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Senate

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

(Continued)

AMENDMENT NO. 1530

(Purpose: To redesignate the National School Lunch Act as the ''Richard B. Russell National School Lunch Act'')

At the end of the bill, insert the following:

SEC. ____. REDESIGNATION OF NATIONAL SCHOOL LUNCH ACT AS RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT.—(a) IN GENERAL.—The first section of the National School Lunch Act (42 U.S.C. 1751 note) is amended by striking ''National School Lunch Act'' and inserting ''Richard B. Russell National School Lunch Act''.

(b) CONFORMING AMENDMENTS.—The following provisions of law are amended by striking ''National School Lunch Act'' each place it appears and inserting ''Richard B. Russell National School Lunch Act'':

(1) Sections 3 and 13(3)(A) of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237).

(2) Section 404 of the Agricultural Act of 1949 (7 U.S.C. 1424).

(3) Section 201(a) of the Act entitled ''An Act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes'', approved September 21, 1959 (7 U.S.C. 1431c(a); 73 Stat. 610).

(4) Section 211(a) of the Agricultural Trade Suspension Adjustment Act of 1980 (7 U.S.C. 4004(a)).

(5) Section 245A(h)(4)(A) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(4)(A)).

(6) Sections 403(c)(2)(C), 422(b)(3), 423(d)(3), 741(a)(1), and 742 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(c)(2)(C), 1632(b)(3), 1183a note, 42 U.S.C. 1751 note, 8 U.S.C. 1615; Public Law 104–193).

(7) Section 2243(b) of title 10, United States Code.

(8) Sections 404B(g)(1)(A), 404D(c)(2), and 404F(a)(2) of the Higher Education Act of 1965 (20 U.S.C. 1070a–22(g)(1)(A), 1070a–24(c)(2), 1070a–26(a)(2); Public Law 105–244).

(9) Section 231(d)(3)(A)(i) of the Carl D. Perkins Vocational Education Act (20 U.S.C. 2341(d)(3)(A)(i)).

(10) Section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)).

(11) Section 1397E(d)(4)(A)(iv)(II) of the Internal Revenue Code of 1986.

(12) Sections 254(b)(2)(B) and 263(a)(2)(C) of the Job Training Partnership Act (29 U.S.C. 1633(b)(2)(B), 1643(a)(2)(C)).

(13) Section 3803(c)(2)(C)(xiii) of title 31, United States Code.

(14) Section 602(d)(9)(A) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 474(d)(9)(A)).

(15) Sections 2(4), 3(1), and 301 of the Healthy Meals for Healthy Americans Act of 1994 (42 U.S.C. 1751 note; Public Law 103–448).

(16) Sections 3, 4, 7, 10, 13, 16(b), 17, and 19(d) of the Child Nutrition Act of 1966 (42 U.S.C. 1772, 1773, 1776, 1779, 1782, 1785(b), 1786, 1788(d)).

(17) Section 658O(b)(3) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m(b)(3)).

(18) Subsection (b) of the first section of Public Law 87–688 (48 U.S.C. 1666(b)).

(19) Section 10405(a)(2)(H) of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101–239; 103 Stat. 2489).

AMENDMENT NO. 1531

(Purpose: To provide additional funding for the Watershed and Flood Preventions and earmark funds for financial and technical assistance for pilot rehabilitation projects in Mississippi)

On page 33, line 15 after the period, insert the following: '': *Provided further,* That of the funds available for Emergency Watershed Protection activities, $5,000,000 shall be available for Mississippi and Wisconsin for financial and technical assistance for pilot rehabilitation projects of small, upstream dams built under the Watershed and Flood Prevention Act (16 U.S.C. 1001 et seq., Section 13 of the Act of December 22, 1994) Public Law 78–534; 58 Stat. 905, and the pilot watershed program authorized under the heading 'FLOOD PREVENTION' of the Department of Agriculture Appropriation Act, 1954, (Public Law 156; 67 Stat 214)''.

AMENDMENT NO. 1532

(Purpose: To increase the fee on guaranteed business and industry loans thereby reducing the subsidy costs)

On page 41, line 6, insert the following before the period: '': *Provided further,* That none of the funds appropriated under this paragraph shall be available unless the Department of Agriculture proposes a revised regulation to allow leaders to be charged a fee of up to 3% on guaranteed business and industry loans''.

AMENDMENT NO. 1533

(Purpose: To provide at least twenty five percent of the appropriated funds to small minority farmers for cooperatives)

On page 42, line 7, insert the following before the period: '': *Provided,* That at least twenty-five percent of the total amount appropriated shall be made available to cooperatives or associations of cooperatives that assist small minority producers''.

