities for people-to-people contact between citizens of the United States and Cuba should be expanded, particularly through two-way exchanges in the fields of education and culture. More links between educational, cultural and non-governmental institutions in our two countries should also be established.

4. The current ceilings on annual remittances from the United States to Cuba should be raised significantly, if not eliminated.

5. Steps should be taken to facilitate direct fights between the United States and Cuba.

6. Steps should be taken to improve Internet communication between the citizens of both countries. Initiatives aimed at enabling Cuban citizens to gain greater access to the Internet should be encouraged, and support should be given to individuals and entities involved in the creation of websites and other electronic platforms aimed at improving mutual understanding between the peoples of the United States and Cuba.

SUPPORT FOR FEDERAL-STATE-PARTNERSHIPS RELATIVE TO SCHOOL MODERNIZATION

Mr. JOHNSON. Mr. President, I rise to express my strong support for initiatives to create a federal-state-local partnership relative to public school construction and renovation throughout America. At a time when unprecedented budget surpluses are being projected by budget leaders at both the White House and in Congress, it seems clear to me that some modest portion of these funds ought to be used to assist our school districts. In South Dakota, it has become increasingly difficult to pass school bond issues, given the fact that real estate taxes are already too high and our state's agricultural economy has been struggling. The result is an enormous backlog of school construction needs, and the costs of repair and replacement only increase with each passing year.

To propose a new school construction partnership is not to suggest some sort of ''federalization'' of K–12 public education. The decisions as to whether to replace or repair a school would remain with the local school districts where they belong, and by far the largest share of the expense would continue to be met by local taxpayers. Even so, a federal effort to reduce interest costs or otherwise participate in reducing the total cost of school construction could often times make the difference between a successful project or none at all. If the federal government were to simply block grant these funds, the dollars would have to be disbursed in such a broad manner that no school district would receive a sufficient amount of help to seriously make a real difference.

While I appreciate that school construction assistance must be targeted to help needy school districts first, I do want to convey my strong opinion that the eligibility requirements for a federal-local partnership should not be so restrictive as to eliminate the possibility of many of our school districts from participating. South Dakota has a great many school districts which are not completely impoverished, but yet find it almost impossible to pass a bond issue and otherwise adequately fund their education programs. This program should apply to more than just the extreme poverty situations of inner urban areas and remote rural areas. It should apply as well to the many small and medium size communities all across our country that seriously struggle with school construction and renovation needs.

I applaud and support these efforts to invest a small portion of our Nation's wealth in improved educational opportunities and facilities for all—this investment now, will result in improved academic performance, better citizenship and a stronger economy for generations to come.

VICTIMS OF GUN VIOLENCE

Mr. DORGAN. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read the names of some of those who have lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

October 4, 1999:

Darius Bradley, 18, Baltimore, MD; Joseph Booker, 21, Chicago, IL; Vincent Dobson, 22, Baltimore, MD; Frank Garner, 22, Kansas City, MO; Larry D. Hadley, 43, Madison, WI; Joseph Hall, 20, Detroit, MI; Arthur Harris, 39, Houston, TX; Kendall Hawks, 18, Baltimore, MD; Clarence Jackson, 21, New Orleans, LA; Derrick Jacque, 24, New Orleans, LA; Jasul Johnson, 23, Philadelphia, PA; Charlotte Lindsey, 50, Memphis, TN; James McClinton, 24, Chicago, IL; Richard Mitchell, 51, Detroit, MI; Shawn Moore, 25, New Orleans, LA; Cedric Outler, 41, Miami-Dade County, FL; Zawakie Walker, 23, Detroit, MI; Darieus Washington, 31, Baltimore, MD; William Wilson, 24, Baltimore, MD; and Unidentified male, 72, Nashville, TN.

We cannot sit back and allow such senseless gun violence to continue. The deaths of these people are a reminder to all of us that we need to enact sensible gun legislation now.

ISSUES OF IMPORTANCE TO WOMEN

Ms. LANDRIEU. Mr. President, I would like to speak on a pending piece of legislation that I believe requires our urgent attention. The fact that the leadership has not acted to bring this bill to the floor is of great concern to me. While I understand that our time is short and our list is long, the Re-authorization of the Violence Against Women's Act should be on the list of priorities for this Congress. I urge the leadership not to allow another day to pass and to bring this bill to the floor for our immediate consideration.

In 1994, with the President's strong support, Congress passed the landmark Violence Against Women Act, which established new Federal criminal provisions and key grant programs to improve this nation's criminal justice system's response to domestic violence. Since that time, the number of crimes against women has decreased. A recent report by the Bureau of Justice Statistics shows that the number of women experiencing violence at the hands of an intimate partner declined 21 percent from 1993 to 1998. Under this bill, the Federal Government has awarded $1.6 billion dollars, $24 million of which went to support programs in the State of Louisiana, to help support the efforts of prosecutors, law enforcement officials, the courts, victim advocates, health care and social service professionals, and intervention and prevention programs. The National Domestic Violence Hotline, established with funds from this Act, has received more than 500,000 calls since it began operating.

While I think the success of this Act alone is an important reason to support its continuation, it is not why I stand here today. Although the number of women murdered by an intimate partner is the lowest it has been since 1976, still, 3 out of 4 victims murdered last year were female. Tremendous strides have been made, but domestic violence and crimes against women continue to devastate the lives of many women and children throughout our country.

In fact, in May of this year, one week after Mother's Day, a Louisiana woman, Jacqulene Gersfeld, was gunned down by her husband just outside a Gretna courthouse. The couple had a history of violence and friends reported that this was not the first time Jacqulene's husband, Marvin, had threatened to kill her. Far too often, abused women are afraid, and many times for good reason, to remove themselves from these abusive relationships, but not Jacqulene, she sought help, obtained a protective order and filed for divorce. She left that courtroom believing that her days of living in fear were over and that her husband could no longer harm her. But she was wrong.

I am sad to say that Jacqulene's story is not unique. In New Orleans alone, the Domestic Violence help line receives 16,000 calls for assistance a year. Of the total women's homicide rate, 46 percent of those deaths are attributed to domestic violence. And that is just one city in my state. I am certain that every one of my colleagues could come to this floor and tell of a woman in their state whose fate was that of Jacqulene's. As citizens of the greatest democracy in the world, we cannot stand idly by and watch these stories unfold. The need for the services provided for under the Violence Against Women Act are needed now more than ever. Women like Jacqulene must be protected from the wrath of their estranged abusers. They must know that there are people willing to help them and their children escape the abuse and start a new life.

While domestic violence may be dismissed by some as an issue that affects only women, it is not, it is an issue that affects us all. Studies show that a child's exposure to the father abusing the mother is the strongest risk factor for transmitting violent behavior from one generation to the next. A significant number of young males in the juvenile justice system were from homes where violence was the order of the day. Family violence costs the nation from $5 to $10 billion annually in medical expenses, police and court costs, shelters and foster care, sick leave, absenteeism, and non-productivity. In fact, the majority of welfare recipients have experienced domestic abuse in their adult lives and a high percentage are currently abused.

My Colleague from Delaware, Senator BIDEN, and I have cosponsored legislation to reauthorize the Violence Against Women Act. If Congress fails to reauthorize VAWA, many critical programs may be jeopardized. Reauthorization legislation, which has broad bipartisan support will help to: maintain existing programs, expand investigation and prosecution of crimes against women; provide greater numbers of victims with assistance; maintain and expand the domestic violence hotline, shelter, rape prevention, and education programs; and support effective partnerships between law enforcement, victim advocates and communities.

Again, I am disappointed that this Congress is quickly coming to a close and this bill is still waiting for action by the Senate. Several times during the campaign, the leadership has claimed that the issues that are important to women are of the highest priority. I can hardly think of an issue that more directly affects the lives of women and their families than their health and safety.

Since we returned from the August recess, several members have come to the floor and talked about time. The minority leader eloquently detailed the amount of time, or lack thereof, that this body has dedicated to actually doing the work of the American people. The majority leader, on the other hand, has cautioned us that time is limited and we, therefore, must use it wisely. I could not agree more—time is running out and so, it is about time that we ask the Majority to do more than make empty promises. It is about time we question the sincerity of a party when their Presidential candidate needs to be briefed before he can take a stance on legislation to end violence against women. It is about time we do all we can to make good on a promise that we made six years ago to victims like Jacqulene. While it is too late for us to help her, we owe to the hundreds and thousands of others like her to act quickly. I implore my colleagues not to let time run out for the millions of women whose lives could be saved by this legislation.

REQUEST FOR PRINTING OF THE ECSTASY ANTI-PROLIFERATION ACT OF 2000 IN THE CONGRESSIONAL RECORD

Mr. GRAHAM. Mr. President, on 23 May 2000, I introduced the Ecstasy Anti-proliferation Act of 2000, now known as S. 2612. The original bill text was not printed in the CONGRESSIONAL RECORD for that day. I am resubmitting

the original text of the bill and ask unanimous consent that the text be printed in the CONGRESSIONAL RECORD.

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

S. 2612

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 ''Ecstasy Anti-Proliferation Act of 2000''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The illegal importation of 3,4-methylenedioxy methamphetamine, commonly referred to as ''MDMA'' or ''Ecstasy'', has increased in recent years, as evidenced by the fact that Ecstasy seizures by the United States Customs Service have risen from less than 500,000 tablets during fiscal year 1997 to more than 4,000,000 tablets during the first 5 months of fiscal year 2000.

(2) Use of Ecstasy can cause long-lasting, and perhaps permanent, damage to the serotonin system of the brain, which is fundamental to the integration of information and emotion, and this damage can cause long-term problems with learning and memory.

(3) Due to the popularity and marketability of Ecstasy, there are numerous Internet websites with information on its effects, production, and the locations of use, often referred to as ''raves''. The availability of this information targets the primary users of Ecstasy, who are most often college students, young professionals, and other young people from middle- to high-income families.

(4) Greater emphasis needs to be placed on—

(A) penalties associated with the manufacture, distribution, and use of Ecstasy;

(B) the education of young people on the negative health effects of Ecstasy, since the reputation of Ecstasy as a ''safe'' drug is it's most dangerous component;

(C) the education of State and local law enforcement agencies regarding the growing problem of Ecstasy trafficking across the United States;

(D) reducing the number of deaths caused by Ecstasy use and its combined use with other ''club'' drugs and alcohol; and

(E) adequate funding for research by the National Institute on Drug Abuse to—

(i) identify those most vulnerable to using Ecstasy and develop science-based prevention approaches tailored to the specific needs of individuals at high risk;

(ii) understand how Ecstasy produces its toxic effects and how to reverse neurotoxic damage;

(iii) develop treatments, including new medications and behavioral treatment approaches;

(iv) better understand the effects that Ecstasy has on the developing children and adolescents; and

(v) translate research findings into useful tools and ensure their effective dissemination.

SEC. 3. ENHANCED PUNISHMENT OF ECSTASY TRAFFICKERS.

(a) AMENDMENT TO FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines regarding any offense relating to the manufacture, importation, or exportation of, or trafficking in—

(1) 3,4-methylenedioxy methamphetamine;

(2) 3,4-methylenedioxy amphetamine;

(3) 3,4-methylenedioxy-N-ethylamphetamine; or

(4) any other controlled substance, as determined by the Sentencing Commission in consultation with the Attorney General, that is marketed as Ecstasy and that has either a chemical structure substantially similar to that of 3,4-methylenedioxy methamphetamine or and effect on the central nervous system substantially similar to or greater than that of 3,4-methylenedioxy methamphetamine;

(including an attempt or conspiracy to commit an offense described in paragraph (1), (2), (3), or (4)) in violation of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or the Maritime Drug Law Enforcement Act (46 U.S.C. 1901 et seq.).

(b) GENERAL REQUIREMENT.—In carrying out this section, the United States Sentencing Commission shall, with respect to each offense described in subsection (a)—

(1) review and amend the Federal sentencing guidelines to provide for increased penalties such that those penalties are comparable to the base offense levels for offenses involving any methamphetamine mixture; and

(2) take any other action the Commission considers to be necessary to carry out this subsection.

(c) ADDITIONAL REQUIREMENTS.—In carrying out this section, the United States Sentencing Commission shall ensure that the Federal sentencing guidelines for offenders convicted of offenses described in subsection (a) reflect—

(1) the need for aggressive law enforcement action with respect to offenses involving the controlled substances described in subsection (a); and

(2) the dangers associated with unlawful activity involving such substances, including—

(A) the rapidly growing incidence of abuse of the controlled substances described in subsection (a) and the threat to public safety that such abuse poses;

(B) the recent increase in the illegal importation of the controlled substances described in subsection (a);

(C) the young age at which children are beginning to use the controlled substances described in subsection (a); and

(D) any other factor that the Sentencing Commission deems appropriate.

SEC. 4. ENHANCED PUNISHMENT OF GHB TRAFFICKERS.

(a) AMENDMENT TO FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines in accordance with this section with respect to any offense relating to the manufacture, importation, or exportation of, or trafficking in—

(1) gamma-hydroxybutyric acid and its salts; or

(2) the List I Chemical gamma-butyrolactone;

(including an attempt or conspiracy to commit an offense described in paragraph (1) or (2)) in violation of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or the Maritime Drug Law Enforcement Act (46 U.S.C. 1901 et seq.).

(b) GENERAL REQUIREMENTS.—In carrying out this section, the United States Sentencing Commission shall with respect to each offense described in subsection (a)—

(1) review and amend the Federal Sentencing guidelines to provide for increased penalties such that those penalties reflect the seriousness of these offenses and the need to deter them;

(2) assure that the guidelines provide that offenses involving a significant quantity of Schedule I and II depressants are subject to greater terms of imprisonment than currently provided by the guidelines and that such terms are consistent with applicable statutory maximum penalties; and

(3) take any other action the Commission considers to be necessary to carry out this subsection.

(c) ADDITIONAL REQUIREMENTS.—In carrying out this section, the United States Sentencing Commission shall consider—

(1) the dangers associated with the use of the substances described in subsection (a), and unlawful activity involving such substances;

(2) the rapidly growing incidence of abuse of the controlled substances described in subsection (a) and the threat to public safety that such abuse poses, including the dangers posed by overdose; and

(3) the recent increase in the illegal manufacture the controlled substances described in subsection (a).

SEC. 5. EMERGENCY AUTHORITY TO SENTENCING COMMISSION.

The United States Sentencing Commission shall promulgate amendments under this Act as soon as practicable after the date of the enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.

SEC. 6. PROHIBITION ON DISTRIBUTION OF INFORMATION RELATING TO THE MANUFACTURE OR ACQUISITION OF CONTROLLED SUBSTANCES.

Section 403 of the Controlled Substances Act (21 U.S.C. 843) is amended by adding at the end the following:

''(g) PROHIBITION ON DISTRIBUTION OF INFORMATION RELATING TO MANUFACTURE OR ACQUISITION OF CONTROLLED SUBSTANCES.—

''(1) CONTROLLED SUBSTANCE DEFINED.—In this subsection, the term 'controlled substance' has the meaning given that term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

''(2) PROHIBITION.—It shall be unlawful for any person—

''(A) to teach or demonstrate the manufacture of a controlled substance, or to distribute by any means information pertaining to, in whole or in part, the manufacture, acquisition, or use of a controlled substance, with the intent that the teaching, demonstration, or information be used for, or in furtherance of, an activity that constitutes a crime; or

''(B) to teach or demonstrate to any person the manufacture of a controlled substance, or to distribute to any person, by any means, information pertaining to, in whole or in part, the manufacture, acquisition, or use of a controlled substance, knowing or having reason to know that such person intends to use the teaching, demonstration, or information for, or in furtherance of, an activity that constitutes an offense.

''(3) PENALTY.—Any person who violates this subsection shall be fined under this title, imprisoned not more than 10 years, or both.''.

SEC. 7. ANTIDRUG MESSAGES ON FEDERAL GOVERNMENT INTERNET WEBSITES.

Not later than 90 days after the date of enactment of this Act, the head of each department, agency, and establishment of the Federal Government shall, in consultation with the Director of the Office of National Drug Control Policy, place antidrug messages on appropriate Internet websites controlled by such department, agency, or establishment which messages shall, where appropriate, contain an electronic hyperlink to the Internet website, if any, of the Office of National Drug Control Policy.

SEC. 8. EXPANSION OF ECSTASY AND LIQUID ECSTASY ABUSE PREVENTION EFFORTS.

(a) PUBLIC HEALTH SERVICE ASSISTANCE.—Part A of title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

''SEC. 506. GRANTS FOR ECSTASY ABUSE PREVENTION.

''(a) AUTHORITY.—The Administrator may make grants to, and enter into contracts and cooperative agreements with, public and nonprofit private entities to enable such entities—

''(1) to carry out school-based programs concerning the dangers of abuse of and addiction to 3,4-methylenedioxy methamphetamine or related drugs, using methods that are effective and science-based, including initiatives that give students the responsibility to create their own antidrug abuse education programs for their schools; and

''(2) to carry out community-based abuse and addiction prevention programs relating to 3,4-methylenedioxy methamphetamine or related drugs that are effective and science-based.

''(b) USE OF FUNDS.—Amounts made available under a grant, contract or cooperative agreement under subsection (a) shall be used for planning, establishing, or administering prevention programs relating to 3,4-methylenedioxy methamphetamine or related drugs in accordance with paragraph (3).

''(c)(1) DISCRETIONARY FUNCTIONS.—Amounts provided under this section may be used—

''(A) to carry out school-based programs that are focused on those districts with high or increasing rates of abuse and addiction to 3,4-methylenedioxy methamphetamine or related drugs and targeted at populations that are most at risk to start abuse of 3,4-methylenedioxy methamphetamine or related drugs;

''(B) to carry out community-based prevention programs that are focused on those populations within the community that are most at-risk for abuse of and addiction to 3,4-methylenedioxy methamphetamine or related drugs;

''(C) to assist local government entities to conduct appropriate prevention activities relating to 3,4-methylenedioxy methamphetamine or related drugs;

''(D) to train and educate State and local law enforcement officials, prevention and education officials, health professionals, members of community antidrug coalitions and parents on the signs of abuse of and addiction to 3,4-methylenedioxy methamphetamine or related drugs, and the options for treatment and prevention;

''(E) for planning, administration, and educational activities related to the prevention of abuse of and addiction to 3,4-methylenedioxy methamphetamine or related drugs;

''(F) for the monitoring and evaluation of prevention activities relating to 3,4-methylenedioxy methamphetamine or related drugs, and reporting and disseminating resulting information to the public; and

''(G) for targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies.

''(2) PRIORITY.—The Administrator shall give priority in making grants under this subsection to rural and urban areas that are experiencing a high rate or rapid increases in abuse and addiction to 3,4-methylenedioxy methamphetamine or related drugs.

''(d)(1) PREVENTION PROGRAM ALLOCATION.—Not less than $500,000 of the amount available in each fiscal year to carry out this section shall be made available to the Administrator, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective prevention programs for abuse of and addiction to 3,4-methylenedioxy methamphetamine or related drugs and the development of appropriate strategies for disseminating information about and implementing these programs.

''(2) REPORT.—The Administrator shall submit an annual report containing the results of the analyses and evaluations conducted under paragraph (1) to—

''(A) the Committee on Health, Education, Labor, and Pensions, the Committee on the Judiciary, and the Committee on Appropriations of the Senate; and

''(B) the Committee on Commerce, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

''(e) AUTHORIZATION.— There is authorized to be appropriated to carry out this subsection—

''(1) $5,000,000 for fiscal year 2001; and

''(2) such sums as may be necessary for each succeeding fiscal year.''.

(b) NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.—In conducting the national media campaign under section 102 of the Drug-Free Media Campaign Act of 1998 (21 U.S.C. 1801), the Director of the Office of National Drug Control Policy shall ensure that such campaign addresses the reduction and prevention of abuse of 3,4-methylenedioxy methamphetamine or related drugs among young people in the United States.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, October 3, 2000, the Federal debt stood at $5,653,358,623,363.58, five trillion, six hundred fifty-three billion, three hundred fifty-eight million, six hundred twenty-three thousand, three hundred sixty-three dollars and fifty-eight cents.

Five years ago, October 3, 1995, the Federal debt stood at $4,975,626,000,000, four trillion, nine hundred seventy-five billion, six hundred twenty-six million.

Ten years ago, October 3, 1990, the Federal debt stood at $3,254,159,000,000, three trillion, two hundred fifty-four billion, one hundred fifty-nine million.

Fifteen years ago, October 3, 1985, the Federal debt stood at $1,823,105,000,000, one trillion, eight hundred twenty-three billion, one hundred five million.

Twenty-five years ago, October 3, 1975, the Federal debt stood at $547,355,000,000, five hundred forty-seven billion, three hundred fifty-five million, which reflects a debt increase of more than $5 trillion—$5,106,003,623,363.58, five trillion, one hundred six billion, three million, six hundred twenty-three thousand, three hundred sixty-three dollars and fifty-eight cents during the past 25 years.

ADDITIONAL STATEMENTS

CONGRATULATING THE NEW YORK METS AND THE NEW YORK YANKEES ON THEIR SUCCESSFUL SEASONS

● Mr. MOYNIHAN. Mr. President, I rise to congratulate both New York professional baseball clubs, the Mets and the Yankees, on yet another outstanding season of play. And as any fan will know, the season has only just begun. With the ''Amazin's'' capturing in fine form the National League Wild Card and the ''Bronx Bombers'' winning the American League East Division for the fourth time in the last five years, the most exciting time of the year is now upon us. New Yorkers look forward to their first ''subway series'' since 1956, when the Yankees beat the then-Brooklyn Dodgers in seven games and Don Larson threw the only perfect game in World Series history. We will cheer for our revered teams like no time since.

First, however, the Mets head west to take on the San Francisco Giants, a team they had some trouble with earlier in the season and a team to be reckoned with. But the Mets have picked up a lot of steam in recent weeks and finished the regular season winning five straight. Indeed, riding the arms of Al Leiter and Mike Hampton, and the bats of Benny Agbayani and the venerable Mike Piazza, the Mets are as strong as they have been in years and couldn't be more ready for the Giants or whomever they may face next.

The Yankees, on the other hand, have had a tough time of it lately. Losing their last 15 of 18 games, one might say they did not so much race into the playoffs as limp. But this team is nowhere near down, nor anywhere near out. No franchise in the history of the game has had such achievement. To regain their championship form, they will rely on veteran and newcomer alike. Stalwarts such as Bernie Williams, Derek Jeter, and Scott Brosius have proven a winning combination along with a seasoned pitching staff including Andy Pettitte, Mariano Rivera and ''The Rocket'' Roger Clemens. Add to this already formidable lineup Glenallen Hill, Jose Canseco, and David Justice and the Yankees ought not be counted out as they seek to claim their 26th World Championship

With this in mind, I along with my fellow New Yorkers, and Mets and Yankees fans everywhere, wait not so patiently, cheer not so quietly, knowing that we may again have our subway series. Good luck Mets and Yankees!●

HONORING KELO-LAND TV

● Mr. JOHNSON. Mr. President, it is with great honor that I rise today to congratulate KELO-LAND TV of Sioux Falls, South Dakota for receiving the prestigious national Emmy award for it's Tradition of Caring'' public service announcement.

The Emmy awards nobly serve as a gateway to focusing the public's attention on cultural, educational, and technological advances in the television industry. Specifically, the purpose of the award for the Public Service Announcement—Campaign category is to recognize special achievements of the television media establishment based on their unmatched ability to achieve excellence and originality. Within this

category, the outstanding achievements KELO-TV made in it's ''Tradition of Caring'' public service announcement led them to be chosen as first among four national finalists at the presentation of the Emmy awards in New York City.

The ''Tradition of Caring'' public service announcement culminates three outstanding years of active community involvement by all of KELO-LAND TV's employees on behalf of over twenty charitable organizations. The purpose of their public service campaign was to facilitate employee and community involvement in local causes. To effectively implement their campaign, employees were divided into teams based on similar interests with each team focusing on a particular organization within the community. Their personal approach to public service has not only won them an Emmy, but it has significantly helped organizations throughout South Dakota gain positive exposure and financial assistance.

KELO-LAND TV richly deserves this distinguished award. It is an honor for me to share with my colleagues KELO-TV's exemplary leadership and strong commitment to both the development and enhancement of South Dakota's local communities through public service. I strongly commend their advancements in the television industry, and I am very pleased that their substantial efforts have found such extraordinary success.●

TRIBUTE TO DR. EMMETT O. TEMPLETON

● Mr. SHELBY. Mr. President, I rise today to honor Dr. Emmett O. Templeton of Birmingham, Alabama who recently received the American College of Radiology's (ACR) Gold Medal. Dr. Templeton currently chairs the department of radiology at Montclair Baptist Medical Center in Birmingham and continues to faithfully serve the community.

Dr. Templeton is an extraordinary individual who, as Chairman of the board of Chancellors of the American College of Radiology, made a lasting impression on Members of Congress by his straight-talking style. He served his specialty, radiology, and the nation's public policy in health by dealing with problems head-on and working to find solutions. Dr. Templeton has been an asset to all of us in Congress and is deserving of the ACR Gold Medal which recognizes his marvelous achievements.

In addition, I have included the remarks made in the ACR Bulletin about Dr. Templeton and why he has been awarded the Gold Medal.

EMMETT O. TEMPLETON, M.D.

At 53, Emmett ''Neal'' Templeton, M.D., is one of the youngest recipients of the ACR Gold Medal. A unique and talented radiologist, Dr. Templeton is perhaps best known for his outstanding contributions and dedicated service to the college. Never one to toot his own horn, Dr. Templeton's unassuming manner, excellent intermediary talents and astute guidance have earned him the widespread respect of his peers. He has played a significant role in the advancement and success of the ACR and has been an inspiration to many of his colleagues in the southeast.

An ACR Fellow, Dr. Templeton became actively involved with the ACR fewer than 15 years ago, yet has served on more than 20 commissions and committees and participated for several years on many of them. The wide range of committees he has assisted is a reflection of his avid interest in all aspects of radiology, including accurate coding, practice matters and relationships with clinics and hospitals.

''Neal is an unusually bright and charismatic individual, which is immediately evident to those he meets. It is the reason he has so frequently been chosen for leadership,'' says Milton Gallant, M.D., director of radiology at The General Hospital Center at Passaic in New Jersey. ''Leadership opportunities, coupled with unusual statesmanship and hard work, have resulted in his endeavors being uniformly successful.''

Dr. Templeton has selflessly shared his time and counsel in ACR leadership roles, beginning as vice chair for the Commission on Radiologic Practice, The Commission on Economics, the Committee on State and Economic Legislation of the Commission on Economics, the Committee on Coding and Nomenclature and the Commission on Government Relations have all benefitted from his direction as chair. From 1992 to 1994, he served as vice chair of the Board of Chancellors. The following two years he served as chairman of the board while also serving as chairman of the Commission on Government Relations. In 1996 he was elected ACR president.

Bibb Allen Jr., M.D., one of Templeton's partners at Birmingham Radiological Group, saw firsthand the sacrifices Templeton willingly made during his tenure on the Board of Chancellors. ''Neal spent the vast majority of his personal time away from the hospital conducting the business of the college,'' Allen says. ''All radiologists have benefitted from Neal's leadership and skill.''

Dr. Templeton is also a member of the Radiology Residency Review Committee, the AMA Practice Expense Advisory Committee, AMA–CPT Editorial Panel, the Government Relations Oversight Committee and the Practice Expense Advisory Committee panel.

His effective management style has made him an accomplished mediator. He is well known for his concern and support for technologists, office managers and office staff, recognizing the importance of their role in the practice of radiology. According to Barbara E. Chick, M.D., past councilor, chancellor and vice president of the ACR, ''His availability to meet with anyone, at any time, to help problem-solve was a great asset to the field of radiology when the ''turf'' battles were so common.'' Chick adds, ''I believe his keen insight has been beneficial to many practices in their marketing and reimbursement activities.''

Templeton has a unique knowledge of radiologic practice and economic matters. He has been appointed to the boards of HMO and PPO organizations as a result of the model hospital and imaging center practices he has demonstrated in his own practice. One of the highlights of his career was his stewardship of diagnostic imaging centers as an alternative to private office or hospital practice. He was an early expert in this concept during a time when the recognition of radiologists as ''physicians'' was not unequivocal.

Currently chair of the department of radiology at Montclair Baptist Medical Center, Birmingham, Ala., Templeton earned his medical degree from the University of Alabama in 1973 and completed his internship and residency at the University of Alabama's hospitals and clinics. Even after achieving the highest positions in the ACR, he continues to serve the college and radiology ''in the trenches.''

Michael A. Sullivan, M.D., associate chairman of the department of diagnostic radiology at Ochsner Clinic in New Orleans, sums up Templeton's character nicely: ''Neal is a wonderful individual who is forthright, honest and hard-working. He exemplifies the term 'involved radiologist.'''●

HONORING HARCUM COLLEGE'S 85th ANNIVERSARY

● Mr. SANTORUM. Mr. President, I rise today to recognize the 85th anniversary of Harcum College. The Harcum Post Graduate School was opened by Edith Hatcher, a talented concert pianist, and her husband Octavius Marvin Harcum. Together they chose a venture that would combine her ''talents as an educator and artist and his business vision and ability.'' Harcum College opened its doors on October 1, 1915 in Melville Hall, with three students and five pianos.

In its early years, Harcum was a preparatory school, giving students the skills needed to attend college. Mr. Harcum was the first President, but when he died tragically in a car accident in 1920, Edith assumed the Presidency. She remained in that position for more than 30 years. The college continued to grow, yet it was a proprietary institution and faced financial difficulties. In 1952 it could no longer be run as a profitable enterprise; Edith declared bankruptcy.

The Junto Adult School was a nonprofit educational corporation founded by Benjamin Franklin. It purchased the assets of Harcum and decided to use it as a two-year college for women. Philip Klein assumed leadership, and in 1955, Pennsylvania granted Harcum permission to be the first junior college in the Commonwealth's history to confer the Associate of Arts and Science degrees.

Throughout the years, tremendous expansion of facilities has occurred yet Harcum remains committed to its original philosophies. Harcum College embraces a value system based on four principles: a respect for and appreciation of diversity; the ability to make sound ethical and moral choices; the need to take responsibility for self and others; and a commitment to lifelong learning. All members of the Harcum community are committed to the success of one another.

Harcum College has always placed learning first and is committed to providing individualized educational experiences for a diverse community of learners. Harcum educated students in the arts and occupational skills, and in Mrs. Harcum's words, the college respected each student as an ''individual with personal needs, interests, aptitudes, and aspirations.''

I commend Harcum College for its accomplishments and commitment to education. Harcum has faced many challenges over the years, and I congratulate the institution as it remains an outstanding educational facility.●

2000 NATIONAL DISTINGUISHED PRINCIPALS AWARD

● Mr. MURKOWSKI. Mr. President, I would like to take a moment to congratulate an exceptional elementary school principal, Mr. Karl Schleich of Wasilla, Alaska. He is the 2000 recipient of the National Distinguished Principals Award for Alaska.

The National Distinguished Principals Program (NDP) was established in 1984 as an annual event to honor elementary and middle school principals who set the pace, character, and quality of the education children receive during their early school years. The program is jointly sponsored by the U.S. Department of Education and the National Association of Elementary School Principals (NAESP). It calls attention to the fundamental importance of the school principal in achieving educational excellence for pre-kindergarten through eighth grade students.

Mr. Schleich's reputation for getting things done was established in southeast Alaska when, in his first position as an educational leader, he oversaw the creation of a grade 6–8 middle school in a former grade 7–12 building and then founded a regional association to support others making similar transitions. As an assistant principal, he helped model a middle school program that received statewide and national attention. In his role as principal at Snowshoe Elementary School, he has boosted school improvement efforts, developed and trained staff in schoolwide assessments of writing, reading comprehension, and early literacy skills, as well as portfolios of children's work. Karl Schleich is commended by his colleagues for his uncommon interpersonal skills and energy that he has demonstrated in his 12 years as a principal.

Our Nation's future depends on today's educators. Currently, 40 percent of America's 4th graders read below the basic level on national reading tests. On international tests, the nation's 12th graders rank last in Advanced Physics compared with students in 18 other countries. And one-third of all incoming college freshmen must enroll in a remedial reading, writing, or mathematics class before taking regular courses. This country is in need of more devoted and talented educators. I commend Mr. Schleich for his hard work and dedication to our children. He is educating those who will lead this country in creating, developing, and putting to work new ideas and technology.●

TRIBUTE TO CAPTAIN JOSEPH E. BAGGETT

● Mr. HUTCHINSON. Mr. President, I rise today to recognize and honor Captain Joseph E. Baggett, Judge Advocate Generals' Corps, United States Navy, upon his retirement after twenty-nine years of devoted, active duty service in our great nation's Navy.

Captain Baggett was born into a military family. The son of a career enlisted Marine, Captain Baggett grew up in the presence of the United States Navy in such diverse locations as Naval Air Station Pensacola, Marine Corps Base, Camp Lejeune, and the United Kingdom. Raised with the values of Honor, Courage, and Commitment, and with a family tradition of service, it only made sense that he too would pursue a military career.

Captain Baggett graduated Phi Beta Kappa from Tulane University in May 1971, and entered the Navy through Tulane's Naval Reserve Officer Training Corps. At that time Captain Baggett raised his hand and took his oath to support and defend the Constitution. In the years since that day he has devoted indeed all of his great energy, talent, and intellect to that task. He has been steadfast in his covenant to this nation and his devotion to those with whom he has served. An illustrious career gives eloquent testimony to his service to our country and to our Navy's legal community.

After two tours as a Supply Corps officer, including service onboard USS *Rich* (DD–820), he entered the Navy's Law Education Program and commenced the study of law at Tulane University. After earning his Juris Doctor degree in 1977, his first tour of duty as a Navy Judge Advocate was at Naval Legal Service Office, Jacksonville, Florida where he served as a formidable military prosecutor tirelessly pursuing justice on behalf of the Navy.

Captain Baggett's subsequent tours demonstrate his exceptional talent for international and operational law, his unsurpassed academic credentials, and his desire to serve the Fleet wherever required. In such diverse assignments as Commander Middle East Force onboard USS *LaSalle* (AGF–3) and USS *Coronado* (AGF–11), Commander Iceland Defense Force, and Commander Sixth Fleet, serving onboard USS *Belknap* (CG–26) and USS *Iowa* (BB–61), Captain Baggett's legal acumen and diplomatic skill repeatedly helped safeguard America's Interests and project America's presence in these often complex areas of the world. Interspersed were tours in Navy's Office of Legislative Affairs, the International Law Division of the Office of the Judge Advocate General, and the University of Miami where he earned a Masters of Law degree in Ocean and Coastal Law.

With his vast experience with forward-deployed, operational forces, Captain Baggett was able to quickly contribute to a number of vital, National-level issues in subsequent Washington staff assignments, including tours on the Joint Staff's Strategic Plans and Policy Directorate, as Deputy Assistant Judge Advocate General for International Law, and as the Defense Department Representative for Ocean Policy, where he was pivotal in developing United States policy on a variety of issues, including issues involving the newly formed Russian Federation. With this comprehensive top-level, international legal perspective, Captain Baggett was the obvious choice to become the Counsel for National Security to the Deputy Attorney General of the United States.

Returning to the Fleet as the Senior Staff Judge Advocate for the Commander in Chief, U.S. Atlantic Fleet, Captain Baggett was a major influence in high-level decisionmaking related to all aspects of Fleet operations, including environmental coordination and enforcement, rules of engagement, medical law, military justice, and the legal aspects of shore activity management. Captain Baggett's subsequent tour as the Commanding Officer of the Navy's flagship Naval Legal Service Office, in Norfolk, Virginia, demonstrated once again his exceptional leadership skills. Here he mentored the young men and women of the Navy's legal community about the operational imperatives of the Navy, and constantly stressed the paramount need to serve the Fleet.

Captain Baggett's wealth of expertise of Navy won him the assignment as Director of the Legislation Division in the Navy's Office of Legislative Affairs. In this capacity his consistent sound judgment and flawless tact ensured Navy issues were properly conveyed to Senate Committees and Subcommittees.

Standing beside this officer throughout his career has been his wife Suzanne, a lady to whom he owes much. She has been his key supporter, devoting her life to her husband, to their two sons, Merritt and Graham, and to the men and women of the Navy family. She has traveled by his side for these many years. Her sacrifice and devotion have served as an example and inspiration for others.

With these words before the Senate, I seek to recognize Captain Baggett for his unswerving loyalty to the Navy and the Nation. The Department of the Navy and the American people have been served well by this dedicated naval officer. He will be missed. He has left the Navy better prepared to face the challenges and opportunities of the 21st century. We thank him and wish Joe, and his lovely wife Suzanne, fair winds and following seas as they continue forward in what will most assuredly remain lives of service to this Great Nation.●

EDWIN J. KUNTZ

● Mr. BURNS. Mr. President, I rise today to announce the passing of an outstanding leader in the agriculture community of Montana. I first met Ed

Kuntz and his family in the 1960's. He and his family lived in the small community of Custer, Montana. They farmed small grain, sugar beets and fed cattle. It was a typical diversified farming operation found on the many irrigation projects along the Yellowstone River.

Ed was a little different. He was not only of the land but was of the people who lived on the land and called it home. Just another average American of the silent Americans who served this country when asked and served his community when no one else would. Average? Not at all. Nothing could be further from the truth.

His service to his community and neighbors did not stop at the county line. He was an excellent farmer and stockman. His love and respect for the sugar industry took him to national leadership where he was one of their most respected leaders. With the demands on the farm and dedication to a family, he still found time to work for the sugar beet industry not only for himself but his neighbors. I know first hand the impact he had on this town of Washington as he represented the many sugar growers across the country.

He was born May 3, 1926 in Billings, Montana. He was educated and graduated from Custer High School in 1944 and enlisted in the Army Air Corps and trained as a gunner on a B–17. While on furlough, he married his high school sweetheart, Peg Qusest. This December they would have been celebrating being married 56 years.