AMENDMENT NO. 1534

(Purpose: To amend the National Drought Policy Act of 1998, to make a technical correction)

At the appropriate place in the bill, add the following new section:

SEC. . Public Law 105–199 (112 Stat. 641) is amended in section 3(b)(1)(G) by striking ''persons'', and inserting in lieu thereof ''governors, who may be represented on the Commission by their respective designees,''.

AMENDMENT NO. 1535

(Purpose: To require the expenditure of appropriated funds for certain enforcement activities)

On page 55, line 5, strike the semicolon and insert the following: '', of which $1,000,000 shall be for premarket review, enforcement and oversight activities related to users and manufacturers of all reprocessed medical devices as authorized by the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.), and of which no less than $55,500,000 and 522 full-time equivalent positions shall be for premarket application review activities to meet statutory review times;''.

AMENDMENT NO. 1536

(Purpose: Expressing the sense of the Senate concerning the United States Action Plan on Food Security)

On page 76, between lines 6 and 7, insert the following:

SEC. 7. SENSE OF THE SENATE CONCERNING ACTION PLAN ON FOOD SECURITY.

It is the sense of the Senate that the President should include in the fiscal year 2001 budget request funding to implement the United States Action Plan on Food Security.

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

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Mr. DURBIN. Mr. President, this Saturday, August 7 will mark the tenth anniversary of the death of Congressman Mickey Leland, who was an extraordinarily effective advocate for the hungry people here at home and throughout the world. In remembering his tireless work for the hungry, I think it is fitting to redouble our own efforts to fight hunger and malnutrition.

The United States recently released its plan to reduce hunger. I am offering an amendment today to ask that the President include in his budget request next year specific proposals to implement the U.S. plan.

In November 1996 the United Nations Food and Agriculture Organization convened a World Food Summit in Rome. The goal of the conference was to ''renew the commitment of world leaders at the highest level to the eradication of hunger and malnutrition and the achievement of food security for all, through the adoption of concerted policies and actions at global, regional, and national levels.'' Summit participants pledged to cut the number of undernourished people in half by 2015. Each participating country was to decide independently how it could contribute to the goal of food security for all.

This March of this year, the U.S. Department of Agriculture published the U.S. government's plan to meet the goals of the 1996 World Food Summit, entitled U.S. Action Plan on Food Security, Solutions to Hunger. The plan outlines how the United States will fight hunger both at home and abroad. The plan is broad and involves a number of U.S. agencies and policies. It aims to reduce both U.S. and world hunger by addressing the ''policy environment,'' promoting trade and investment, strengthening food security research and educational capacity, integrating environmental concerns into food security efforts, improving the ''safety net,'' better identifying ''food insecure'' individuals and populations, and addressing food and water safety issues.

The USDA report was issued after the President had already submitted his budget. Many of the recommendations in the report are policies already in place and so already addressed in the President's budget. The report has some specific recommendations, but many are broad principles that need to be fleshed out to lead to specific actions.

I want to be sure that this report does not become one of the many government reports that leads nowhere, that fulfills the requirements of an international conference with lofty goals but little follow-through.

I am offering this amendment today, which simply says that it is the sense of the Senate that the President should include in the fiscal year 2001 budget request funding to implement this plan, to encourage the Administration to submit specific proposals and budget requests to follow through on our fight against hunger.

AMENDMENT NO. 1537

(Purpose: To require the Farm Service Agency to review programs that provide assistance to apple farmers and report to Congress)

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. FINANCIAL HARDSHIPS FACING APPLE FARMERS.—The Farm Service Agency—

(1) in view of the financial hardship facing United States apple farmers as a result of a loss of markets and excessive imports of apple juice concentrate, shall review all programs that assist apple growers in time of need;

(2) in view of the increased operating costs associated with tree fruit production, shall review the limits currently set on operating loan programs used by apple growers to determine whether the current limits are insufficient to cover those costs; and

(3) shall report to Congress its findings not later than January 1, 2000.

AMENDMENT NO. 1538

(Purpose: To provide additional funding for fruit fly exclusion and detection, with an offset)

On page 18, line 12, strike ''$437,445,000'' and insert ''$439,445,000''.

On page 18, line 19, after the colon, insert the following ''*Provided further,* That, of the amounts made available under this heading, not less than $24,970,000 shall be used for fruit fly exclusion and detection (including at least $6,000,000 for fruit fly exclusion and detection in the state of Florida):''.

On page 20, line 16, strike $7,200,000'' and insert ''$5,200,000''.

AMENDMENT NO. 1539

On page 36 of S. 1233, line 3 after the word ''systems:'' insert the following: ''*Provided further,* That of the total amount appropriated, not to exceed $1,500,000 shall be available to the Grassroots project:''.

AMENDMENT NO. 1540

(Purpose: To provide funding for sustainable agriculture research and a research program on improved fruit practices in the State of Michigan, with an offset)

On page 13, line 13, strike ''$54,476,000'' and insert ''$54,951,000''.

On page 13, line 16, strike ''$117,100,000'' and insert ''$116,625,000''.