Ed became a director on the Mountain States Beet Growers Association and served 35 years on that board. He was treasurer for more years than anybody can count and president for 10 years. He also served on the board of directors of the American Sugar Beet Association in Washington, D.C. and devoted many hours away from the farming operation and family.

He is survived by his wife, Peg of Custer, Montana, a daughter, Belva; 2 sons, Rick and Cody.

By paying our respect to Ed Kuntz, we acknowledge the unsung leaders across this land who silently build a nation every day. He was just one that has been described as being a part of the greatest generation.●

TRIBUTE TO GENERAL ANTHONY ZINNI, USMC (RET.)

● Mr. WARNER. Mr. President, I rise today to pay tribute to General Anthony Zinni, United States Marine Corps, on the occasion of his completion of a successful tour of duty as Commander in Chief, United States Central Command, and his retirement from active duty after 36 years of loyal service. I offer these remarks with great respect for General Zinni, a true American patriot and a Marine's Marine.

General Zinni is a remarkable individual, a distinguished combat soldier, and an inspiring, uncompromising leader. During his 36 year military career, General Zinni's intellect, candor, and unshakeable optimism have had a profound, positive influence on the U.S. Armed Forces from the Quang Nam province of Vietnam to the sheikdoms of the Middle East, and a hundred points in between. A life long adventure that began in a small Pennsylvania town on the banks of the Schuykill River has taken him around the world and to the top echelons of military leadership.

A first generation American, General Zinni began his service to the nation in 1961. His father, Antonio Zinni, who immigrated from Italy and fought for his adopted country in the trenches of France in World War I, and his mother, Lilla, instilled in General Zinni an unconditional devotion to the principles of American freedom and liberty and a profound respect for military service. On his first day of classes at Villanova University, with the lessons of his parents in mind, General Zinni joined the Marine Corps. From the Augustinians and the Marine Corps Drill Instructors, General Zinni developed an intellectual prowess and professional military acumen that would distinguish him as a ''cut above'' throughout his career.

Beginning with two combat tours in Vietnam, General Zinni embarked on a series of assignments that reflect the myriad missions to which the military has been deployed in the latter part of the 20th Century—combat operations, humanitarian operations, peacekeeping and peace enforcement. Following Vietnam, General Zinni participated in humanitarian relief operations in the Philippines and in Northern Iraq. He commanded U.S. military forces in Somalia and also commanded the task force responsible for safeguarding the withdrawal of U.N. peacekeeping forces from Somalia in 1995.

In August 1997, General Zinni, recognized as one of the most operationally competent, most experienced and most versatile military leaders in uniform, was selected by the President to be the Commander in Chief of United States Central Command. Following a unanimous confirmation vote by this chamber, General Zinni spent the next three years representing the United States and ensuring the security of U.S. interests in one of the most challenging areas of the world.

As many of my colleagues are aware, United States Central Command encompasses a region that includes 25 nations, extending from Egypt and the Horn of Africa through the Arabian Peninsula and Gulf States, to the newly independent central Asian nations and Pakistan. While abundant in cultural, ethnic and religious diversity, these same enriching features are also the source of deep-rooted, historic animosities—animosities within the region and toward the United States. Guided by his imperative to genuinely understand the unique perspective of a society and his desire to work with the people of the region, General Zinni earned the respect and administration of the area's national leaders. There is no question that he was the right man in the right place at the right time.

While we acknowledge the long list of General Zinni's accolades, we recognize that the challenges of military life are most successfully accomplished as a team effort. General Zinni's wife, Debbie, and their children Lisa, Tony, and Maria have shared the challenges and rewards of General Zinni's military life. The journey which brought General Zinni to Central Command, the hallmark of his distinguished military career, would not have been possible without the unconditional and loving support of his family.

On behalf of a grateful nation, I congratulate you and your family for your service to the Nation, the Armed Forces and to the Marine Corps. Semper Fi! General, as a former Maine, I salute you on the floor of the U.S. Senate.●

IDAHO'S OLYMPIC CHAMPIONS

● Mr. CRAIG. Mr. President, I rise today to congratulate two Idaho athletes who have made America proud in the 2000 Olympic Games.

Stacy Dragila from Pocatello, Idaho soared to the top of her sport, bringing home the gold medal. She pole vaulted fifteen feet, one inch in Sydney, Australia on September 25th. Stacy deserves recognition because she is more than an athlete. She gives back to her sport by working as an assistant track coach at Idaho State University.

Idahoan Charles Burton is another Idaho Olympian. He finished his round of wrestling competition on October first, coming in at fifth place. Charles wrestled at Centennial High School in Boise and Boise State University. He has been called the ''U.S. Olympic Wrestling Team's most hidden gem,'' and I'm proud he represented our gem state in Sydney.

The hard work and determination of Idaho's Olympic Athletes is an inspiration to us all. They have demonstrated the best of our State and our Nation, and I am proud to congratulate both Stacy and Charles for their personal achievement and the honor in which each represented Idaho and the United States of America.●

TRIBUTE TO LOWELL GUTHRIE

● Mr. MCCONNELL. Mr. President, I rise today to pay tribute to my good friend Lowell Guthrie for his commitment to higher education, and his generosity to the students at Western Kentucky University in Bowling Green, Kentucky.

I have had the privilege of knowing Lowell for many years and have witnessed his compassion for others on numerous occasions. Lowell has a kind heart and a giving spirit, and he constantly thinks of ways to improve the quality of life for others. Lowell has

built a successful business in Bowling Green and is an active member of the Bowling Green community. He is a leader in education, providing opportunities for his employees and for others whom he does not know by funding scholarships to Western Kentucky University. He has consistently been a contributor to WKU and has now stepped up as a leader in Western's Investing in the Spirit capital campaign with a $1.8 million gift to provide student scholarships and to construct a clock and bell tower on the WKU campus.

The clock and bell tower will stand in ''The Guthrie Plaza'' in memory of Lowell's brother, Sgt. 1st Class Robert Guthrie, an American soldier who died in the Korean War, and it will honor all those associated with WKU who have lost their lives in service to their country. The courtyard area of The Guthrie Plaza will be constructed in honor of Lowell's wife, Judith Carolyn Guthrie.

The tower and courtyard will enhance the appearance of WKU's campus but more importantly it will serve as a reminder to thousands of students and alumni of those who sacrificed their lives so that we may have freedom. Lowell's generosity and his commitment to education will ensure that hundreds of students from all backgrounds will receive a quality education and the opportunity to succeed in whatever field of study they choose.

On behalf of myself and my colleagues in the United States Senate, I offer heartfelt thanks to Lowell and to the entire Guthrie family for their continuing commitment to Western Kentucky University, their community and to the education of America's youth.●

MESSAGES FROM THE HOUSE

At 1:09 p.m. a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 366. An act to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail.

S. 1198. An act to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes.

S. 2045. An act to amend the Immigration and Nationality Act with respect to H–1B nonimmigrant aliens.

S. 2272. An act to improve the administration efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 238. An act to improve the prevention and punishment of criminal smuggling, transporting, and harboring of aliens, and other purposes.

H.R. 284. An act to amend title 38, United States Code, to require employers to give employees who are members of a reserve component a leave of absence for participation in an honor guard for a funeral of a veteran.

H.R. 534. An act to amend chapter 1 of title 9, United States Code to provide for a greater fairness in the arbitration process relating to motor vehicle franchise controls.

H.R. 848. An act for the relief of Sepandan Farnia and Farbod Farnia.

H.R. 2820. An act to provide for the ownership and operation of the irrigation works on the Salt River Pima-Maricopa Indian Community's reservation in Maricopa County, Arizona, by the Salt River Pima-Maricopa Indian Community.

H.R. 3184. An act for the relief of Zohreh Farhang Ghahfarokhi.

H.R. 3414. An act for the relief of Luis A. Leon-Molina, Ligia Padron, Juan Leon Padron, Rendy Leon Padron, Manuel Leon Padron, and Luis Leon Padron.

H.R. 3484. An act to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes.

H.R. 3850. An act to amend the Communications Act of 1934 to promote deployment of advanced services and foster the development of competition for the benefit of consumers in all regions of the nation by relieving unnecessary burdens on the Nation's two percent local exchange telecommunications carriers, and for other purposes.

H.R. 4022. An act regarding the sale and transfer of Moskit anti-ship missiles by the Russian Federation.

H.R. 4216. An act to amend the Workforce Investment Act of 1998 to expand the flexibility of customized training, and for other purposes.

H.R. 4389. An act to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

H.R. 4503. An act to provide for the preservation and restoration of historic buildings at historically women's public colleges or universities.

H.R. 4721. An act to provide for all right, title, and interest in and to certain property in Washington County, Utah, to be vested in the United States.

H.R. 5139. An act to provide for the conveyance of certain real property at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia.

H.R. 5178. An act to require changes in the bloodborne pathogens standard in effect under the Occupational Safety and Health Act of 1970.

H.R. 5266. An act for the relief of Saeed Rezai.

H.R. 5331. An act to authorize the Frederick Douglass Gardens, Inc., to establish a memorial and gardens on Department of the Interior lands in the District of Columbia or its environs in honor and commemoration of Frederick Douglass.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 64. Concurrent resolution recognizing the severity of the issue of cervical health, and for other purposes.

H. Con. Res. 133. Concurrent resolution recognizing the severity of the disease of colon cancer, the preventable nature of the disease, and the need for education in the areas of prevention and early detection, and for other purposes.

H. Con. Res. 390. Concurrent resolution expressing the sense of the Congress regarding Taiwan's participation in the United Nations and other international organizations.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 707) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the federal costs of disaster assistance, and for other purposes, with an amendment to the Senate amendment.

The message further announced that the House has disagreed to the amendment of the Senate to the bill (H.R. 4942) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon. That Mr. ISTOOK, Mr. CUNNINGHAM, Mr. TIAHRT, Mr. ADERHOLT, Mrs. EMERSON, Mr. SUNUNU, Mr. YOUNG of Florida, Mr. MORAN of Virginia, Mr. DIXON, Mr. MOLLOHAN, and Mr. OBEY, be the managers of the conference on the part of the House.

At 3:18 p.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. 4828. An act to designate the Steens Mountain Wilderness Area and the Steens Mountain Cooperative Management and Protection Area in Harney County, Oregon, and for other purposes.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 820) to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon. That Mr. SHUSTER, Mr. YOUNG of Alaska, Mr. GILCHREST, Mr. DEFAZIO, and Mr. BAIRD, be the managers of the conference on the part of the House.

The messages further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon. That the following Members be the managers of the conference on the part of the House:

From the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Mr. GOSS, Mr. LEWIS of California, Mr. MCCOLLUM, Mr. CASTLE, Mr. BOEHLERT, Mr. BASS, Mr. GIBBONS, Mr. LAHOOD, Mrs. WILSON, Mr. DIXON, Ms. PELOSI, Mr. BISHOP, Mr. SISISKY, Mr. CONDIT, Mr. ROEMER, and Mr. HASTINGS of Florida.

ENROLLED BILLS SIGNED

At 5:32 p.m. a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 302. An act for the relief of Kerantha Poole-Christian.

H.R. 4365. An act to amend the Public Health Service Act with respect to children's health.

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–10978. A communication from the District of Columbia Auditor, transmitting, pursuant to law, the report entitled ''Management and Accounting Deficiencies in the District's Excess and Surplus Property Program''; to the Committee on Governmental Affairs.

EC–10979. A communication from the District of Columbia Auditor, transmitting, pursuant to law, the report entitled ''District's Privatization Initiatives Flawed by Noncompliance and Poor Management''; to the Committee on Governmental Affairs.

EC–10980. A communication from the Acting Director of the Office of Government Ethics, transmitting, pursuant to law, a report relative to the strategic plan for fiscal years 2001–2006; to the Committee on Governmental Affairs.

EC–10981. A communication from the Executive Director of the Advisory Council on Historic Preservation, transmitting, pursuant to law, a report relative to commercial activities inventory; to the Committee on Governmental Affairs.

EC–10982. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73 .202(b), Table of Allotments, FM Broadcast Stations (Andalusia, Alabama and Holt, Florida)'' (MM Docket No. 00–17;RM–9814) received on October 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10983. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73 .202(b), Table of Allotments, FM Broadcast Stations, Bristol, Vermont'' (MM Docket No. 99–260, RM–9686) received on October 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10984. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73 .202(b), Table of Allotments, FM Broadcast Stations (Rangely, Silverton and Ridgway, Colorado)'' (MM Docket No. 99–151) received on October 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10985. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73 .202(b), Table of Allotments, FM Broadcast Stations Rocksprings, Texas'' (MM Docket No. 99–336) received on October 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10986. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73 .202(b), Table of Allotments, FM Broadcast Stations (Sheffield, Pennsylvania; Erie, Illinois; and Due West, South Carolina)'' (MM Docket No. 00–60; 00–61; and 00–62) received on October 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10987. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73 .202(b), Table of Allotments, FM Broadcast Stations (Pitkin, Lake Charles, Moss Bluff and Reeves, LA, and Crystal Beach, Galveston, Missouri City and Rosenberg, TX)'' (MM Docket No. 9926) received on October 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC–−10988. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73 .202(b), Table of Allotments, FM Broadcast Stations (Jacksonville, GA, Las Vegas, NM, Vale, OR, Waynesboro, GA, Fallon, NV, Weiser, OR)'' (MM Docket Nos. 00–84, RM–9855; 00–85, RM–9868; 00–86, RM–9869; 00–89, RM–9872; 00–111 , RM–9900; 00–112, RM–9901) received on October 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10989. A communication from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Fourth Memorandum Opinion and Order in CC Docket 94–102 Regarding Enhanced 911 Emergency Calling Systems'' (FCC 00–326, CC Doc. 94–102) received on October 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10990. A communication from the Chief, Office of Plans and Policy, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Compatibility Between Cable Systems and Consumer Electronics Equipment'' (PP Doc. 0067, FCC 00–342) received on October 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10991. A communication from the Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Part 15 of the Commission's Rules Regarding Spread Spectrum Devices'' (ET Docket No. 99–231, FCC 00–312) received on October 2, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10992. A communication from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignments Policies of the Private Land Mobile Radio Services, Third Memorandum Opinion and Order'' (FCC 99–138, PR Docket No. 92–235) received on September 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10993. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law , the report of a rule entitled ''Air Tour Operations in the State of Hawaii ; docket no. 27919; SFAR 71 [9–29/9–28]'' (RIN2120–AG44) (2000–0001) received on September 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10994. A communication from the Assistant Bureau Chief, Management, International Bureau Telecommunications Division, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Order on Reconsideration in the Matter of Rules and Policies on Foreign Participation in the U.S. Telecommunications Market'' (IB Docket No. 97–142, FCC 00–339) received on September 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10995. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report entitled ''NASA 2000 Strategic Plan''; to the Committee on Commerce, Science, and Transportation.

EC–10996. A communication from the Secretary of Defense, transmitting, a notice relative to three retirements; to the Committee on Armed Services.

EC–10997. A communication from the Chief of the Programs and Legislation Division, Office of the Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report relative to a cost comparison of Multiple Support Functions at Randolph Air Force Base, Texas; to the Committee on Armed Services.

EC–10998. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the strategic plan for 20002005; to the Committee on Energy and Natural Resources.

EC–10999. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisin Produced From Grapes Grown in California; Decreased Assessment Rate'' (Docket Number: FV00–989–5 IFR) received on September 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–11000. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Increase in Fees and Charges for Egg, Poultry, and Rabbit Grading'' (RIN0581–AB89) received on September 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–11001. A communication from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Public Law 105–33, Section 9302, Relating to the Imposition of Permit Requirements on the Manufacture of Roll-Your-Own Tobacco (98R–370P)'' (RIN1512–AB92) received on October 2, 2000; to the Committee on Finance.

EC–11002. A communication from the Chairman of the International Trade Commission, transmitting, pursuant to law, a report on the Andean Trade Preference Act (ATPA); to the Committee on Finance.

EC–11003. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Regulation Z (Truth-in-Lending)'' (R–1070) received on September 29, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–11004. A communication from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Fair Market Rents: Increased Fair Market Rents and Higher Payment Standards for Certain Areas'' (RIN2501–AC75) (FR–4606–I–01)

received on October 2, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–11005. A communication from the Executive Director of the Emergency Oil and Gas Guaranteed Loan Board, transmitting, pursuant to law, the report of a rule entitled ''Emergency Oil and Gas Guaranteed Loan Board; Financial Statements'' (RIN3003–ZA00) received on October 2, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–11006. A communication from the Executive Director of the Emergency Steel Loan Guarantee Board, transmitting, pursuant to law, the report of a rule entitled ''Emergency Steel Loan Guarantee Program; Participation in Unguaranteed Tranche'' (RIN3003–ZA00) received on October 2, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–11007. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to emergency funds; to the Committee on Health, Education, Labor, and Pensions.

EC–11008. A communication from the Secretary of Labor, transmitting, pursuant to law, a report relative to the strategic plan for fiscal years 1999–2004; to the Committee on Health, Education, Labor, and Pensions.

EC–11009. A communication from the Railroad Retirement Board, transmitting, pursuant to law, a report relative to the strategic plan for 2000–2005; to the Committee on Health, Education, Labor, and Pensions.

EC–11010. A communication from the Director of Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Administrative Practices and Procedures; Good Guidance Practices'' (Docket No. 99N–4783) received on October 3, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–11011. A communication from the Director of Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Gastroenterology and Urology Devices; Effective Date of Requirement for Premarket Approval of the Implanted Mechanical/Hydraulic Urinary Continence Device'' (Docket No. 94N–0380) received on October 3, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–11012. A communication for the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the fiscal year 1996 Low Income Home Energy Assistance Program (LIHEAP); to the Committee on Health, Education, Labor, and Pensions.

EC–11013. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the fiscal year 2001–2006 strategic plan; to the Committee on Health, Education, Labor , and Pensions.

EC–11014. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revised 15% Plan for Northern Virginia Portion of the Metropolitan Washington, D.C. Ozone Nonattainment Area'' (FRL #6880–8) received on October 3, 2000; to the Committee on Environment and Public Works.

EC–11015. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Identification of Approval and Disapproved Elements of the Great Lakes Guidance Submission From the State of New York, and Final Rule'' (FRL #6881–9) received on October 3, 2000; to the Committee on Environment and Public Works.

EC–11016. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans—North Carolina: Approval of Revisions to North Carolina State Implementation Plan; Technical Correction'' (FRL #6881–1) received on October 3, 2000; to the Committee on Environment and Public Works.

EC–11017. A communication from the Director of the Office of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission , transmitting, pursuant to law, the report of a rule entitled ''NRC Enforcement Policy'' received on October 3, 2000; to the Committee on Environment and Public Works.

EC–11018. A communication from the Director of the Office of Congressional Affairs, Office of the General Counsel, Nuclear Regulatory Agency, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Civil Penalties for Inflation/Miscellaneous Administrative Changes'' (RIN3150–AG59) received on October 3, 2000; to the Committee on Environment and Public Works.