Mr. LEVIN. Mr. President, I am pleased the managers have accepted the amendment that I introduced adding funds for existing research programs under the Cooperative State Research, Education, and Extension Service (CSREES) to help identify and develop alternatives for pesticides that are currently necessary for fruit production and whose use is likely to be restricted under the Food Quality Protection Act. This research program has provided much needed support to Michigan's fruit producers, and I thank the managers for allowing it to continue. It is my understanding that the full amount of the cost of this program will come from the ''Markets, trade, and policy'' section of the CSREES research grants, which currently is undersubscribed. It is also my hope that the additional research funds that I sought for another ongoing CSREES research project to help farmers reduce their use of fertilizer and pesticide inputs can be secured in conference.

AMENDMENT NO. 1541

At the end of the bill insert:

SEC. . Section 889 of the Federal Agriculture Improvement and Reform Act of 1996 is amended—

(1) in the heading, by inserting ''HARRY K. DUPREE'' before ''STUTTGART'';

(2) in subsection (b)(1)—

(A) in the heading, by inserting ''HARRY K. DUPREE'' before ''STUTTGART''; and

(B) in subparagraphs (A) and (B), by inserting ''Harry K. Dupree'' before ''Stuttgart National Aquaculture Research Center'' each place it appears.

AMENDMENT NO. 1542

(Purpose: To provide $300,000 for climate change research at the Florida Center for Climate Prediction at Florida State University, the University of Florida and the University of Miami with an offset)

On Page 13, Line 16, strike ''$116,625,000'' and insert ''$116,325,000''.

On Page 14, Line 19, strike ''$13,666,000'' and insert ''$13,966,000''.

Mr. MACK. Mr. President, I rise today in strong support of the amendment my colleague from Florida, Senator GRAHAM, and I have offered on behalf of the Florida Center for Climate Prediction.

The Center is a consortium between the University of Florida, Florida State University and the University of Miami to study climate variability in the Southeast region. The objective of this unique partnership is to explore the potential value and practical application for long-term climate data and science to the agricultural community in my state and throughout the Southeast.

The consortium's purpose is to develop and evaluate a useful set of tools and methodologies for assessing the regional agricultural consequences of the El Nino/La Nina phenomenons and applying these forecasts to agricultural decision-making. This is a truly innovative project and I am pleased this partnership is making good progress on these important agricultural issues.

Our amendment will provide $300,000 in funding for the Center in the Federal administration section of the Cooperative State Research and Education, and extension Service [CSREES]—Research and Education Activities section of the bill before us today. I appreciate the support my colleagues on the Appropriations Committee provided this important research initiative.

AMENDMENT NO. 1543

(Purpose: To provide that certain cross-county leasing provisions apply to Kentucky and to release and protect the release of tobacco production and marketing information)

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. TOBACCO LEASING AND INFORMATION.—(a) CROSS-COUNTY LEASING.—Section 319(l) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e(l)) is amended in the second sentence by inserting '', Kentucky,'' after ''Tennessee''.

(b) TOBACCO PRODUCTION AND MARKETING INFORMATION.—Part I of subtitle B of title III

of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) is amended by adding at the end the following:

"SEC. 320D. TOBACCO PRODUCTION AND MARKETING INFORMATION.

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may, subject to subsection (b), release marketing information submitted by persons relating to the production and marketing of tobacco to State trusts or similar organizations engaged in the distribution of national trust funds to tobacco producers and other persons with interests associated with the production of tobacco, as determined by the Secretary.

''(b) LIMITATIONS.—

''(1) IN GENERAL.—Information may be released under subsection (a) only to the extent that—

''(A) the release is in the interest of tobacco producers, as determined by the Secretary; and

''(B) the information is released to a State trust or other organization that is created to, or charged with, distributing funds to tobacco producers or other parties with an interest in tobacco production or tobacco farms under a national or State trust or settlement.

''(2) EXEMPTION FROM RELEASE.—The Secretary shall, to the maximum extent practicable, in advance of making a release of information under subsection (a), allow, by announcement, a period of at least 15 days for persons whose consent would otherwise be required by law to effectuate the release, to elect to be exempt from the release.

''(c) ASSISTANCE.—

''(1) IN GENERAL.—In making a release under subsection (a), the Secretary may provide such other assistance with respect to information released under subsection (a) as will facilitate the interest of producers in receiving the funds that are the subject of a trust described in subsection (a).

''(2) FUNDS.—The Secretary shall use amounts made available for salaries and expenses of the Department to carry out paragraph (1).

''(d) RECORDS.—

''(1) IN GENERAL.—A person that obtains information described in subsection (a) shall maintain records that are consistent with the purposes of the release and shall not use the records for any purpose not authorized under this section.

''(2) PENALTY.—A person that knowingly violates this subsection shall be fined not more than $10,000, imprisoned not more than 1 year, or both.

''(e) APPLICATION.—This section shall not apply to—

''(1) records submitted by cigarette manufacturers with respect to the production of cigarettes;

''(2) records that were submitted as expected purchase intentions in connection with the establishment of national tobacco quotas; or

''(3) records that aggregate the purchases of particular buyers.''.

AMENDMENT NO. 1544

(Purpose: To modify Section 739 of the bill)

On page 70, strike lines 3 through 10, and insert in lieu thereof:

''SEC. 739. None of the funds appropriated or otherwise made available by this Act may be used to declare excess or surplus all or part of the lands and facilities owned by the federal government and administered by the Secretary of Agriculture at Fort Reno, Oklahoma, or to transfer or convey such lands or facilities, without the specific authorization of Congress.''.

AMENDMENT NO. 1545

(Purpose: To appropriate $500,000 for the Nevada Arid Rangelands Initiative to develop research and educational programs to manage healthy and productive rangelands, provide abundant renewable natural resources, and support the economic development of the rangelands in a sustainable manner)

On page 13, line 16, strike the figure ''$116,325,000'' and insert in lieu thereof the figure ''$115,825,000'' and on page 13, line 13, strike the figure ''$54,951,000'' and insert in lieu thereof the figure ''$55,451,000''.

Mr. REID. Mr. President, I rise today to seek amendment to the allocation for special grants for agricultural research under the Cooperative State Research, Education, and Extension Service, Research and Education Activities. I respectfully request that $500,000 be added to this activity to fund the Nevada Arid Rangelands Initiative at the University of Nevada, Reno. This program is critical to Nevada, which has a higher percentage of its lands classified as arid rangeland than any other state in the union.

The mission of the Nevada Arid Rangelands Initiative is to develop research, management, and educational programs to promote healthy and productive rangelands and to support economic development of these rangelands in a sustainable manner. Healthy, productive rangelands are critical to the support of many rural families and communities and important to Nevada's quality of life.

The rangelands of Nevada are at risk from many factors including competing demands for water, loss of scarce riparian vegetation, invasive weeds, and wildfire. The Nevada Arid Rangelands Initiative will seek to develop innovative strategies for such items as simplified methods to assess rangeland health, the development of watershed grazing strategies, control of invasive weeds and the use of vegetative management strategies to control wildfire.

This money should be included in the following account: ''Competitive Research Grants, Natural Resources and the Environment.''

AMENDMENT NO. 1546

On page 13, line 13, increase the dollar amount by $750,000; and

On page 13, line 16, decrease the dollar amount by $750,000.

Mr. SESSIONS. Mr. President, I thank my good friend from Mississippi, the chairman of the Agriculture Appropriations committee, for his leadership on this bill and for his accepting this amendment.

This amendment reduces funding from the National Research Initiative Competitive Grants Program (NRI) on Nutrition, Food Quality and Health in order to target $750,000 for the continuation of Next Generation Detection and Information Systems for food pathogens and toxins at Auburn University, Auburn, Alabama.

AMENDMENT NO. 1547

(Purpose: To promote eligibility to Berlin, New Hampshire for a rural utilities grant or loan under the Rural Community Advancement Program)

At the end of the bill, add the following:

''SEC. . That notwithstanding section 306(a)(7) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 (a)(7)), the city of Berlin, New Hampshire, shall be eligible during fiscal year 2000 for a rural utilities grant or loan under the Rural Community Advancement Program.''.

AMENDMENT NO. 1548

(Purpose: To authorize the Cranberry Marketing Committee to conduct paid advertising for cranberries and cranberry products and to authorize the Secretary of Agriculture and the Committee to collect cranberry inventory data)

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. CRANBERRY MARKETING ORDERS.—(a) PAID ADVERTISING FOR CRANBERRIES AND CRANBERRY PRODUCTS.—Section 8c(6)(I) of the Agricultural Adjustment Act (7 U.S.C. 608c(6)(I)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the first proviso—

(1) by striking ''or Florida grown strawberries'' and inserting '', Florida grown strawberries, or cranberries''; and

(2) by striking ''and Florida Indian River grapefruit'' and inserting ''Florida Indian River grapefruit, and cranberries''.

(b) COLLECTION OF CRANBERRY INVENTORY DATA.—Section 8d of the Agricultural Adjustment Act (7 U.S.C. 608d), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

''(3) COLLECTION OF CRANBERRY INVENTORY DATA.—

''(A) IN GENERAL.—If an order is in effect with respect to cranberries, the Secretary of Agriculture may require persons engaged in the handling or importation of cranberries or cranberry products (including producer-handlers, second handlers, processors, brokers, and importers) to provide such information as the Secretary considers necessary to effectuate the declared policy of this title, including information on acquisitions, inventories, and dispositions of cranberries and cranberry products.