EC–11019. A communication from the Acting Inspector General, Department of Defense, transmitting, pursuant to law, the fiscal year 1999 DOD Superfund Financial Transactions; to the Committee on Environment and Public Works.

EC–11020. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''National Air Toxics Program: The Integrated Urban Strategy''; to the Committee on Environment and Public Works.

EC–11021. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the South Sacramento County Streams, California; to the Committee on Environment and Public Works.

EC–11022. A communication from the Secretary and the Deputy Secretary of the Department of Housing and Urban Development, transmitting jointly, pursuant to law, a report relative to the fiscal year 2000–2006 strategic plan; to the Committee on Banking, Housing, and Urban Affairs.

EC–11023. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to the strategic plan for fiscal year 2001–2005; to the Committee on Governmental Affairs.

EC–11024. A communication from the Chairman of the National Labor Relations Board, transmitting, pursuant to law, a report relative to the commercial activities inventory; to the Committee on Governmental Affairs.

EC–11025. A communication from the Executive Director of the Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on October 3, 2000; to the Committee on Governmental Affairs.

EC–11026. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Rev. Proc. 78–37'' (Rev. Proc. 2000–41) received on October 3, 2000; to the Committee on Finance.

EC–11027. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Automatic approval of changes in funding methods'' (Revenue Procedure 2000–40) received on October 3, 2000; to the Committee on Finance.

EC–11028. A communication from the Administrator of the Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Common Crop Insurance Regulations; Rice Crop Insurance Provisions'' received on October 3, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–11029. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Extension of Expiration Date for the Respiratory Body System Listings'' (RIN0960–AF42) received on October 3, 2000; to the Committee on Finance.

EC–11030. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Landing requirements for passengers arriving from Cuba'' (RIN1115–AF72) (INS. No. 2045–00) received on October 3, 2000; to the Committee on the Judiciary.

EC–11031. A communication from the General Counsel of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Electronic Filing of Documents'' received on October 3, 2000; to the Committee on Energy and Natural Resources.

EC–11032. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to voluntary commitments to accelerate the introduction of alternative fuel vehicles (AFVs); to the Committee on Energy and Natural Resources.

EC–11033. A communication from the Deputy Assistant Secretary of Defense (Equal Opportunity), transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance'' (RIN1190–AA28) received on October 3, 2000; to the Committee on Armed Services.

EC–11034. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of the transmittal of the certification of the proposed issuance of an export license relative to the United Kingdom; to the Committee on Foreign Relations.

EC–11035. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–11036. A communication from the Director of the Office of Equal Opportunity Programs, Agency for International Development, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance'' (RIN0412–AA45) received on October 3, 2000; to the Committee on Foreign Relations.

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–626. A resolution adopted by the City Commission of Ft. Lauderdale, Florida relative to the Comprehensive Everglades Restoration Plan; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Appropriations: Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2001'' (Rept. No. 106–483).

By Mr. SMITH, of New Hampshire, from the Committee on Environment and Public Works, without amendment:

S. 1109: A bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes (Rept. No. 106–484).

By Mr. SMITH, of New Hampshire, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 2417: A bill to amend the Federal Water Pollution Control Act to increase funding for State nonpoint source pollution control programs, and for other purposes (Rept. No. 106–485).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1697: A bill to authorize the Secretary of the Interior to refund certain collections received pursuant to the Reclamation Reform Act of 1982 (Rept. No. 106–486).

S. 1756: A bill to enhance the ability of the National Laboratories to meet Department of Energy missions and for other purposes (Rept. No. 106–487).

S. 2163: A bill to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington (Rept. No. 106–488).

S. 2882: A bill to authorize Bureau of Reclamation to conduct certain feasibility studies to augment water supplies for the Klamath Project, Oregon and California, and for other purposes (Rept. No. 106–489).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HELMS for the Committee on Foreign Relations.

Treaty Doc. 106–47 Investment Treaty With Azerbaijan (Exec. Rept. No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Azerbaijan Concerning the Encouragement and Reciprocal Protection of Investment, with Annex, signed at Washington on August 1, 1997, together with an Amendment to the Treaty set Forth in an Exchange of Diplomatic Notes Dated August 8, 2000, and August 25, 2000, (Treaty Doc. 106–47), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

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

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–25 Investment Treaty With Bahrain (Exec. Rept. No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the State of Bahrain Concerning the Encouragement and Reciprocal Protection of Investment, with Annex, signed at Washington on September 29, 1999 (Treaty Doc. 106–25), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advise and consent is subject to the following declaration, which shall be binding upon the President:

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

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–26 Investment Treaty With Bolivia (Exec. Rept. No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Bolivia Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Santiago, Chile, on April 17, 1998 (Treaty Doc. 106–26), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

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

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–29 Investment Treaty With Croatia (Exec. Rept No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Croatia Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Zagreb on July 13, 1996 (Treaty Doc. 106–29), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

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

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–28 Investment Treaty With El Salvador (Exec. Rept. No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of El Salvador Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at San Salvador on March 10, 1999 (Treaty Doc. 106–28), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

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

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–27 Investment Treaty With Honduras (Exec. Rept. No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Honduras Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Denver on July 1, 1995 (Treaty Doc. 106–27), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

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

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–30 Investment Treaty With Jordan (Exec. Rept No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Hashemite Kingdom of Jordan Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Amman on July 2, 1997 (Treaty Doc. 106–30), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

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

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President.

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

Treaty Doc. 106–42 Investment Treaty With Lithuania (Exec. Rept. No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Lithuania for the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Washington on January 14, 1998 (Treaty Doc. 106–42), subject to the understanding of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

SOVEREIGN IMMUNITY.—The Senate understands that nothing in this Treaty shall constitute or be construed as a waiver by the United States of its sovereign immunity from suit.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

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

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–31 Investment Treaty With Mozambique (Exec. Rept. No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of Mozambique Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, and a related exchange of letters, signed at Washington on December 1, 1998 (Treaty Doc. 106–31), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

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

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–46 Protocol Amending Bilateral Investment Treaty With Panama (Exec. Rept. No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Protocol Between the Government of the United States of America and the Government of the Republic of Panama Amending the Treaty Concerning the Treatment and Protection of Investments of October 27, 1982, signed at Panama City on June 1, 2000, (Treaty Doc. 106–46).

Treaty Doc. 104-25 Investment Treaty With Uzbekistan (Exec. Rept. No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT.

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Uzbekistan Concerning the Encouragement and Reciprocal Protection of Investment, with Annex, signed at Washington on December 16, 1994 (Treaty Doc. 104–25), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

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

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–35 Treaty With Cyprus on Mutual Legal Assistance in Criminal Matters (Exec. Rept. 106–24).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Cyprus on Mutual Legal Assistance in Criminal Matters, signed at Nicosia on December 20, 1999 (Treaty Doc. 106–35), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statutes establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under the Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

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

Treaty Doc. 106–19 Treaty With Egypt on Mutual Legal Assistance in Criminal Matters (Exec. Rept. 106–24).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Arab Republic of Egypt on Mutual Legal Assistance in Criminal Matters, signed at Cairo on May 3, 1998 (Treaty Doc. 106–19), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification.

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

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

Treaty Doc. 106–17 Treaty With France on Mutual Legal Assistance in Criminal Matters (Exec. Rept. 106–24).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of France on Mutual Legal Assistance in Criminal Matters, with an Explanatory Note, signed at Paris on December 10, 1998 (Treaty Doc. 106–17), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

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

Treaty Doc. 106–18 Treaty with the Hellenic Republic on Mutual Legal Assistance in Criminal Matters (Exec. Rept. 106–24).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Hellenic Republic on Mutual Legal Assistance in Criminal Matters, signed at Washington on May 25, 1999 (Treaty Doc. 106–18), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

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

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

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

Treaty Doc. 102–26 Treaty With Nigeria on Mutual Legal Assistance in Criminal Matters (Exec. Rept. 106–24).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Federal Republic of Nigeria on Mutual Legal Assistance in Criminal Matters, signed at Washington on September 13, 1989 (Treaty Doc. 102–26), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

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

Treaty Doc. 106–20 Treaty With Romania on Mutual Legal Assistance in Criminal Matters (Exec. Rept. 106–24).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of Romania on Mutual Legal Assistance in Criminal Matters, signed at Washington on May 26, 1999 (Treaty Doc. 106–20), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

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

Treaty Doc. 106–36 Treaty With South Africa on Mutual Legal Assistance in Criminal Matters (Exec. Rept. 106–24).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of South Africa on Mutual Legal Assistance in Criminal Matters, signed at Washington on September 16, 1999 (Treaty Doc. 106–36), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

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

Treaty Doc. 106–16 Treaty With Ukraine on Mutual Legal Assistance in Criminal Matters (Exec. Rept. 106–24).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and Ukraine on Mutual Legal Assistance in Criminal Matters, signed at Kiev on July 22, 1998 (Treaty Doc. 106–16), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification.

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

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

Treaty Doc. 105–25 Inter-American Convention on Mutual Assistance in Criminal Matters With Related Optional Protocol (Exec. Rept. 106–24).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Inter-American Convention on Mutual Assistance in Criminal Matters (''the Convention''), adopted at the Twenty-Second Regular Session of the Organization of American States (''OAS'') General Assembly meeting in Nassau, The Bahamas, on May 23, 1992, and the Optional Protocol Related to the Inter-American Convention on Mutual Assistance in Criminal Matters (''the Optional Protocol''), adopted at the Twenty-third Regular Session of the OAS General Assembly meeting in Managua, Nicaragua, on June 11, 1993, both instruments signed on behalf of the United States at OAS Headquarters in Washington on January 10, 1995 (Treaty Doc. 105–25), subject to the understandings of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDINGS.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

(1) IN GENERAL.—The United States understands that the Convention and Optional Protocol are not intended to replace, supersede, obviate or otherwise interfere with any other existing bilateral or multilateral treaties or conventions, including those that relate to mutual assistance in criminal matters.

(2) ARTICLE 25.—The United States understands that Article 25 of the Convention, which limits disclosure or use of information or evidence obtained under the Convention, shall no longer apply if such information or evidence is made public, in a manner consistent with Article 25, in the course of proceedings in the Requesting State.

(3) PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it may provide under the Convention and/or Optional Protocol so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

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

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 104–29 United Nations Convention To Combat Desertification in Countries Experiencing Drought, Particularly in Africa, With Annexes (Exec. Rept. No. 106–25).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, With Annexes, adopted at Paris, June 17, 1994, and signed by the United States on October 14, 1994, (Treaty Doc. 104–29) (hereinafter, ''The Convention''), subject to the understandings of subsection (a), the declarations of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDINGS.—The advice and consent of the Senate is subject to the following understandings, which shall be included in the instrument of ratification of the Convention and shall be binding on the President:

(1) FOREIGN ASSISTANCE.—The United States understands that, as a ''developed country,'' pursuant to Article 6 of the Convention and its Annexes, it is not obligated to satisfy specific funding requirements or other specific requirements regarding the provision of any resource, including technology, to any ''affected country,'' as defined in Article 1 of the Convention. The United States understands that ratification of the Convention does not alter its domestic legal processes to determine foreign assistance funding or programs.

(2) FINANCIAL RESOURCES AND MECHANISM.—The United States understands that neither Article 20 nor Article 21 of the Convention impose obligations to provide specific levels of funding for the Global Environmental Facility, or the Global Mechanism, to carry out the objectives of the Convention, or for any other purpose.

(3) UNITED STATES LAND MANAGEMENT.—The United States understands that it is a ''developed country party'' as defined in Article 1 of the Convention, and that it is not required to prepare a national action program pursuant to Part III, Section 1, of the Convention. The United States also understands that no changes to its existing land management practices and programs will be required to meet its obligations under Articles 4 or 5 of the Convention.

(4) LEGAL PROCESS FOR AMENDING THE CONVENTION.—In accordance with Article 34(4), any additional regional implementation annex to the Convention or any amendment to any regional implementation annex to the Convention shall enter into force for the United States only upon the deposit of a corresponding instrument of ratification, acceptance, approval or accession.

(5) DISPUTE SETTLEMENT.—The United States declines to accept as compulsory either of the dispute settlement means set out in Article 28(2), and understands that it will not be bound by the outcome, findings, conclusions or recommendations of a conciliation process initiated under Article 28(6). For any dispute arising from this Convention, the United States does not recognize or accept the jurisdiction of the International Court of Justice.

(b) DECLARATIONS.—The Senate's advice and consent is subject to the following declarations, which shall be binding on the President:

(1) CONSULTATIONS.—It is the sense of the Senate that the Executive Branch should consult with the Committee on Foreign Relations of the Senate about the possibility of United States participation in future negotiations concerning this Convention, and in particular, negotiation of any Protocols to this Convention.

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

(3) ADOPTION OF NO RESERVATIONS PROVISION.—It is the sense of the Senate that the ''no reservations'' provision contained in Article 37 of the Convention has the effect of inhibiting the Senate in its exercise of its constitutional duty to give advice and consent to ratification of a treaty, and that the Senate's approval of the Convention should not be construed as a precedent for acquiescence to future treaties containing such provisions.

(c) PROVISOS.—The advice and consent of the Senate is subject to the following provisos:

(1) REPORT TO CONGRESS.—Two years after the date the Convention enters into force for

the United States, and biennially thereafter, the Secretary of State shall provide a report to the Committee on Foreign Relations of the Senate setting forth the following:

(i) a description of the programs in each affected country party designed to implement the Convention, including a list of community-based non-governmental organizations involved, a list of amounts of funding provided by the national government and each international donor country, and the projected date for full implementation of the national action program;

(ii) an assessment of the adequacy of each national action program (including the timeliness of program submittal), the degree to which the plan attempts to fully implement the Convention, the degree of involvement by all levels of government in implementation of the Convention, and the percentage of government revenues expended on implementation of the Convention;

(iii) a list of United States persons designated as independent experts pursuant to Article 24 of the Convention, and a description of the process for making such designations;

(iv) an identification of the specific benefits to the United States, as well as United States persons, (including United States exporters and other commercial enterprises), resulting from United States participation in the Convention;

(v) a detailed description of the staffing levels and budget of the Permanent Secretariat established pursuant to Article 23;

(vi) a breakdown of all direct and indirect United States contributions to the Permanent Secretariat, and a statement of the number of United States citizens who are staff members or contract employees of the Permanent Secretariat;

(vii) a list of affected party countries that have been developed countries, within the meaning of the Convention; and

(viii) for each affected party country, a discussion of results (including discussion of specific successes and failures) flowing from national action plans generated under the Convention.

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

Treaty Doc. 106–38 Extradition Treaty with Belize (Exec. Report No. 106–26.

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advice and consent to the ratification of the Extradition Treaty between the Government of the United States of America and the Government of Belize, signed at Belize on March 30, 2000 (Treaty Doc. 106–38), subject to the understanding of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION OF EXTRADITION TO THE INTERNATIONAL CRIMINAL COURT.—The United States understands that the protections contained in Article 14 concerning the Rule of Specialty would preclude the resurrender of any person extradited to Belize from the United States to the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the United States consents to such resurrender; and the United States shall not consent to the transfer of any person extradited to Belize by the United States to said International Criminal Court unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President.

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

Treaty Doc. 106–4 Extradition Treaty With Paraguay (Exec. Report No. 106–26).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Extradition Treaty between the Government of the United States of America and the Government of the Republic of Paraguay, signed at Washington on November 9, 1998 (Treaty Doc. 106–4), subject to the understanding of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION OF EXTRADITION TO THE INTERNATIONAL CRIMINAL COURT.—The United States understands that the protections contained in Article XV concerning the rule of Specialty would preclude the resurrender of any person extradited to the Republic of Paraguay from the United States to the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the United States consents to such resurrender; and the United States shall not consent to the transfer of any person extradited to the Republic of Paraguay by the United States to said International Criminal Court unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–24 Extradition Treaty With South Africa (Exec. Report No. 106–23).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Extradition Treaty between the Government of the United States and the Government of the Republic of South Africa, signed at Washington on September 16, 1999 (Treaty Doc. 106–24), subject to the understanding of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification.

PROHIBITION OF EXTRADITION TO THE INTERNATIONAL CRIMINAL COURT.—The United States understands that the protections contained in Article 18 concerning the Rule of Specialty would preclude the resurrender of any person extradited to the Republic of South Africa from the United States to the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the United States consents to such resurrender; and the United States shall not consent to the transfer of any person extradited to the Republic of South Africa by the United States to said International Criminal Court unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1998, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

Treaty Doc. 106–34 Extradition Treaty With Sri Lanka (Exec. Report No. 106–26).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Extradition Treaty between the Government of the United States of America and the Government of the Democratic Socialist Republic of Sri Lanka, signed at Washington on September 30, 1999 (Treaty Doc. 106–34), subject to the understanding of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION OF EXTRADITION TO THE INTERNATIONAL CRIMINAL COURT.—The United States understands that the protections contained in Article 16 concerning the Rule of Specialty would preclude the resurrender of any person extradited to the Democratic Socialist Republic of Sri Lanka from the United States to the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the United States consents to such resurrender; and the United States shall not consent to the transfer of any person extradited to the Democratic Socialist Republic of Sri Lanka by the United States to said International Criminal Court unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

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

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HUTCHINSON:

S. 3157. A bill to require the Food and Drug Administration to establish restrictions regarding the qualifications of physicians to prescribe the abortion drug commonly known as RU–486; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JEFFORDS:

S. 3158. A bill to shift Impact Aid funding responsibility for military connected children and property from the Department of Education to the Department of Defense; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ASHCROFT:

S. 3159. A bill to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to the use of accrued compensatory time by certain public employees; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG:

S. 3160. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Abel and Mary Nicholson House, Elsinboro Township, Salem County, New Jersey, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. GRAMM, Mr. KYL, Mr. DOMENICI, Mr. DODD, Mrs. FEINSTEIN, Mr. HOLLINGS, and Mr. SESSIONS):

S. Res. 366. A resolution expressing the Sense of the Senate on the Certification of Mexico; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. JEFFORDS:

S. 3158. A bill to shift Impact Aid funding responsibility for military connected children and property from the Department of Education to the Department of Defense; to the Committee on Health, Education, Labor, and Pensions.

''EDUCATIONAL ASSISTANCE FOR MILITARY CONNECTED CHILDREN ACT OF 2000''

Mr. JEFFORDS. Mr. President, today I am introducing the ''Educational Assistance for Military Connected Children Act of 2000,'' legislation that would transfer from the Department of Education to the Department of Defense financial responsibility for impact aid payments used to support the education of military dependents.

The impact aid program is authorized as Title VIII of the Elementary and Secondary Education Act (ESEA) of 1965. Unlike other ESEA programs, however, impact aid payments are not used to support specific educational activities. Rather, these payments serve as general aid to local educational agencies to replace tax dollars which are foregone as the result of the presence of the Federal government. For example, Federal property—such as military installations—is not subject to property taxes. In addition, under the terms of the Soldiers' and Sailors' Civil Relief Act of 1940, many military personnel do not pay taxes in the States and localities where their children attend school.

Replacing lost revenues that would otherwise have been available to support local schools is an obligation of the Federal government in those cases where the revenue loss is directly related to Federal action. The Department of Education, through the impact aid program, provides nearly $1 billion each year for this purpose.

Over the past two years, the Committee on Health, Education, Labor, and Pensions has been reviewing all ESEA programs. In the course of that review, I have come to the conclusion that the children of military personnel would be better served if the impact aid provided on their behalf were offered through the Department of Defense.

For one thing, DOD officials are in a far better position than are Education Department personnel to assess the needs of schools on or near military bases and to be aware of activities—such as downsizing or the construction or renovation of base housing—which can have a major effect on the amount of the impact aid assistance available to a school. In many cases, my committee has been asked, after the fact, to address specific impact aid problems which have confronted schools as a result of such decisions.

In addition, problems such as inadequate funding, overcrowded conditions, and lengthy delays in the issuance of impact aid payments could be better addressed if their resolution were the responsibility of those who are most familiar with the needs of these schools and their students.

On a number of occasions in the past, defense-related legislation has included provisions which have directly changed impact aid or have supported parallel programs. I do not see that the interests of schools or students are best served by this duplication of effort.

The Department of Defense currently offers of variety of services to military dependents—ranging from child care to health services. I believe the education of these children to be equally important. The legislation I am offering today is, I believe, a good starting point for impact aid reform designed to improve the educational opportunities available to military dependents.

Mr. ASHCROFT:

S. 3159. A bill to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to the use of accrued compensatory time by certain public employees; to the Committee on Health, Education, Labor, and Pensions.

STATE AND LOCAL GOVERNMENT FAMILY FRIENDLY WORKPLACE ACT

Mr. ASHCROFT. Mr. President, I rise today to introduce a very important piece of legislation. This bill continues my effort to help working parents balance the demands between work and family.

Over the past five years, we have been talking about the difficulty that parents have balancing work and family obligations. I do not think there are two values that are more highly or intensely admired in America than these. The first one is the value we place on our families. We understand that more than anything else the family is an institution where important things are learned, not just knowledge imparted but wisdom is obtained and understood in a family which teaches us not just how to do something but teaches us how to live.

The second value which is a strong value in America and reflects our heritage is the value of work. Americans admire and respect work. The difficult issue that face us as a nation, is how are we going to resolve these tensions? I think that is one of the jobs, that we

have to try and make sure we build a framework where people can resolve those tensions. Since 1965, the amount of time parents spend with their children has dropped 40 percent and a 1993 study that found that 66 percent of adults surveyed nationwide wanted to spend more time with their children.

This tension between the workplace and the home place, juxtaposed or set in a framework of laws created in the 1930's that does not allow us flexibility, is a problem. For example, you might be asked to do overtime over and over and over again, and you do overtime, and then you are paid time and a half. But at some point, you would rather have the time than the money. If the employer agreed to it voluntarily—both parties—we ought to let that happen. Right now, it is against the law. According to a number of surveys, this is what Americans want. For example, a poll by Money magazine found that 64 percent of the American people—and 68 percent of women—would rather have their overtime in the form of time off, than in cash wages. Eighty-two percent said they supported the Republican's plan to give working men and women more control over their hard-earned time. Money magazine, May 1997.

In an attempt to address these work and family tensions, in each of the last three Congresses, I have introduced legislation. Each of these bills provide flexible working arrangements—or ''flex-time,'' and compensatory time off—or ''comp time.''

The comp time provisions in the Family Friendly Workplace Act (S. 1241) would permit employees to choose, if the employer agreed, to be compensated with time-and-a-half compensatory time off for overtime hours worked in lieu of time-and-a-half pay—whenever time is more valuable than financial compensation to the employee. This gives hourly employees the ability to meet their family obligations while still taking home a full paycheck.

The flex time provisions would allow private sector hourly employees to work biweekly work schedules the same as federal employees have been able to since 1978. Rather than being limited to 40 hours in a seven-day period, private sector workers could schedule 80 hours over a two-week period in any combination if their employers agree. Overtime would have to be paid for any hours ordered by the employer in excess of those in the designated biweekly work schedule. For example, if an employer asked an employee to work 45 hours in a week when the employee was scheduled to work only 35 hours under the biweekly work schedule, the employer would be required to pay the employee 10 hours of overtime compensation. This is true even though absent the agreement, the employer would only be required to pay the employee five hours of overtime.

When these provisions were developed, I took seriously the concerns raised by my constituents that adequate protections had to be contained in the bill to make sure this was a real choice made by employees—not employers. Both of the provisions were designed to do just that. In the Family Friendly Workplace Act employers cannot require accepting compensatory time off in lieu of over time pay as a condition of employment. Nor can they require employees to work flex time as a condition of employment. In addition, such agreements to work these alternative work schedules have to be in writing, signed by the employee. Coercion into these programs—or even attempted coercion—is strictly prohibited and contain severe penalties.

Due to the nature of comp time, there also are protections specific to that program. Employers would be prohibited from coercing, or attempting to coerce, employees into using or not using their comp time. The bill requires employers to cash-out their employees' comp time bank at the end of each year or in the alternative, within thirty days of their employees' request. These cash-out provisions serve two important purposes. First, it ensures that employers who offer the option of comp time do not do so with the belief that it will give them ability to avoid paying overtime. Second, it also structures comp time programs with a built-in incentive for employers to allow employees to use their comp time when it is needed by the employee.

Today, I am introducing legislation to provide these superior protections to state and local government workers. First, it will prohibit the practice of requiring employees to accept comp time as a condition of employment. It also will require state and local governments to cash-out comp time banks at the end of each year or within thirty days of request by the employees. Finally, it will specifically prohibit state and local governments from forcing employees to use their accumulated comp time against their wishes. It is those workers who are giving up time with their families—they should be able to use it to spend time with their families. These protections will impact 290,405 workers in Missouri, or approximately twelve percent of the workforce.

No doubt, state and local governments will be concerned about the cost of cashing out these comp time banks or changing their scheduling patterns in order to allow workers to use their accumulated comp time. As a former Governor, I understand these concerns. However, I have to take seriously the practice that can no longer be called isolated incidents. Forcing employees to work over time takes away time from their families. Our police officers, fire fighters, corrections' officers, and other state and local government workers should have the choice whether that time should be compensated with time or money. They know what best fits their needs and should not be forced—with the blessings of the federal government—into giving up that choice.

Mr. LAUTENBERG:

S. 3160. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Abel and Mary Nicholson House, Elsinboro Township, Salem County, New Jersey, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

ABEL AND MARY NICHOLSON HOUSE NATIONAL HISTORIC SITE STUDY ACT OF 2000

Mr. LAUTENBERG. Mr. President, I am pleased to introduce the Abel and Mary Nicholson House National Historic Site Study Act of 2000. This bill would require the Secretary of the Interior to study the suitability and feasibility of designating the Abel and Mary Nicholson House located in Elsinboro Township, Salem County, New Jersey, as a unit of the National Park System. As part of the study the Secretary would also be required to consider management alternatives to create an administrative association with the New Jersey Coastal Heritage Trail Route. The bill I am introducing today would authorize the National Park Service to acquire this land in compliance with the service's standard rules and regulations.

Mr. President, the Abel and Mary Nicholson House is prized for its architectural and historical significance to, not only my state, but, our entire nation. It is a unique resource which can provide unparalleled opportunities for studying our national cultural and natural heritage. Situated along Alloway Creek, a tributary of the Delaware River, the house is surrounded by an intact cultural landscape of farm fields, wetlands and forests. The original access to the house was from the creek, as rivers were the highways of 18th century America.

The Abel and Mary Nicholson House is a Delaware Valley, brick, patterned-end mansion constructed in 1722. The original portion of the house has existed for 280 years with only routine maintenance, no major remodeling or restoration, and without the intrusion of either electricity or a central heating system. It stands alone as the only known, pristine survivor of an Anglo-American building tradition that existed for three quarters of a century.

The Nicholson House is changing the thinking of architectural historians about the construction and use of rooms in the earliest houses of the Delaware Valley. The house has been called an architectural Rosetta stone that provides new insight to our understanding of the use and function of interior space during the 18th century. Additionally, Mr. President, an 1859 addition to the house enhances the significance of the property with a similar level of architectural integrity.

Mr. President, the Abel and Mary Nicholson House also has cultural significance in its well-documented associations with the earliest Quaker settlement in North America and the first permanent English settlement in New

Jersey. Abel Nicholson arrived in New Jersey at the age of three. He was brought to New Jersey by his father, Samuel Nicholson, a follower of John Fenwick. They arrived in 1675, seven years before William Penn arrived to settle Philadelphia. John Fenwick was the founder of Greenwich and Salem, New Jersey, the first permanent English-speaking settlements on the Delaware River.

Samuel Nicholson purchased 2,000 acres in Elsinboro Township, New Jersey and a 16-acre lot in the City of Salem where he constructed a home. It was in the Salem house that the first Salem Meeting of the Society of Friends was organized in 1676. In 1680, Samuel Nicholson donated the Salem house to the Salem Meeting and relocated to the Elsinboro property. In 1693, Abel Nicholson married Mary Tyler, the daughter of another Quaker. Abel and Mary Nicholson built the present house, in 1722, which historians believe either replaced or abutted the earlier structure built by his father.

Mr. President, the Nicholson House represents the Mid-Atlantic region's colonial history and traditions. Because of its architectural integrity and what it is teaching scholars about how 18th century building spaces were used, it is considered to transcend regional significance and ranks as one of America's iconic early structures.

Mr. President, the Abel and Mary Nicholson House is a national treasure that deserves consideration for preservation and protection so it can continue to teach future generations of Americans about the contributions and lives of the early Americans. Mr. President, I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 3160

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 ''Abel and Mary Nicholson House National Historic Site Study Act of 2000''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Abel and Mary Nicholson House, located in Elsinboro Township, Salem County, New Jersey, was built in 1722;

(2) the original section of the House is the only pristine, surviving portion of a Delaware Valley brick patterned-end house featuring a diaper or diamond pattern in glazed bricks in the gable wall of the building, and less elaborate decorations of checkered string courses on the other 3 walls;

(3) the original section of the House—

(A) contains early paint, original hinges, locks, shelving, floorboards, roof framing, and chimneypieces; and

(B) has received only routine maintenance and no major remodeling, and is without the intrusion of either electricity or a central heating system;

(4) the 1859 addition to the House enhances the significance of the property with a similar level of architectural integrity;

(5) the House has well-documented associations with the earliest Quaker settlement in North America;

(6) the House and surrounding property may be available for acquisition from a willing donor; and

(7) the House is—

(A) 1 of the most significant ''first period'' houses surviving in the Delaware Valley; and

(B) an architectural Rosetta stone on the domestic life of the first 2 generations of settlers in the Delaware Valley.

SEC. 3. DEFINITIONS.

In this Act:

(1) HOUSE.—The term ''House'' means the Abel and Mary Nicholson House, located in Elsinboro Township, Salem County, New Jersey.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 4. STUDY.

(a) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary shall, in consultation with the State of New Jersey—

(1) carry out a study on the suitability and feasibility of designating the House as a unit of the National Park System;

(2) consider management alternatives to create an administrative association with the New Jersey Coastal Heritage Trail Route; and

(3) submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the findings of the study.

(b) CONTENTS.—The study under subsection (a) shall be conducted in accordance with Public Law 91–383 (16 U.S.C. 1a–1 et seq.).

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

ADDITIONAL COSPONSORS

S. 260

At the request of Mr. WELLSTONE, his name was added as a cosponsor of S. 260, a bill to make chapter 12 of title 11, United States Code, permanent, and for other purposes.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 662

At the request of Mr. L. CHAFEE, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 1020

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1277

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor 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. 1446

At the request of Mr. LOTT, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 1446, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 1536

At the request of Mr. DEWINE, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1536, a bill to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

S. 1726

At the request of Mr. MCCAIN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1726, a bill to amend the Internal Revenue Code of 1986 to treat for unemployment compensation purposes Indian tribal governments the same as State or local units of government or as nonprofit organizations.

S. 2031

At the request of Mr. DODD, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2031, a bill to amend the Fair Labor Standards Act of 1938 to prohibit the issuance of a certificate for subminimum wages for individuals with impaired vision or blindness.

S. 2476

At the request of Mr. BURNS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 2476, a bill to amend the Communications Act of 1934 in order to prohibit any regulatory impediments to completely and accurately fulfilling the sufficiency of support mandates of the national statutory policy of universal service, and for other purposes.

S. 2580

At the request of Mr. JOHNSON, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2580, a bill to provide for the issuance of bonds to provide funding for the construction of schools of the Bureau of Indian Affairs of the Department of the Interior, and for other purposes.

S. 2764

At the request of Mr. KENNEDY, the names of the Senator from New York (Mr. MOYNIHAN), the Senator from Iowa (Mr. HARKIN), and the Senator from

Michigan (Mr. LEVIN) were added as cosponsors of S. 2764, a bill to amend the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973 to extend the authorizations of appropriations for the programs carried out under such Acts, and for other purposes.

S. 2778

At the request of Mr. KOHL, the names of the Senator from New Hampshire (Mr. SMITH) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2778, a bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 2912

At the request of Mr. KENNEDY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2912, a bill to amend the Immigration and Nationality Act to remove certain limitations on the eligibility of aliens residing in the United States to obtain lawful permanent residency status.

S. 2938

At the request of Mr. BROWNBACK, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 2938, a bill to prohibit United States assistance to the Palestinian Authority if a Palestinian state is declared unilaterally, and for other purposes.

S. 2939

At the request of Mr. GRASSLEY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2939, a bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for energy efficient appliances.

S. 2963

At the request of Mr. BRYAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2963, a bill to amend title XIX of the Social Security Act to require the Secretary of Health and Human Services to make publicly available medicaid drug pricing information.

S. 2986

At the request of Mr. HUTCHINSON, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2986, a bill to limit the issuance of regulations relating to Federal contractor responsibility, to require the Comptroller General to conduct a review of Federal contractor compliance with applicable laws, and for other purposes.

S. 3009

At the request of Mr. HUTCHINSON, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 3009, a bill to provide funds to the National Center for Rural Law Enforcement.

S. 3020

At the request of Mr. GRAMS, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 3020, a bill to require the Federal Communications Commission to revise its regulations authorizing the operation of new, low-power FM radio stations.

S. 3068

At the request of Mr. KENNEDY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 3068, a bill to amend the Immigration and Nationality Act to remove certain limitations on the eligibility of aliens residing in the United States to obtain lawful permanent resident status.

S. 3089

At the request of Mr. HAGEL, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 3089, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 3095

At the request of Mr. KENNEDY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 3095, a bill to amend the Immigration and Nationality Act to remove certain limitations on the eligibility of aliens residing in the United States to obtain lawful permanent resident status.

S. 3101

At the request of Mr. ASHCROFT, the names of the Senator from Alabama (Mr. SHELBY), the Senator from Mississippi (Mr. COCHRAN), the Senator from Georgia (Mr. CLELAND), the Senator from Iowa (Mr. GRASSLEY), and the Senator from Florida (Mr. MACK) were added as cosponsors of S. 3101, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States.

S. 3112

At the request of Mr. ABRAHAM, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 3112, a bill to amend title XVIII of the Social Security Act to ensure access to digital mammography through adequate payment under the medicare system.

S. 3120

At the request of Mr. KENNEDY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 3120, a bill to amend the Immigration and Nationality Act to modify restrictions added by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

S. 3127

At the request of Mr. SANTORUM, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 3127, a bill to protect infants who are born alive.

S. 3137

At the request of Mr. SESSIONS, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 3137, a bill to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

S. 3147

At the request of Mr. ROBB, the names of the Senator from California (Mrs. BOXER) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 3147, a bill to authorize the establishment, on land of the Department of the Interior in the District of Columbia or its environs, of a memorial and gardens in honor and commemoration of Frederick Douglass.

S. CON. RES. 135

At the request of Mr. ROBB, his name was added as a cosponsor of S. Con. Res. 135, a concurrent resolution recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

S.J. RES. 52

At the request of Mr. GREGG, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S.J. Res. 52, a joint resolution granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding.

S. RES. 292

At the request of Mr. CLELAND, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. Res. 292, a resolution recognizing the 20th century as the ''Century of Women in the United States''.

SENATE RESOLUTION 366—EXPRESSING THE SENSE OF THE SENATE ON THE CERTIFICATION OF MEXICO

Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. GRAMM, Mr. KYL, Mr. DOMENICI, Mr. DODD, Mrs. FEINSTEIN, Mr. HOLLINGS, and Mr. SESSIONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 366

Whereas Mexico will inaugurate a new government on 1 December 2000 that will be the first change of authority from one party to another;

Whereas the 2nd July election of Vincente Fox Quesada of the Alliance for Change marks an historic transition of power in open and fair elections;

Whereas Mexico and the United States share a 2,000 mile border, Mexico is the United States' second largest trading partner, and the two countries share historic and cultural ties;

Whereas drug production and trafficking are a threat to the national interests and the well-being of the citizens of both countries;

Whereas U.S.-Mexican cooperation on drugs is a cornerstone for policy for both countries in developing effective programs to stop drug use, drug production, and drug trafficking; Now, therefore, be it

Resolved,

(a) The Senate, on behalf of the people of the United States

(1) welcomes the constitutional transition of power in Mexico;

(2) congratulates the people of Mexico and their elected representatives for this historic change;

(3) expresses its intent to continue to work cooperatively with Mexican authorities to promote broad and effective efforts for the health and welfare of U.S. and Mexican citizens endangered by international drug trafficking, use, and production.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the incoming new governments in both Mexico and the United States must develop and implement a counterdrug program that more effectively addresses the official corruption, the increase in drug traffic, and the lawlessness that has resulted from illegal drug trafficking, and that a one-year waiver of the requirement that the President certify Mexico is warranted to permit both new governments time to do so.

AMENDMENTS SUBMITTED

FAMINE PREVENTION AND FREEDOM FROM HUNGER IMPROVEMENT ACT OF 2000

HAGEL AMENDMENT NO. 4289

Mr. FITZGERALD (for Mr. HAGEL) proposed an amendment to the bill (H.R. 4002) to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger; as follows:

On page 23, line 2, insert ''agricultural and'' after ''world's''.

NATIONAL TRANSPORTATION SAFETY BOARD AMENDMENTS ACT OF 2000

On October 3, 2000 the Senate amended and passed S. 2412, as follows:

S. 2412

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

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''National Transportation Safety Board Amendments Act of 2000''.

(b) REFERENCES.—Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 2. DEFINITIONS.

Section 1101 is amended to read as follows:

''§ 1101. Definitions

''Section 2101(17a) of title 46 and section 40102(a) of this title apply to this chapter. In this chapter, the term 'accident' includes damage to or destruction of vehicles in surface or air transportation or pipelines, regardless of whether the initiating event is accidental or otherwise.''.

SEC. 3. AUTHORITY TO ENTER INTO AGREEMENTS.