''(B) DELEGATION TO COMMITTEE.—The Secretary may delegate the authority to carry out subparagraph (A) to any committee that is responsible for administering an order covering cranberries.

''(C) CONFIDENTIALITY.—Paragraph (2) shall apply to information provided under this paragraph.

''(D) VIOLATIONS.—Any person that violates this paragraph shall be subject to the penalties provided under section 8c(14).''.

Mr. SMITH of Oregon. Mr. President, this amendment, cosponsored by my colleague from Oregon and others from cranberry producing states, amends the Agriculture Marketing Agreement Act of 1937, giving cranberry producers the tools they need to meet the challenges of a rapidly changing marketplace. Cranberry growers in my state produce a fruit that is an important portion of our state's agriculture economy. Despite their economic significance, cranberry marshes or bogs are often small and multi-generational family farms. In fact, it is not uncommon to find a grower who is a third, or fourth generation farmer, working the same ten-acre

bog that is or her grandparents or great-grandparents worked in the twenties or thirties. They have a strong tradition of independence and stewardship and have been marvels of ingenuity and productivity for a long time.

However, today they are suffering. Prices are down by forty to sixty percent over the levels of only a year ago. In some cases the cost of production exceeds the current value of the harvest crop. While cranberry growers tend to be resilient, many are having difficulties dealing with these extreme market conditions.

Our amendment will not solve all of the problems this industry faces in the near-term, but we believe it will help the industry in the long-term. It does not provide any money or increase the regulatory controls on industry. However, the amendment before us today addresses the problems in the cranberry industry in two ways:

First, our amendment would expand the information-gathering authority of the Cranberry Marketing Committee beyond the traditional production states outlined in the original Cranberry Marketing Order. When the order was first conceived, cranberries were largely used only as fresh fruit for the Thanksgiving and Christmas holidays. As I am sure many of my colleagues are aware, decades of innovation and creative marketing by the cranberry industry has led to a tremendous expansion of this commodity—mainly through its use in juices and other products that are consumed year-round. Unfortunately, the commodity reporting mechanisms provided under the current Cranberry Marketing Order have not kept up with the growth and evolution of the industry. Today, vast amounts of cranberry supplies are imported and processed outside of production states that are subject to the Cranberry Marketing Order. This handicaps our cranberry growers, who are unable to obtain accurate information about the available supply, and therefore cannot make the optimum planting decisions. Our legislation would correct this by expanding the Cranberry marketing Committee authority, ultimately enabling growers to make better production decisions.

A second component of our amendment would add cranberries to the list of commodities eligible to use funds raised from domestic procedures for overseas advertising as part of a generic marketing promotion program. Like all other agriculture producers, cranberry growers know the ability to effectively market products in the global marketplace is critical to maintaining growth and increasing price stability. Although it is my understanding that the Cranberry Marketing Committee does not currently plan to initiate such a campaign at this time, our legislation gives them the flexibility to do so.

Much has been said in recent months on this floor about the plight of agriculture and an ongoing farm crisis brought about by record low commodity prices. This problem is real and cranberry producers in small Oregon coastal towns like Bandon and Coos Bay have felt it as well. I would like to urge the Secretary of Agriculture to get directly involved with the leadership of the industry to try and find meaningful initiatives that can help them weather this difficult time and ensure a healthy industry for a healthy product.

Mr. President, cranberry growers know global competition will become increasingly fierce in the next century, yet they also know that their future prosperity will be built upon effective marketing and production innovation—not expensive safety nets or reactive trade barriers. I thank my colleagues for joining me in support of this amendment to give cranberry growers in my state and throughout the nation the freedom to address the current farm crisis and pro-actively meet the challenges of the new century.

AMENDMENT NO. 1549

(Purpose: To authorize Alaska Native tribes for payment of certain administrative costs for the Food Stamp Program)

On page 76, line 6, please add the following:

''Beginning in fiscal year 2001 and thereafter:

''SEC. . The Food Stamp Act (P.L. 95–113, section 16(a)) is amended by inserting after the phrase 'Indian reservation under section 11(d) of this Act' the following new phrase: 'or in a Native village within the State of Alaska identified in section 11(b) of Public Law 92–203, as amended.'.''

AMENDMENT NO. 1550

(Purpose: To amend S. 1233 to require the Secretary review food packages periodically and consider including other nutritious foods under the food package program for Women, Children and Infants)

At the appropriate place insert the following new section:

''SEC. . It is the Sense of the Senate that the Secretary of Agriculture shall periodically review the Food Packages listed at 7 CFR 246.10(c) (1996) and consider including additional nutritious foods for women, infants and children.''