(a) IN GENERAL.—Section 1113(b)(1)(I) is amended to read as follows:

''(I) negotiate and enter into agreements with individuals and private entities and departments, agencies, and instrumentalities of the Government, State and local governments, and governments of foreign countries for the provision of facilities, accident-related and technical services or training in accident investigation theory and techniques, and require that such entities provide appropriate consideration for the reasonable costs of any facilities, goods, services, or training provided by the Board.''.

(b) DEPOSIT OF AMOUNTS.—

(1) Section 1113(b)(2) is amended—

(A) by inserting ''as offsetting collections'' after ''to be credited''; and

(B) by adding after ''Board.'' the following: ''The Board shall maintain an annual record of collections received under paragraph (1)(I) of this subsection.''.

(2) Section 1114(a) is amended—

(A) by inserting ''(1)'' before ''Except''; and

(B) by adding at the end thereof the following:

''(2) The Board shall deposit in the Treasury amounts received under paragraph (1) to be credited to the appropriation of the Board as offsetting collections.''.

(3) Section 1115(d) is amended by striking ''of the 'National Transportation Safety Board, Salaries and Expenses'' and inserting ''of the Board''.

SEC. 4. OVERTIME PAY.

Section 1113 is amended by adding at the end the following:

''(g) OVERTIME PAY.—

''(1) IN GENERAL.—Subject to the requirements of this section and notwithstanding paragraphs (1) and (2) of section 5542(a) of title 5, for an employee of the Board whose basic pay is at a rate which equals or exceeds the minimum rate of basic pay for GS–10 of the General Schedule, the Board may establish an overtime hourly rate of pay for the employee with respect to work performed at the scene of an accident (including travel to or from the scene) and other work that is critical to an accident investigation in an amount equal to one and one-half times the hourly rate of basic pay of the employee. All of such amount shall be considered to be premium pay.

''(2) LIMITATION ON OVERTIME PAY TO AN EMPLOYEE.—An employee of the Board may not receive overtime pay under paragraph (1), for work performed in a calendar year, in an amount that exceeds 15 percent of the annual rate of basic pay of the employee for such calendar year.

''(3) LIMITATION ON TOTAL AMOUNT OF OVERTIME PAY.—The Board may not make overtime payments under paragraph (1) for work performed in any fiscal year in a total amount that exceeds 1.5 percent of the amount appropriated to carry out this chapter for that fiscal year.

''(4) BASIC PAY DEFINED.—In this subsection, the term 'basic pay' includes any applicable locality-based comparability payment under section 5304 of title 5 (or similar provision of law) and any special rate of pay under section 5305 of title 5 (or similar provision of law).

''(5) ANNUAL REPORT.—Not later than January 31, 2002, and annually thereafter, the Board shall transmit to the Senate Committee on Commerce, Science, and Transportation and the House Transportation and Infrastructure Committee a report identifying the total amount of overtime payments made under this subsection in the preceding fiscal year, and the number of employees whose overtime pay under this subsection was limited in that fiscal year as a result of the 15 percent limit established by paragraph (2).''.

SEC. 5. RECORDERS.

(a) COCKPIT VIDEO RECORDINGS.—Section 1114(c) is amended—

(1) by striking ''VOICE'' in the subsection heading;

(2) by striking ''cockpit voice recorder'' in paragraphs (1) and (2) and inserting ''cockpit voice or video recorder''; and

(3) by inserting ''or any written depiction of visual information'' after ''transcript'' in the second sentence of paragraph (1).

(b) SURFACE VEHICLE RECORDINGS AND TRANSCRIPTS.—

(1) IN GENERAL.—Section 1114 is amended—

(A) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (e) the following:

''(d) SURFACE VEHICLE RECORDINGS AND TRANSCRIPTS.—

''(1) CONFIDENTIALITY OF RECORDINGS.—The Board may not disclose publicly any part of a surface vehicle voice or video recorder recording or transcript of oral communications by or among drivers, train employees, or other operating employees responsible for the movement and direction of the vehicle or vessel, or between such operating employees and company communication centers, related to an accident investigated by the Board. However, the Board shall make public any part of a transcript or any written depiction of visual information that the Board decides is relevant to the accident—

''(A) if the Board holds a public hearing on the accident, at the time of the hearing; or

''(B) if the Board does not hold a public hearing, at the time a majority of the other factual reports on the accident are placed in the public docket.

''(2) REFERENCES TO INFORMATION IN MAKING SAFETY RECOMMENDATIONS.—This subsection does not prevent the Board from referring at any time to voice or video recorder information in making safety recommendations.''.

(2) CONFORMING AMENDMENT.—The first sentence of section 1114(a) is amended by striking ''and (e)'' and inserting ''(d), and (f)''.

(c) DISCOVERY AND USE OF COCKPIT AND SURFACE VEHICLE RECORDINGS AND TRANSCRIPTS.—

(1) IN GENERAL.—Section 1154 is amended—

(A) by striking the section heading and inserting the following:

''§ 1154. Discovery and use of cockpit and surface vehicle recordings and transcripts;

(B) by striking ''cockpit voice recorder'' each place it appears in subsection (a) and inserting ''cockpit or surface vehicle recorder'';

(C) by striking ''section 1114(c)'' each place it appears in subsection (a) and inserting ''section 1114(c) or 1114(d)''; and

(D) by adding at the end the following:

''(6) In this subsection:

''(A) RECORDER.—The term 'recorder' means a voice or video recorder.

''(B) TRANSCRIPT.—The term 'transcript' includes any written depiction of visual information obtained from a video recorder.''.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 11 is amended by striking the item relating to section 1154 and inserting the following:

''1154. Discovery and use of cockpit and surface vehicle recordings and transcripts.''.

SEC. 6. PRIORITY OF INVESTIGATIONS.

(a) IN GENERAL.—Section 1131(a)(2) is amended—

(1) by striking ''(2) An investigation'' and inserting:

''(2)(A) Subject to the requirements of this paragraph, an investigation''; and

(2) by adding at the end the following:

''(B) If the Attorney General, in consultation with the Chairman of the Board, determines and notifies the Board that circumstances reasonably indicate that the accident may have been caused by an intentional criminal act, the Board shall relinquish investigative priority to the Federal

Bureau of Investigation. The relinquishment of investigative priority by the Board shall not otherwise affect the authority of the Board to continue its investigation under this section.

''(C) If a Federal law enforcement agency suspects and notifies the Board that an accident being investigated by the Board under subparagraph (A), (B), (C), or (D) of paragraph (1) may have been caused by an intentional criminal act, the Board, in consultation with the law enforcement agency, shall take necessary actions to ensure that evidence of the criminal act is preserved.''.

(b) REVISION OF 1977 AGREEMENT.—Not later than 1 year after the date of the enactment of this Act, the National Transportation Safety Board and the Federal Bureau of Investigation shall revise their 1977 agreement on the investigation of accidents to take into account the amendments made by this Act.

SEC. 7. PUBLIC AIRCRAFT INVESTIGATION CLARIFICATION.

Section 1131(d) is amended by striking ''1134(b)(2)'' and inserting ''1134 (a), (b), (d), and (f)''.

SEC. 8. MEMORANDUM OF UNDERSTANDING.

Not later than 1 year after the date of the enactment of this Act, the National Transportation Safety Board and the United States Coast Guard shall revise their Memorandum of Understanding governing major marine accidents—

(1) to redefine or clarify the standards used to determine when the National Transportation Safety Board will lead an investigation; and

(2) to develop new standards to determine when a major marine accident involves significant safety issues relating to Coast Guard safety functions.

SEC. 9. TRAVEL BUDGETS.

The Chairman of the National Transportation Safety Board shall establish annual fiscal year budgets for non-accident-related travel expenditures for Board members which shall be approved by the Board and submitted to the Senate Committee on Commerce, Science, and Transportation and to the House of Representatives Committee on Transportation and Infrastructure together with an annual report detailing the non-accident-related travel of each Board member. The report shall include separate accounting for foreign and domestic travel, including any personnel or other expenses associated with that travel.

SEC. 10. CHIEF FINANCIAL OFFICER.

Section 1111 is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following:

''(h) CHIEF FINANCIAL OFFICER.—The Chairman shall designate an officer or employee of the Board as the Chief Financial Officer. The Chief Financial Officer shall—

''(1) report directly to the Chairman on financial management and budget execution;

''(2) direct, manage, and provide policy guidance and oversight on financial management and property and inventory control; and

''(3) review the fees, rents, and other charges imposed by the Board for services and things of value it provides, and suggest appropriate revisions to those charges to reflect costs incurred by the Board in providing those services and things of value.''.

SEC. 11. IMPROVED AUDIT PROCEDURES.

The National Transportation Safety Board, in consultation with the Inspector General of the Department of Transportation, shall develop and implement comprehensive internal audit controls for its financial programs based on the findings and recommendations of the private sector audit firm contract entered into by the Board in March, 2000. The improved internal audit controls shall, at a minimum, address Board asset management systems, including systems for accounting management, debt collection, travel, and property and inventory management and control.

SEC. 12. AUTHORITY OF THE INSPECTOR GENERAL.

(a) IN GENERAL.—Subchapter III of chapter 11 of subtitle II is amended by adding at the end the following:

''§ 1137. Authority of the Inspector General

''(a) IN GENERAL.—The Inspector General of the Department of Transportation, in accordance with the mission of the Inspector General to prevent and detect fraud and abuse, shall have authority to review only the financial management, property management, and business operations of the National Transportation Safety Board, including internal accounting and administrative control systems, to determine compliance with applicable Federal laws, rules, and regulations.

''(b) DUTIES.—In carrying out this section, the Inspector General shall—

''(1) keep the Chairman of the Board and Congress fully and currently informed about problems relating to administration of the internal accounting and administrative control systems of the Board;

''(2) issue findings and recommendations for actions to address such problems; and

''(3) report periodically to Congress on any progress made in implementing actions to address such problems.

''(c) ACCESS TO INFORMATION.—In carrying out this section, the Inspector General may exercise authorities granted to the Inspector General under subsections (a) and (b) of section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

''(d) REIMBURSEMENT.—The Inspector General shall be reimbursed by the Board for the costs associated with carrying out activities under this section.''.

(b) CONFORMING AMENDMENT.—The subchapter analysis for such subchapter is amended by adding at the end the following:

''1137. Authority of the Inspector General.''.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

Section 1118 is amended to read as follows:

''§ 1118. Authorization of appropriations

''(a) IN GENERAL.—There are authorized to be appropriated for the purposes of this chapter $57,000,000 for fiscal year 2000, $65,000,000 for fiscal year 2001, and $72,000,000 for fiscal year 2002, such sums to remain available until expended.

''(b) EMERGENCY FUND.—The Board has an emergency fund of $2,000,000 available for necessary expenses of the Board, not otherwise provided for, for accident investigations. Amounts equal to the amounts expended annually out of the fund are authorized to be appropriated to the emergency fund.''.

SEC. 14. CREDITING OF LAW ENFORCEMENT FLIGHT TIME.

In determining whether an individual meets the aeronautical experience requirements imposed under section 44703 of title 49, United States Code, for an airman certificate or rating, the Secretary of Transportation shall take into account any time spent by that individual operating a public aircraft as defined in section 40102 of title 49, United States Code, if that aircraft is—

(1) identifiable by category and class; and

(2) used in law enforcement activities.

SEC. 15. TECHNICAL CORRECTION.

Section 46301(d)(2) of title 49, United States Code, is amended by striking ''46302, 46303,'' and inserting ''46301(b), 46302, 46303, 46318,''.

SEC. 16. CONFIRMATION OF INTERIM FINAL RULE ISSUANCE UNDER SECTION 45301.

The publication, by the Department of Transportation, Federal Aviation Administration, in the Federal Register of June 6, 2000 (65 FR 36002) of an interim final rule concerning Fees for FAA Services for Certain Flights (Docket No. FAA–00–7018) is deemed to have been issued in accordance with the requirements of section 45301(b)(2) of title 49, United States Code.

SEC. 17. AERONAUTICAL CHARTING.

(a) IN GENERAL.—Section 44721 of title 49, United States Code, is amended—

(1) by striking paragraphs (3) and (4) of subsection (c); and

(2) by adding at the end of subsection (g)(1) the following:

''(D) CONTINUATION OF PRICES.—The price of any product created under subsection (d) may correspond to the price of a comparable product produced by a department of the United States Government as that price was in effect on September 30, 2000, and may remain in effect until modified by regulation under section 9701 of title 31, United States Code.''; and

(3) by adding at the end of subsection (g) the following:

(5) CREDITING AMOUNTS RECEIVED.—Notwithstanding any other provision of law, amounts received for the sale of products created and services performed under this section shall be fully credited to the account of the Federal Aviation Administration that funded the provision of the products or services and shall remain available until expended.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on October 1, 2000.

THE CALENDAR

The PRESIDING OFFICER. The Senator from Illinois.

Mr. FITZGERALD. Mr. President, I will resume my filibuster on the Interior appropriations conference committee report. But the majority leader has asked me to take care of a few housekeeping matters in the meantime. I want to do that for the information of all Senators, before they go home for the evening.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and in consultation with the chairman and the ranking minority member of the Finance Committee, pursuant to Public Law 103–296, appoints David Podoff, of Maryland, as a member of the Social Security Advisory Board, vice Lori L. Hansen.

RECOGNIZING THE 25th ANNIVERSARY OF THE ENACTMENT OF THE EDUCATION FOR ALL HANDICAPPED CHILDREN ACT OF 1975

MR. FITZGERALD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 829, H. Con. Res. 399.

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

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 399) recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FITZGERALD. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to this resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 399) was agreed to.

The preamble was agreed to.

WILLIAM H. NATCHER BRIDGE

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 846, H.R. 1162.

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

The legislative clerk read as follows:

A bill (H.R. 1162) to designate the bridge on United States Route 231 that crosses the Ohio River between Maceo, Kentucky, and Rockport, Indiana, as the ''William H. Natcher Bridge.''

There being no objection, the Senate proceeded to consider the bill.

Mr. FITZGERALD. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 1162) was read the third time and passed.

J. SMITH HENLEY FEDERAL BUILDING

Mr. FITZGERALD. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 847, H.R. 1605.

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

The legislative clerk read as follows:

A bill (H.R. 1605) to designate the Federal Building and United States Courthouse located at 402 North Walnut Street in Harrison, Arkansas, as the ''J. Smith Henley Federal Building and United States Courthouse.''

There being no objection, the Senate proceeded to consider the bill.

Mr. FITZGERALD. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 1605) was read the third time and passed.

CARL ELLIOTT FEDERAL BUILDING

Mr. FITZGERALD. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 848, H.R. 4806.

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

The legislative clerk read as follows:

A bill (H.R. 4806) to designate the Federal Building located at 1710 Alabama Avenue in Jasper, Alabama, as the ''Carl Elliot Federal Building''.

There being no objection, the Senate proceeded to consider the bill.

Mr. FITZGERALD. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4806) was read the third time and passed.

OWEN B. PICKETT U.S. CUSTOMHOUSE

Mr. FITZGERALD. I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 5284, which is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 5284) to designate the U.S. customhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett U.S. Customhouse.''

There being no objection, the Senate proceeded to consider the bill.

Mr. FITZGERALD. I ask unanimous consent the bill be read three times, passed, the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The bill (H.R. 5284) was read the third time and passed.

RED RIVER NATIONAL WILDLIFE REFUGE ACT

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 909, H.R. 4318.

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

The legislative clerk read as follows:

A bill (H.R. 4318) to establish the Red River National Wildlife Refuge.

There being no objection, the Senate proceeded to consider the bill.

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4318) was read the third time and passed.

SEQUENTIAL REFERRAL—S. 2917

Mr. FITZGERALD. Mr. President, I ask unanimous consent that when the Committee on Indian Affairs reports S. 2917, a bill to settle the land claims of the Pueblo of Santa Domingo, the bill be referred to the Energy Committee for a period not to exceed 7 days; further, I ask unanimous consent that if the Energy Committee has not reported the measure prior to the expiration of the 7-day period, the bill be automatically discharged and placed on the calendar.

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

MAKING CERTAIN PERSONNEL FLEXIBILITIES AVAILABLE

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of H.R. 4642 and the Senate then proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4642) to make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. The bill (H.R. 4642) was read the third time and passed.

AMENDING THE FOREIGN ASSISTANCE ACT OF 1961

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 913, H.R. 4002.

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

The legislative clerk read as follows:

A bill (H.R. 4002) to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment. [Strike out all after the enacting clause and insert the part printed in italic].

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Famine Prevention and Freedom From Hunger Improvement Act of 2000''.

SEC. 2. GENERAL PROVISIONS.

(a) DECLARATIONS OF POLICY.—(1) The first sentence of section 296(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(a)) is amended to read as follows: ''The Congress declares that, in order to achieve the mutual goals among nations of ensuring food security, human health, agricultural growth, trade expansion, and the wise and sustainable use of natural resources, the United States should mobilize the capacities

of the United States land-grant universities, other eligible universities, and public and private partners of universities in the United States and other countries, consistent with sections 103 and 103A of this Act, for: (1) global research on problems affecting food, agriculture, forestry, and fisheries; (2) improved human capacity and institutional resource development for the global application of agricultural and related environmental sciences; (3) agricultural development and trade research and extension services in the United States and other countries to support the entry of rural industries into world markets; and (4) providing for the application of agricultural sciences to solving food, health, nutrition, rural income, and environmental problems, especially such problems in low-income, food deficit countries.''.

(2) The second sentence of section 296(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(a)) is amended—

(A) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively;

(B) in subparagraph (A) (as redesignated), by striking ''in this country'' and inserting ''with and through the private sector in this country and to understanding processes of economic development'';

(C) in subparagraph (B) (as redesignated), to read as follows:

''(B) that land-grant and other universities in the United States have demonstrated over many years their ability to cooperate with international agencies, educational and research institutions in other countries, the private sector, and nongovernmental organizations worldwide, in expanding global agricultural production, processing, business and trade, to the benefit of aid recipient countries and of the United States;'';

(D) in subparagraph (C) (as redesignated), to read as follows:

''(C) that, in a world of growing populations with rising expectations, increased food production and improved distribution, storage, and marketing in the developing countries is necessary not only to prevent hunger and ensure human health and child survival, but to build the basis for economic growth and trade, and the social security in which democracy and a market economy can thrive, and moreover, that the greatest potential for increasing world food supplies and incomes to purchase food is in the developing countries where the gap between food need and food supply is the greatest and current incomes are lowest;'';

(E) by striking subparagraphs (E) and (G) (as redesignated);

(F) by striking ''and'' at the end of subparagraph (F) (as redesignated);

(G) by redesignating subparagraph (F) as subparagraph (G); and

(H) by inserting after subparagraph (D) the following:

''(E) that, with expanding global markets and increasing imports into many countries, including the United States, food safety and quality, as well as secure supply, have emerged as mutual concerns of all countries;

''(F) that research, teaching, and extension activities, and appropriate institutional and policy development therefore are prime factors in improving agricultural production, food distribution, processing, storage, and marketing abroad (as well as in the United States);'';

(I) in subparagraph (G) (as redesignated), by striking ''in the United States'' and inserting ''and the broader economy of the United States''; and

(J) by adding at the end the following:

''(H) that there is a need to responsibly manage the world's natural resources for sustained productivity, health and resilience to climate variability; and

''(I) that universities and public and private partners of universities need a dependable source of funding in order to increase the impact of their own investments and those of their State governments and constituencies, in order to continue and expand their efforts to advance agricultural development in cooperating countries, to translate development into economic growth and trade for the United States and cooperating countries, and to prepare future teachers, researchers, extension specialists, entrepreneurs, managers, and decisionmakers for the world economy.''.