Mr. STEVENS. Mr. President, I would like to make a brief statement concerning my amendment to the fiscal year 2000 Agriculture Appropriations bill regarding the Women, Infants, and Children nutrition program. My reading of the regulations implementing this program indicate that they provide women and their children with a very limited range of food options. For example, the only non-dried vegetable they may chose from is carrots. They may eat canned carrots, raw carrots, and frozen carrots, but no other non-dried vegetable is permitted. Likewise the only meat or fish they allow is tuna. Salmon, the most heart-healthy protein source available, is essentially banned along with beef, poultry, pork, and other protein sources.

My amendment directs the Secretary to review the WIC food packages currently available to pregnant and lactating women and their children and consider adding new, but nutritious foods to the list. It is ridiculous to expect children to eat foods from such a limited list. Anyone with a picky toddler knows that a varied diet is critical to developing healthy eating habits.

Several years ago there was a controversy concerning Congress deciding which foods should be included in the WIC package, substituting its judgment for that of nutrition experts at USDA. This amendment does not mandate that salmon or any other food be included on the list. It gives complete and full discretion to the Secretary to determine which foods should be included. It simply directs him to periodically update the list.

I have worked for years with Dr. William Castelli at the Framington Heart Study in Massachusetts and know firsthand the health benefits of salmon. The omega 3 oils within salmon actually reduce cholesterol levels, I eat salmon at least twice a week. I am confident that salmon will meet any standard that USDA applies without any additional help from me. When the nutrition experts see what a wonderful protein source salmon is, they will wonder why they didn't put it on the list in the first place.

AMENDMENT NO. 1551

(Purpose: To amend S. 1233 to provide for education grants to Alaska Native serving institutions and Native Hawaiian serving institutions)

Amend Title VII—GENERAL PROVISIONS by inserting a new section as follows:

''SEC. . EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

''(a) EDUCATION GRANTS PROGRAM FOR ALASKA NATIVE SERVING INSTITUTIONS.—(1) GRANT AUTHORITY.—The Secretary of Agriculture may make competitive grants (or grants without regard to any requirement for competition) to Alaska Native serving institutions for the purpose of promoting and stengthening the ability of Alaska Native serving instituions to carry out education, applied research, and related community development programs.

(2) USE OF GRANT FUNDS. Grants made under this section shall be used—

(A) to support the activities of consortia of Alaska Native serving institutions to enhance education equity for under represented students:

(B) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international educational needs in the food and agriculture sciences:

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level including by village elders and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Alaska Native serving institutions, or between Alaska Native serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty,

facilities, and equipment, to improve food and agricultural sciences teaching programs.

(2) AUTHORIZATION OF APPROPRIATIONS. There are authorized to be appropriated to make grants under this subsection $10,000,000 in fiscal years 2001 through 2006.

''(b) EDUCATION GRANTS PROGRAM FOR NATIVE HAWAIIAN SERVING INSTITUTIONS.—(1) GRANT AUTHORITY.—The Secretary of Agriculture may make competitive grants (or grants without regard to any requirement for competition) to Native Hawaiian serving institutions for the purpose of promoting and strengthening the ability of Native Hawaiian serving institutions to carry our education, applied research, and related community development programs.

(2) USE OF GRANT FUNDS. Grants made under this section shall be used—

(A) to support the activities of consortia of Native Hawaiian serving institutions to enhance educational equity for under represented students:

(B) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction deliver systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international educational needs in the food and agriculture sciences:

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resources systems of the United States, beginning with the mentoring of students at the high school level and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Native Hawaiian serving institutions, or between Native Hawaiian serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as a faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(2) AUTHORIZATION OF APPROPRIATIONS. There are authorized to be appropriated to make grants under this subsection $10,000,000 for each of fiscal years 2001 through 2006.

AMENDMENT NO. 1552

(Purpose: To amend S. 1233 to provide a minimum allocation of Smith Lever Act funds to States subject to a special statutory cost of living adjustment)

At the appropriate place in the bill insert the following new section:

''SEC. . SMITH-LEVER ACT ALLOCATIONS IN STATES WITH CONGRESSIONALLY-AUTHORIZED COST OF LIVING ADJUSTMENTS.

''Beginning in fiscal year 2001 and thereafter, a state in which federal employees receive a special allowance because of the high cost of living or conditions of environment which differ substantially from conditions in other parts of the country as provided under section 1 of title IV of Public Law 102–141 (105 Stat. 861) shall receive an allotment of no less than $2,000,000 under the Smith Lever Act of 1914, as amended (7 U.S.C. 343).''

AMENDMENT NO. 1553

(Purpose: To amend S. 1233 to provide a minimum allocation of Hatch Act funds to States subject to a special statutory cost of living adjustment)

At the appropriate place in the bill insert the following new section:

''SEC. . HATCH ACT ALLOCATIONS IN STATES WITH CONGRESSIONALLY-AUTHORIZED COST OF LIVING ADJUSTMENTS.