(b) ADDITIONAL DECLARATIONS OF POLICY.—Section 296(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(b)) is amended to read as follows:

''(b) Accordingly, the Congress declares that, in order to prevent famine and establish freedom from hunger, the following components must be brought together in a coordinated program to increase world food and fiber production, agricultural trade, and responsible management of natural resources, including—

''(1) continued efforts by the international agricultural research centers and other international research entities to provide a global network, including United States universities, for international scientific collaboration on crops, livestock, forests, fisheries, farming resources, and food systems of worldwide importance;

''(2) contract research and the implementation of collaborative research support programs and other research collaboration led by United States universities, and involving research systems in other countries focused on crops, livestock, forests, fisheries, farming resources, and food systems, with benefits to the United States and partner countries;

''(3) broadly disseminating the benefits of global agricultural research and development including increased benefits for United States agriculturally related industries through establishment of development and trade information and service centers, for rural as well as urban communities, through extension, cooperatively with, and supportive of, existing public and private trade and development related organizations;

''(4) facilitation of participation by universities and public and private partners of universities in programs of multilateral banks and agencies which receive United States funds;

''(5) expanding learning opportunities about global agriculture for students, teachers, community leaders, entrepreneurs, and the general public through international internships and exchanges, graduate assistantships, faculty positions, and other means of education and extension through long-term recurring Federal funds matched by State funds; and

''(6) competitive grants through universities to United States agriculturalists and public and private partners of universities from other countries for research, institution and policy development, extension, training, and other programs for global agricultural development, trade, and responsible management of natural resources.''.

(c) SENSE OF THE CONGRESS.—Section 296(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(c)) is amended—

(1) in paragraph (1), by striking ''each component'' and inserting ''each of the program components described in paragraphs (1) through (6) of subsection (b)'';

(2) in paragraph (2)—

(A) by inserting ''and public and private partners of universities'' after ''for the universities''; and

(B) by striking ''and'' at the end;

(3) in paragraph (3)—

(A) by inserting ''and public and private partners of universities'' after ''such universities'';

(B) in subparagraph (A), by striking '', and'' and inserting a semicolon;

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

(D) by striking the matter following subparagraph (B); and

(E) by adding at the end the following:

''(C) multilateral banks and agencies receiving United States funds;

''(D) development agencies of other countries; and

''(E) United States Government foreign assistance and economic cooperation programs;''; and

(4) by adding at the end the following:

''(4) generally engage the United States university community more extensively in the agricultural research, trade, and development initiatives undertaken outside the United States, with the objectives of strengthening its capacity to carry out research, teaching, and extension activities for solving problems in food production, processing, marketing, and consumption in agriculturally developing nations, and for transforming progress in global agricultural research and development into economic growth, trade, and trade benefits for aid recipient countries and United States communities and industries, and for the wise use of natural resources; and

''(5) ensure that all federally funded support to universities and public and private partners of universities relating to the goals of this title is periodically reviewed for its performance.''.

(d) DEFINITION OF UNIVERSITIES.—Section 296(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(d)) is amended—

(1) by inserting after ''sea-grant colleges;'' the following: ''Native American land-grant colleges as authorized under the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note);''; and

(2) in paragraph (1), by striking ''extension'' and inserting ''extension (including outreach)''.

(e) DEFINITION OF ADMINISTRATOR.—Section 296(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(e)) is amended by inserting ''United States'' before ''Agency''.

(f) DEFINITION OF PUBLIC AND PRIVATE PARTNERS OF UNIVERSITIES.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

''(f) As used in this title, the term 'public and private partners of universities' includes entities that have cooperative or contractual agreements with universities, which may include formal or informal associations of universities, other education institutions, United States Government and State agencies, private voluntary organizations, nongovernmental organizations, firms operated for profit, nonprofit organizations, multinational banks, and, as designated by the Administrator, any organization, institution, or agency incorporated in other countries.''.

(g) DEFINITION OF AGRICULTURE.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

''(g) As used in this title, the term 'agriculture' includes the science and practice of activity related to food, feed, and fiber production, processing, marketing, distribution, utilization, and trade, and also includes family and consumer sciences, nutrition, food science and engineering, agricultural economics and other social sciences, forestry, wildlife, fisheries, aquaculture, floraculture, veterinary medicine, and other environmental and natural resources sciences.''.

(h) DEFINITION OF AGRICULTURISTS.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

''(h) As used in this title, the term 'agriculturists' includes farmers, herders, and livestock producers, individuals who fish and others employed in cultivating and harvesting food resources from salt and fresh waters, individuals who cultivate trees and shrubs and harvest nontimber forest products, as well as the processors, managers, teachers, extension specialists, researchers, policymakers, and others who are engaged in the food, feed, and fiber system and its relationships to natural resources.''.

SEC. 3. GENERAL AUTHORITY.

(a) AUTHORIZATION OF ASSISTANCE.—Section 297(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(a)) is amended—

(1) in paragraph (1), to read as follows:

''(1) to implement program components through United States universities as authorized by paragraphs (2) through (5) of this subsection;'';

(2) in paragraph (3), to read as follows:

''(3) to provide long-term program support for United States university global agricultural and related environmental collaborative research and learning opportunities for students, teachers, extension specialists, researchers, and the general public;''; and

(3) in paragraph (4)—

(A) by inserting ''United States'' before ''universities'';

(B) by inserting ''agricultural'' before ''research centers''; and

(C) by striking ''and the institutions of agriculturally developing nations'' and inserting ''multilateral banks, the institutions of agriculturally developing nations, and United States and foreign nongovernmental organizations supporting extension and other productivity-enhancing programs''.

(b) REQUIREMENTS.—Section 297(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(b)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''universities'' and inserting ''United States universities with public and private partners of universities''; and

(B) in subparagraph (C)—

(i) by inserting '', environment,'' before ''and related''; and

(ii) by striking ''farmers and farm families'' and inserting ''agriculturalists'';

(2) in paragraph (2), by inserting '', including resources of the private sector,'' after ''Federal or State resources''; and

(3) in paragraph (3), by striking ''and the United States Department of Agriculture'' and all that follows and inserting '', the Department of Agriculture, State agricultural agencies, the Department of Commerce, the Department of the Interior, the Environmental Protection Agency, the Office of the United States Trade Representative, the Food and Drug Administration, other appropriate Federal agencies, and appropriate nongovernmental and business organizations.''.

(c) FURTHER REQUIREMENTS.—Section 297(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(c)) is amended—

(1) in paragraph (2), to read as follows:

''(2) focus primarily on the needs of agricultural producers, rural families, processors, traders, consumers, and natural resources managers;''; and

(2) in paragraph (4), to read as follows:

''(4) be carried out within the developing countries and transition countries comprising newly emerging democracies and newly liberalized economies; and''.

(d) SPECIAL PROGRAMS.—Section 297 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b) is amended by adding at the end the following new subsection:

''(e) The Administrator shall establish and carry out special programs under this title as part of ongoing programs for child survival, democratization, development of free enterprise, environmental and natural resource management, and other related programs.''.

SEC. 4. BOARD FOR INTERNATIONAL FOOD AND AGRICULTURAL DEVELOPMENT.

(a) ESTABLISHMENT.—Section 298(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(a)) is amended in the third sentence, by inserting at the end before the period the following: ''on a case-by-case basis''.

(b) GENERAL AREAS OF RESPONSIBILITY OF THE BOARD.—Section 298(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(b)) is amended to read as follows:

''(b) The Board's general areas of responsibility shall include participating in the planning, development, and implementation of, initiating recommendations for, and monitoring, the activities described in section 297 of this title.''.

(c) DUTIES OF THE BOARD.—Section 298(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(c)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''increase food production'' and all that follows and inserting the following: ''improve agricultural production, trade, and natural resource management in developing countries, and with private organizations seeking to increase agricultural production and trade, natural resources management, and household food security in developing and transition countries;''; and

(B) in subparagraph (B), by inserting before ''sciences'' the following: '', environmental, and related social'';

(2) in paragraph (4), after ''Administrator and universities'' insert ''and their partners'';

(3) in paragraph (5), after ''universities'' insert ''and public and private partners of universities'';

(4) in paragraph (6), by striking ''and'' at the end;

(5) in paragraph (7), by striking ''in the developing nations.'' and inserting ''and natural resource issues in the developing nations, assuring efficiency in use of Federal resources, including in accordance with the Governmental Performance and Results Act of 1993 (Public Law 103–62; 107 Stat. 285), and the amendments made by that Act;''; and

(6) by adding at the end the following:

''(8) developing information exchanges and consulting regularly with nongovernmental organizations, consumer groups, producers, agribusinesses and associations, agricultural cooperatives and commodity groups, State departments of agriculture, State agricultural research and extension agencies, and academic institutions;

''(9) investigating and resolving issues concerning implementation of this title as requested by universities; and

''(10) advising the Administrator on any and all issues as requested.''.

(d) SUBORDINATE UNITS.—Section 298(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(d)) is amended—

(1) in paragraph (1)—

(A) by striking ''Research'' and insert ''Policy'';

(B) by striking ''administration'' and inserting ''design''; and

(C) by striking ''section 297(a)(3) of this title'' and inserting ''section 297''; and

(2) in paragraph (2)—

(A) by striking ''Joint Committee on Country Programs'' and inserting ''Joint Operations Committee''; and

(B) by striking ''which shall assist'' and all that follows and inserting ''which shall assist in and advise on the mechanisms and processes for implementation of activities described in section 297.''.

SEC. 5. ANNUAL REPORT.

Section 300 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220e) is amended by striking ''April 1'' and inserting ''September 1''.

AMENDMENT NO. 4289

Mr. FITZGERALD. Mr. President, Senator HAGEL has a technical amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. FITZGERALD], for Mr. HAGEL, proposes an amendment numbered 4289.

The amendment is as follows:

(Purpose: To include in the statement of policies that there is a need to responsibly manage the world's agricultural, as well as, natural resources for sustained productivity, health and resilience to climate variability)

On page 23, line 2, insert ''agricultural and'' after ''world's''.

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the amendment be agreed to.

The amendment (No. 4289) was agreed to.

Mr. FITZGERALD. Mr. President, I ask unanimous consent the committee substitute amendment, as amended, be agreed to, the bill be read a third time and passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The committee substitute, as amended, was agreed to.

The bill (H.R. 4002), as amended, was read the third time and passed.

ORDERS FOR THURSDAY, OCTOBER 5, 2000

Mr. FITZGERALD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until the hour of 9:30 a.m., on Thursday, October 5. I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of H.J. Res. 110, the continuing resolution, under the previous order.

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

PROGRAM

Mr. FITZGERALD. For the information of all Senators, the Senate will begin closing remarks on the continuing resolution at 9:30 a.m. tomorrow. Under the order, there will be approximately 30 minutes equally divided on the resolution, with a vote on adoption of the resolution scheduled to occur at 10 a.m.

Following the vote, the Senate is expected to resume consideration of the conference report to accompany the Interior appropriations bill. The Senate may also begin consideration of any other appropriations bills available for action; therefore, Senators should be prepared for votes throughout the day.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001—CONFERENCE REPORT—Continued

Mr. FITZGERALD. Mr. President, at this time I would like to return to our discussion of the Abraham Lincoln Presidential Library, which is a project in the Interior conference committee report that we have been discussing from time to time throughout the day.

I spoke earlier, for several hours, about concerns I have had with the language in the conference committee report. The language authorizes $50 million in Federal expenditures for the library in Springfield. It says that the purpose of those expenditures would be for the construction of the library, for planning, design, acquiring, and constructing the library. But it is interesting; the actual language in the authorization does not say who is getting the money. It says that the $50 million would be going to an entity that would be selected later.

So the Senate and the House have a conference committee report before us with a $50 million authorization for the library in Springfield, IL, but we do not know to whom we are going to give the money.

When I saw this language earlier on, when the authorizing bill came from the House to my Senate committee, I saw that as a problem. I saw it also as a problem that there was no requirement that the construction project be competitively bid.

I thought, what if this money falls into the hands of a private entity? The entity in the bill could apparently be private or public. There is no restriction in the bill that it can only go to a public entity. There is no suggestion in the bill that the money has to go to the State of Illinois.

I thought, we have to take care to make sure that we have protections in there for the taxpayer, so that this money cannot be spent improperly.

Senator DURBIN came in and spoke earlier. He said that he supports a bidding process with integrity, as do I. I appreciate Senator DURBIN's support and the support I have had from all of my 99 colleagues in the Senate, where we have gone on record by passing legislation over to the House that says the Senate thinks it is a good idea that this $50 million authorization for the Lincoln Library in Springfield, IL, requires that the project be competitively bid in accordance with the comprehensive Federal competitive bid guidelines. I thank all my colleagues in the Senate for their support on that proposition.

I talked to many of my colleagues in the last couple weeks about this issue, and every single one of them agreed: Isn't it a good idea that we restrict that money so it cannot be misused? After all, it is not even clear where the money is going.

It is possible that the money would go to the State of Illinois. If it does go to the State of Illinois, I think that would be preferable to it being given to an individual or to a private corporation.

I described earlier in the day how there is a private not-for-profit organization out there that has recently been organized known as the Abraham Lincoln Presidential Library Foundation, and that I do not think it would be a good idea to give the taxpayer's money to a private not-for-profit organization in which case it would be up to the board of directors of that corporation as to how the money would be handled. We would not have safeguards for the public.

But I also pointed out that if the money went to the State of Illinois, and the State of Illinois directed the money to its Capital Development Board, there was a real problem.

The State of Illinois has a procurement code that was amended a few years ago. It does, in general, seek to ensure competitive bidding. It is an improvement over old laws that the State of Illinois used to have.

When I was in the State senate in Springfield, in 1997, I voted for the current State procurement law. But we pointed out that there is a loophole in there, and I regret that I missed that loophole. The loophole is that the Capital Development Board has a way to opt out of competitively bidding projects. It is a highly unusual and irregular loophole.

A letter from the Capital Development Board to Senator DURBIN stated that the project would have to be competitively bid because they would require it. They said they couldn't do things that were not competitively bid. That is nice they put that in their letter, but their letter is flatly contradicted by their statute. The statute that governs the Capital Development Board has a clear opt-out so that the State can just opt out of competitively biding this project. Fifty million dollars in taxpayer money is a lot of money.

The one issue Senator DURBIN mentioned concerned the attachment of Federal competitive bid guidelines to this project in Springfield, to make sure it was properly applied and that we didn't have political influence in the awarding of the many contracts that would be given out. There is, after all, $120 million of taxpayer money, when you include the State of Illinois money, the Federal money, the city of Springfield money, and any private money that is contributed to the project. That is a lot of money. You would think you would want careful safeguards in that law. It is hard for me to think of any reason anybody would oppose the strictest possible exceptions on how we spend taxpayer money to ensure that there is competitive bidding.

Senator DURBIN wondered how would it work if Federal requirements would apply; the State of Illinois wouldn't know how to handle it if Federal guidelines were applied. I don't think that is correct. As I pointed out to Senator DURBIN, it is very clear the State contemplates that Federal guidelines will frequently be attached when the Federal Government gives money to the State of Illinois. If you get Federal money from somewhere or you get money from somebody, it is not unusual that strings are attached.

Article 20 of the Illinois procurement code, source selection and contract formation, at 500/20–85, contemplates the attachment of Federal strings. Section 20–85, Federal requirements: A State agency receiving Federal aid funds, grants, or loans shall have authority to adopt its procedures, rules, project statements, drawings, maps, surveys, plans, specifications, contract terms, estimates, bid forms, bond forms, and other documents or practices, to comply with the regulations, policies, and procedures of the designated authority, administration, or department of the United States in order to remain eligible for such Federal aid funds, grants, or loans.

Mr. President, I ask unanimous consent to print this statute in the RECORD.

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

WEST'S SMITH-HURD ILLINOIS COMPILED STATUTES ANNOTATED CHAPTER 30. FINANCE BONDS AND DEBT ACT 500. ILLINOIS PROCUREMENT CODE ARTICLE 20. SOURCE SELECTION AND CONTRACT FORMATION

§20–85. Federal requirements. A State agency receiving federal-aid funds, grants, or loans shall have authority to adopt its procedures, rules, project statements, drawings, maps, surveys, plans, specifications, contract terms, estimates, bid forms, bond forms, and other documents or practices to comply with the regulations, policies, and procedures of the designated authority, administration, or department of the United States, in order to remain eligible for such federal-aid funds, grants, or loans.

HISTORICAL AND STATUTORY NOTES

Section 99–5 of P.A. 90–572, Article 99, approved Feb. 6, 1998, provides:

''Effective date and transition. This Article, Sections 1–15 through 1–15.115 of Article 1, and Article 50 take effect upon becoming law. Articles 1 through 45 and 53 through 95 take effect January 1, 1998, solely for the purpose of allowing the promulgation of rules to implement the Illinois Procurement Code. The Procurement Policy Board established in Article 5 may be appointed as of January 1, 1998, and until July 1, 1998, shall act only to review proposed purchasing rules. Articles 1 through 45 and 53 through 95 for all other purposes take effect on July 1, 1998.''

For applicable effective date of laws provisions in Illinois governing §99–5 of P.A. 90–572, Art. 99, see 5 ILCS 75/0.01 et seq.

Mr. FITZGERALD. Clearly, the State of Illinois contemplates that for many grants from the Federal Government, they will have to comply with the Federal Government's requirements. That is not unusual. The Federal Government has requirements for education money, for Medicaid money, and the like. For this project, I think it is reasonable.

We don't want to unduly hamper it. But Federal competitive bidding, who would oppose that? I don't think Democrats would oppose it. I don't think Republicans would oppose it. Certainly no Democrat, no Republican in the Senate wished to go on record opposing it. It is a simple, safe precaution for the taxpayers.

Again, this statute, which we have talked about on and off all day, conclusively demolishes the letters that are

being put out by the Capital Development Board saying they must use competitive bidding and that there is no way competitive bidding won't be used.

Let me reflect on that argument again. They are saying that clearly competitive bidding will be used. This project now is the focus of a lot of attention around the State of Illinois, and many people have said it will definitely be competitively bid.

If that is the case, why such stiff opposition to attaching the Federal competitive bid guidelines? If they are going to bid it according to the book and there won't be any problems with the contracts, then why is anybody opposed? Why is it? I don't know.

Clearly, the Office of the Governor of Illinois believed strongly enough that these guidelines, these restrictions, not be attached. Instead, they chose to go around the Senate and try to get the language snuck into a conference committee report, stripped of the competitive bidding language, and in a way so that it would be rolled into an $18 billion appropriations bill that is a must-pass bill. That conference committee report cannot be amended or recommitted. They went to a lot of trouble. In fact, they were practically doing anything and stopping at nothing to avoid the competitive bid guidelines which they are essentially saying they are going to do anyway. That doesn't make a lot of sense to me. Why the objection? Why the fierce fight over requiring Federal procurement laws be followed?