''Beginning in fiscal year 2001 and thereafter, a state in which federal employees receive a special allowance because of the high cost of living or conditions of environment which differ substantially from conditions in other parts of the country as provided under section 1 of title IV of Public Law 102–141 (105 Stat. 861) shall receive an allotment of no less than $2,000,000 under 7 U.S.C. 361c(c).''

AMENDMENT NO. 1554

(Purpose: To set aside certain funds for programs and activities of the Livestock Marketing Information Center in Lakewood, Colorado, with an offset)

On page 13, line 16, strike ''$115,075,000'' and insert ''$114,825,000''.

On page 14, line 19, strike ''$13,966,000'' and insert ''$14,216,000''.

On page 14, line 22, before the period at the end, insert the following: '', of which not less than $250,000 shall be provided to carry out market analysis programs at the Livestock Marketing Information Center in Lakewood, Colorado''.

AMENDMENT NO. 1555

(Purpose: To require the use of certain funds transferred to the Economic Research Service to conduct a study of reasons for the decline in participation in the food stamp program and any problems that households with eligible children have experienced in obtaining food stamps)

On page 9, line 9, strike ''$2,000,000'' and insert ''$2,500,000''.

On page 9, line 12, after ''tions:'', insert the following: '': *Provided further,* That not more than $500,000 of the amount transferred under the preceding proviso shall be available to conduct, not later than 180 days after the date of enactment of this Act, a study based on all available administrative data and on-site inspections conducted by the Secretary of Agriculture of local food stamp offices in each State, of (1) reasons for the decline in participation in the food stamp program, and (2) any problems that households with eligible children have experienced in obtaining food stamps, and to report the results of the study to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate:''.

AMENDMENT NO. 1556

On page 13, line 19, strike ''$56,201,000'' and insert ''56,401,000''.

On page 13, on line 13 strike ''$114,825,000'' and insert ''114,625,000''.

Mr. EDWARDS. Mr. President, I rise to elaborate on my amendment that would provide $200,000 in funding under the Cooperative State Research, Education, and Extension Service (CSREES) to a research project in North Carolina to improve early detection of crop diseases. This funding boost is accomplished through an offset in NRI.

This funding would go to North Carolina State which will work in conjunction with the University of North Carolina at Greensboro to create an innovative early warning system for crop failure.

Mr. President, more than 30% of crop failures could be prevented if farmers had an early warning of disease or insect damage. However, by the time most diseases and insect infestations are visible to the naked eye, they are too far advanced for effective treatment.

The University of North Carolina at Greensboro has been conducting a series of experiments that would introduce a color-change gene into crops such as soybeans and cranberries. These crops could be genetically engineered to change color when under stress, insect attack or diseased. A farmer could then shine a black light on the leaves and see the damage long before it is visible to the naked eye. Armed with this early warning, he could begin dealing with the problem long before it becomes fatal to the crop.

This is an important project to support. The research will help bring crop management into the 21st century and could help farmers avert needless disasters. And it could yield enormous benefits soon.

AMENDMENT NO. 1557

(Purpose: To ensure timely testing of imports under the President's Food Safety Initiative)

At the appropriate place insert the following:

SEC. . It is the sense of the Senate that the Food and Drug Administration, to the maximum extent possible, when conducting Food Safety Initiative, ensure timely testing of produce imports by conducting survey tests at the USDA or FDA laboratory closest to the port of entry if testing result are not provided within twenty-four hours of collection.

AMENDMENT NO. 1558

(Purpose: To provide that the price of milk received by producers in Clark County, Nevada, shall not be subject to any Federal milk marketing order or any other regulation by the Secretary of Agriculture and shall solely be regulated by the State of Nevada and the Nevada State Dairy Commission)

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. DEREGULATION OF PRODUCER MILK PRICES IN CLARK COUNTY, NEVADA.—Effective October 1, 1999, section 8c(11) of the Agricultural Adjustment Act (7 U.S.C. 608c(11)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

''(D) PRODUCER MILK PRICES IN CLARK COUNTY, NEVADA.—The price of milk received by producers located in Clark County, Nevada—

''(i) shall not be subject to any order issued under this section or any other regulation by the Secretary; and

''(ii) shall solely be regulated by the State of Nevada and the Nevada State Dairy Commission.''.

AMENDMENT NO. 1559

(Purpose: To express the sense of the Senate concerning actions by the World Trade Organization relating to trade in agricultural commodities)

On page 76, between lines 6 and 7, insert the following:

SEC. . The Senate finds that—

(1) agricultural producers in the United States compete effectively when world markets are not distorted by government intervention;

(2) the elimination of barriers to competition in world markets for agricultural commodities is in the interest of producers and consumers in the United States;

(3) the United States must provide leadership on the opening of the agricultural markets in upcoming multilateral World Trade Organization negotiations;

(4) countries that import agricultural commodities are more likely to liberalize practices if they are confident that their trading partners will not curtail the availability of agricultural commodities on world markets for foreign policy purposes; and

(5) a multilateral commitment to use the open market, rather than government intervention, to guarantee food security would advance the interests of the farm community of the United States.