Now, throughout the day, I have set the context in which this debate has been occurring. I believed it necessary because for those who aren't from the wonderful land of Lincoln, the great State of Illinois, they may not be fully familiar with the politics.

Sometimes our politics have become famous. Chicago has famous political traditions. The State government probably hasn't been as well known as the city of Chicago's government. But I believed I needed to set the table, to lay the foundation and give the Senators from other States the context in which I was concerned that this money would be provided in a way that would permit unfettered discretion on the part of whoever might get this $50 million authorized appropriation.

I read a number of articles into the RECORD this morning that talked about problems that have occurred in State government in Illinois, not just under Republican administrations but under both Republican and Democratic administrations, where, because of a lack of competitive bidding, because of lax, weak procurement laws that left too much to the subjective preferences of State officials on awarding contracts, we have had of a sad history of procurement problems in the State of Illinois. Hopefully, the State's new procurement law will cut down on future problems such as that. But as I have pointed out, it has a few loopholes that I hope will get cleaned up.

We have talked about leases of buildings. We have talked about construction projects. We have highlighted a number of instances in which those leases at that time were not competitively bid, where there were a lot of questions about the amounts taxpayers were paying for the State to lease buildings. And certainly the people involved in leasing the properties to the State seem to be very involved in the political process, which raises a lot of questions in one's mind.

I also talked about the hotel loan, which involved a loan to a politically connected developer to build the Springfield Renaissance Hotel. It was a $15 million loan from the State of Illinois. It appeared also, as we read some of those articles, that Federal money was involved in that, too, and that that loan was never repaid to the State of Illinois. Some payments were made. I don't know what the unpaid balance is today, but I think it is quite substantial. That developer still has that hotel, too. This hotel is very close, about a block and a half, maybe two blocks away, as we saw, from the proposed Abraham Lincoln Presidential Library.

If the library is built and it becomes the wonderful attraction we hope it will be for citizens from all over the country to come and enjoy and learn about Abraham Lincoln in the hometown of Abraham Lincoln, certainly it will generate a lot of tourist revenue for the city of Springfield. I imagine the Springfield Renaissance Hotel would benefit from the projections of increased tourism. I hope that would be the case. I hope that perhaps at that time the hotel, the partnership that runs it, would think about whether they couldn't make more payments to the State on that $15 million taxpayer loan that goes back to the early 1980s.

I know that State officials released personal guarantees and waived the State's right to foreclose on that hotel loan. It is clear there probably isn't much of a legally enforceable note anymore. You would have to wonder if those people would think about whether it wouldn't be a good idea for them, the right thing for them to do, to try to make payments when they could. They probably would argue that the notes are worthless now and that the State's rights as lender were waived while the loan was in default. It is kind of unusual. In fact, I have never really heard of a lender, when they have a bad loan, waive all their rights. It seems kind of odd to me.

In any case, there is another episode in our State's recent history that I was very vocal on when I was in the State senate. That was on how riverboat licenses were given out.

Back in about 1990, the State created 10 riverboat licenses. The first six of them were fairly site specific in their statute on where the river boat licenses had to go.

That always raised questions because there were questions of whether in drawing up the statute the State was actually attempting to steer these riverboat licenses to certain individuals. It just so happened that an investor in the first riverboat license awarded under the Illinois gaming law was the very same individual, Mr. William Cellini, about whom we have read some articles, who got the hotel loan, didn't have to pay it back, had the leases of the State buildings, and has been involved in politics in Illinois for a long time.

I would, if I could, like to continue on in an examination of what happened when the State didn't competitively bid the riverboat licenses, and I always believed they should have been competitively bid. You had licenses that turned out to be phenomenally lucrative. In some cases, very small investments made many people very rich, very quickly. There was always a question as to how the State determined who got the licenses. The people who wound up getting the first six licenses, which were fairly site-specific, tended to be people who were very much involved in State politics in Illinois. They were what I would call ''insiders'' in the State capitol. Of course, they always encouraged the perception that it was just a coincidence that these very lucrative licenses fell into their hands. And they got real rich, real quick.

In fact, a riverboat was put up in Joliet, IL. I remember when I was in the State senate, that boat was called the Joliet Empress. We could not find out the financial results of these boats. It was an exception to the freedom of information laws in Springfield, and even though these boats got a license from the State, they didn't have to give out financial information to the public. But the Joliet Empress decided to do a public bond offering, as I recall. In order to do that public offering of its debt securities, it had to file a registration statement with the Securities and Exchange Commission. In the process of filing that statement, they disclosed their investors and disclosed some of the financial results of the riverboat.

I am going to suggest that the original investment was somewhere in the neighborhood of $20 million. In the first 18 months, as I recall, the nine people who owned the riverboat took in something like $87 million in cash dividends. It kind of makes the Internet firms that we are reading about in the soaring NASDAQ index seem like nothing. This was really a bonanza for the people who wound up with these riverboat licenses.

When I read on the floor of the Illinois State Senate how lucrative these licenses were, I thought it was wrong that the State wasn't competitively bidding those licenses. They were setting up a process by which people who wanted these licenses could go through the politicians who could give it to them on a no-bid basis. And in so doing, the State was leaving an awful lot of money on the table. In fact, they were literally lighting a match to millions of dollars they could have reaped

had they auctioned off those licenses and created some kind of bidding process and not allowed political favoritism to ever be a question in the awarding of those licenses.

In fact, there was a lot of opposition to ever competitively bidding those licenses. Certainly, the people who wound up owning or wanting the licenses never wanted those competitively bid. Instead, what happened, in order to raise revenue in the early 1990s, on a few occasions the State raised income taxes on everybody else.

Mr. President, let me go, if I may, to a couple of articles that describe how the State gave out the no-bid riverboat licenses. Again, this is all in the context of examining what happens when State, Federal, or local government—any government at all—don't put restrictions on money they are giving out for contracts, or on benefits that they are giving out, when they don't make sure there is a competitive bidding process involved. Questions always arise as to whether there is political favoritism.

This article is from the Chicago Sun-Times of February 26, 1993. The byline is by Ray Long. The headline is, ''Developer Hits Riverboat Jackpot; Stock Sale Windfall Steams Treasurer.''

I ask unanimous consent that this article from the Chicago Sun-Times be printed in the RECORD at this point.

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

[From Chicago Sun-Times, Feb. 26, 1993]

DEVELOPER HITS RIVERBOAT JACKPOT; STOCK SALE WINDFALL ''STEAMS'' TREASURER

(By Ray Long)

Politically powerful Springfield developer William Cellini has sold $5.3 million in riverboat casino stock as part of a deal that prompted the state treasurer to call for a windfall tax on such transactions.

Argosy Gaming Co., owner of the Alton Belle riverboat, reported that Cellini sold 277,778 shares, netting him $4.9 million after fees, in last week's first public offering of Illinois riverboat stock.

Argosy sold a total of $76.6 million in stock, and the original shareholders collected $29.5 million, the company said.

Cellini remains the largest single shareholder, and his remaining shares could be worth more than $50 million, based on the value of the public shares.

Argosy plans to use money from the sale to pay start-up debts, fund a new riverboat and develop gambling in Louisiana and Missouri.

State Treasurer Patrick Quinn, a Democrat, said, ''I've got steam coming out of my ears'' from anger over the Argosy deal. ''It's downright obscene.''

A probable gubernatorial candidate in 1994, Quinn said Cellini should have been denied his piece of the Alton riverboat license because of questions about his role in a state loan to build the Springfield Ramada Renaissance hotel.

''I don't think if you take the taxpayers to the cleaners once, you should get a second chance to put more money in your own pocket,'' Quinn said while taping ''The Reporters,'' to be aired at 9 p.m. Sunday on WMAQ–AM (670).

The state should impose a windfall tax on investors in riverboat gambling ventures that start private and later go public, Quinn said.

In a separate interview, Cellini, a top Republican fund-raiser and friend of Gov. Edgar's, said the Springfield hotel arrangement was proper.

As for the riverboat transaction, he said he had been ''obligated at one time for an amount approaching a million'' dollars. He said federal regulations about new public offerings prevented him from discussing details about the company or stock sale.

The Ramada Renaissance received a 1982 state loan for $15.5 million at 12¼ percent interest. After recurring payment disputes, the loan was restructured in 1991 for $18.6 million at 6 percent.

Cellini said he was one of 80 partners in the hotel. ''I have never taken out or realized one penny from the hotel,'' he said.

Quinn's staff said the lenders defaulted in 1987 under former state Treasurer Jerry Cosentino and former Gov. James R. Thompson, a Republican and friend of Cellini's.

But Cellini disputed this account. ''During the time of the loan,'' he said, ''I don't believe we were ever declared in default—except in order to refinance and restructure, there may have been needed language implying such.''

Quinn said: ''A lot of folks, I think, are pretty upset about getting taxed to the limit and then seeing government operate . . . as a personal piggy bank for insiders. This is wrong.''

Mike Lawrence, spokesman for Edgar, said the Gaming Board's initial approval of the Alton riverboat project was granted before the governor took office. The final license approval came in 1991 after Edgar took office.

William Kunkle, Gaming Board chairman, said Cellini passed the agency's background check.

Meanwhile, Thursday, the Gaming Board met in Chicago and failed to reach agreement on how to implement a legal limit of 1,200 gambling customers per riverboat.

Mr. FITZGERALD. Mr. President, there are a number of other articles that have been written over the years about how the State gave out the riverboat gambling licenses in Illinois. The record is replete with problems that the State had, or questions that were raised about how the licenses were awarded. They just happened to be awarded to people who seemed to be involved in the political process.

That was something I was concerned about at the time. I was in the State senate at that time; this goes back to 1994. There is an article in the Chicago Sun-Times that discusses how I was seeking competitive bidding on those State riverboat licenses.

This is an article from April 10, 1994, entitled, ''Riverboat Deal is Plum For Insiders,'' by Dennis Byrne of the Chicago Sun-Times:

The agreement between Mayor Daley and Gov. Edgar to bring riverboat gambling to Chicago should make a lot of people happy: Chicago taxpayers and schoolchildren, who will benefit from the additional revenues, and the thousands of casino/entertainment center employees.

But the folks who should be the happiest are the well-connected insiders who are already raking it in from the state's 10 suburban and Downstate riverboats and who stand to make hundreds of millions more from the Chicago riverboats.

That would be thanks to a little-noticed part of the agreement changing the law that bans owners of one riverboat license from having more than a 10 percent interest in a second. If approved by the Legislature, they could own a second license and up to a 10 percent interest in a third.

So folks such as Eugene Heytow, chairman of the politically connected Amalgamated Trust & Savings Bank, where William Daley, the mayor's brother, once was president, could keep his stake in a riverboat in Galena while buying a chunk of one in Chicago. And William Cellini, a powerful friend of Edgar and former Gov. James R. Thompson, could buy into Chicago big-time while keeping his lucrative interest in the Alton Belle. So could Gayle Franzen, the Republican candidate for DuPage County Board chairman. And so on.

You could argue that they should get a piece of the Chicago action because the state is changing the rules of the game, that when they invested in the suburban and Downstate boats they believed they wouldn't face any competitive risk from Chicago.

However, it's not a very convincing argument in the face of the obscene profits that they have already harvested from their state-protected monopolies. State Sen. Peter G. Fitzgerald (R-Inverness), a banker, has calculated that the profits have been great enough to cover initial investments in only a matter of months—the kind of return that might make Hillary Rodham Clinton envious. In the case of the Alton Belle, a $20 million or so capital investment (and a paltry $85,000 for a state licensing fee) seeded a company that now has an estimated market value approaching a half billion dollars.

Let me read that again.

This is from Dennis Byrne, ''Riverboat Deal is Plum for Insiders.''

In the case of the Alton Belle, a $20 million or so capital investment—and a paltry $85,000 for a State licensing fee.

The guys who got the riverboats gave the State $85,000. The State gave them a license and ceded a company that now has an estimated market value approaching $.5 billion.

Not a bad deal if you are giving the $85,000 and they are giving you the license. It is worth, at that time they say, $.5 billion. What did the taxpayers get out of this with no competitive bidding? They had their income taxes raised during that time.

For an initial outlay of just a couple hundred grand 2½ years ago, investors now would own tens of millions of dollars worth of stock. Cellini himself plucked $4.9 million when he sold some of his stock when the company went public, but still retains some $60 million worth of stock.

And if they invest in Chicago boats? Using the city's figures, Fitzgerald calculates that annual net income on each boat could approach $50 million, and that the market value of each boat (at five times earnings) could exceed a quarter of a billion dollars.

Thankfully, though, they'd have to sink more into the Chicago boats, because, unlike the license for suburban and Downstate boats, the city licenses would be competitively bid. Who gets the license will depend, in part, on how much the bidder is willing to give to the city in admission, franchise and other fees. Unfortunately, though, the state's 20 percent gaming tax on gross receipts will not be raised, for the Chicago or Downstate boats. Nor do we know if other municipalities that are granted new boats will be able to demand competitive bidding.

Fitzgerald believes that even if the 20 percent state tax were raised significantly, to as high as 60 percent, the owners still would make a nice profit. So if we truly believe

that the boats are a public good, maybe we should allow the public to rake off at least as much as some politically connected pals.

Mr. President, I understand that the Presiding Officer has an obligation, so I will try to focus my remarks and enable the Presiding Officer to meet that obligation.

We have introduced a number of articles on this point all during the day to lay the context in which my concerns were raised about this very large project in Springfield.

I guess now we are down to the point where we have to ask the big question: Is the proposed Abraham Lincoln Library in Springfield, IL, another insider deal? I certainly hope it doesn't become one. This may or may not be now. We will not know until it is done. But we should do our very best to prevent it from becoming one.

We have said if we don't have careful controls, the money could wind up in private hands. It wouldn't have to be competitively bid under the language in the conference report. If the money winds up in State hands, then under the language that passed out of the House in the conference report, and which the Senate has basically said they don't like because it doesn't have Federal competitive bidding in it, if the money went to a private entity and went to the State—we have seen the State without competitive bidding. I would hate to see the monument to ''Honest Abe'' discussed in one of these many articles that have been written by investigative reporters. Competitive bidding could be opted out if it were the Capital Development Board that were doing the project.

As I pointed out, it is not unusual for the State to have to live within Federal competitive bid guidelines. This is not an unusual request. Then there is the State code. The State procurement code specifically contemplates the application of Federal guidelines such as these Federal competitive guidelines.

Are there red flags on this project? I want to sum those up again. We talked earlier in the day about some of the red flags.

We had the cost of the project increasing as the project has been talked about over the last few years. It started out as a proposed $40 million project in February of 1998. It went to a $60 million project 13 months later, in March of 1999. When I first came to the Senate, it was a $60 million project. Then one month after that, the next report said it was a $148 million project—up from the most recent $60 million estimate on advice from ''designers and fiscal advisers.'' That raised the red flag in my mind. I thought we had to bird-dog this project. After all, that is a big expenditure in any city, and it is certainly a big expenditure in the city of Springfield, our State capital.

The estimated cost, adjusted for inflation, of our State capitol is only $70 million compared to the $148 million that we saw referred to there, and now the $120 million that they are talking about for this library.

The cost of other buildings in Springfield: the Willard Ice Building is a $70 million building; the Prairie Capital Convention Center is a $60 million building.

We are really talking about a very visible project in Springfield. We discussed the location as well of this library. We noted its proximity to the Springfield Ramada Renaissance Hotel. We talked at length about the history of the Springfield Renaissance Hotel. We noted that this project is intended to and will stimulate tourism, if it is done right, in the city of Springfield. That hotel stands to benefit from that. It would be nice if we could get some payments on that $15 million State loan from back in 1982 to build that.

We have not yet noted, and I think we need to note, that Mr. Cellini, whom we have discussed, has been active in seeking to raise money for the private foundation that is connected to the library. Let me see if I can focus on that for one second and find a citation for you, Mr. President. There are newspaper articles, I believe, that suggest he has been out actively trying to raise money for the library. I would like to find that citation.

Incidentally, I should also mention that the Ronald Reagan Presidential Library cost $65 million.

It is a State Journal Register article from September 5, 1999, a little over a year ago:

William Cellini reported to be heading private fundraising drive for the project.

So we are beginning to connect this all back into some of the projects we have read about throughout the course of the day. These are connecting threads, and set against the backdrop of procurement history and controversy in Illinois, I think there is good reason for Congress to be careful with this project. I think it is reasonable to look at all these red flags and say, this $50 million in Federal money, we better make sure it is buttoned down; better be careful, we don't want to happen to this money what has sometimes happened in the past. We don't want this project ever to be the subject of one of these investigative reports in one of our State's fine newspapers.

In light of the time restraints we are running up against tonight, the hour is late and I recognize that, I thank my colleagues again for all their support, for going on record in favor of competitive bidding in accordance with the Federal competitive bidding guidelines. I certainly hope the House will reconsider the position that has come out of the House in opposition for buttoning down this money and having tighter controls on it, to make sure that none of it winds up being involved in an insider deal, and that Springfield gets $120 million worth of value out of the $120 million that is intended to be spent on this monument for Abraham Lincoln.

Some may wonder why I have sought to filibuster the Interior appropriations bill over this matter. They would note $50 million is a substantial amount, but as a percentage of the entire appropriations bill, it is relatively small in comparison. There are literally countless projects throughout the country that are contained in that bill. I believed it was important to come to the floor and to lay out this case because it goes to the very heart of the appropriations process in Washington.

I understand those who oppose the competitive bidding will eventually have a good opportunity to move their bill and make sure the competitive bidding isn't in there. But I hope we are going to have illumination here. I think the people of Illinois can know who their government is and what it is about. I think that the people of this country may see, through the prism of Illinois, how serious and consequential the ethical foundations of their government can and must be.

This issue of whether we make sure this money is competitively bid goes to the very heart of the appropriations process. We ought to take great care of the people's money. The people's money represents precious hours of hard work, sweat, and time away from family. The American people are fundamentally generous, and they will permit reasonable expenditures for the good of their country, their communities, and their State. However, Mr. President, don't abuse them. Do your best to make sure that there are sufficient safeguards so the people can know that their taxpayer dollars will not simply be trampled on by political insiders. That is what bothers me personally, eats at me—the people who oppose provisions such as this act, as though $50 million in taxpayer money is a quarter. How can we ever put too many controls on taxpayer money? Why would anyone not welcome even more stringent competitive bid rules? Why would anybody oppose that? I can't think of a good reason.

The backdrop of problems we have had in the State of Illinois for a long time, which I illuminated today, and the legacy of insider dealing make me very reluctant to turn over this particular $120 million without doing everything I can to protect it.

I thank all of those who have stayed with me tonight, and I yield the floor.

RECESS UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 9:30 a.m. on Thursday, October 5, 2000.

Thereupon, the Senate, at 8:25 p.m., recessed until 9:30 a.m., Thursday, October 5, 2000.