(b) It is the sense of the Senate that members of the World Trade Organization should undertake multilateral negotiations to eliminate policies and programs that distort world markets for agricultural commodities.

AMENDMENT NO. 1560

(Purpose: To provide additional funding to existing research programs)

On page 13, line 13, strike ''56,401,000'' and insert in lieu thereof ''56,901,000''.

On page 13, line 16, strike ''114,625,000'' and insert in lieu thereof ''114,125,000''.

Mr. KOHL. Mr. President, the amendment I introduce will increase the University of Wisconsin's Babcock Institute's Special Research Grant to $800,000, with $300,000 being appropriated from the Cooperative State Research, Education and Extension Service's (CSREES) Competitive Research Grant Market, Trade and Policy account.

This amendment will also increase funding for the University's Food System Research Group Special Research Grant to $700,000, with $200,000 appropriated from the Cooperative State Research, Education and Extension Service's (CSREES) Competitive Research Grant Nutrition, Food Quality and Health account.

AMENDMENT NO. 1561

(Purpose: To provide an additional $2,000,000 for the Grain Inspection, Packers and Stockyards Administration, offset from the Economic Research Service)

Amend page 22, line 26 by increasing the dollar figure by $2,000,000.

Amend page 9, line 8 by reducing the dollar figure by $2,000,000.

Amend page 9, line 15 by striking the line and inserting in lieu thereof the following: ''2225); *Provided further*, That university research shall be reduced below the fiscal year 1999 level by $2,000,000.''

GIPSA AMENDMENT

Mr. HARKIN. Mr. President, this amendment is offered on behalf of Senators DASCHLE, WELLSTONE, and myself to provide an additional $2 million for the Grain Inspection, Packers and Stockyards Administration, known as GIPSA. This agency performs a critical role in ensuring open markets and fair trade practices for the livestock market. These are issues of great concern to livestock producers, especially in recent years as low prices have raised questions about decreasing competition, inadequate price information and possible abuses of market power.

The Packers and Stockyards Program at GIPSA already has large demands placed on its investigative, analytical and legal resources. Congress and others are putting pressure on GIPSA to conduct more and more sophisticated investigations under significant time pressure.

One of the strongest needs is for rapid response teams which are sent out to specific areas where serious complaints are occurring to quickly determine what is happening and to quickly resolve the problems that are occurring so farmers can get real relief in a timely manner.

GIPSA continues to oversee contracting practices, which are the subject of increasing concern, scrutiny and debate.

In an ever-faster paced market, GIPSA must have the resources to meet its responsibilities. These additional funds are essential to ensuring that the nation's livestock markets remain fair and open to all producers.

The amendment is paid for by reducing the funding for the Economic Research Service. The reduction will be from academic research contracted out by that agency.

CHILE AS SPECIALTY CROP

Mr. DOMENICI. Mr. President, I would like to address the distinguished chairman of the Agriculture Appropriations Committee on an issue associated with the emergency agriculture disaster aid package.

The amendment adopted by the Senate to provide emergency agriculture disaster aid includes a provision to assist the producers of specialty crops. May I enquire of the distinguished Senator from Mississippi if chile crops in New Mexico would be eligible for emergency aid under the specialty crop provision?

Mr. COCHRAN. I respond to my friend from New Mexico that he has requested the assistance of the appropriations subcommittee in addressing the serious situation of New Mexico's chile farmers, and it is the intention of the subcommittee that the chile crop would be eligible for assistance under the specialty crop provision of the bill.

Mr. DOMENICI. I thank the distinguished Subcommittee Chairman for clarifying his understanding and mine that New Mexico's chile producers would be eligible for assistance through the specialty crop provisions of the pending Agriculture appropriations bill.

I appreciate his assistance on this important matter.

COLD WAR AQUACULTURE RESEARCH CENTER

Ms. SNOWE. Mr. President, as the distinguished Senator from Mississippi is aware, at the present time, the United States has no capability for the culture of cold-water, marine finfish, and the industry continues to need a consistent supply of high quality eggs or juvenile organisms. At the same time, I am especially aware as Chair of the Oceans and Fisheries Subcommittee, that many important wild fish stocks in the United States, including the Gulf of Maine, as well as around the world, are suffering from overharvesting. This has the potential to greatly diminish the food supply of many nations whose greatest source of protein is from the fish they catch. The opportunity for cold water aquaculture research is immense and the rewards great for U.S. salmon farming in particular, which is a strategic industry in my State of Maine, especially in the rural area of Downeast Maine.

It is important for the committee to know that representatives of the Maine Atlantic salmon industry and the University of Maine have been working with USDA's Agricultural Research Service and have defined the need to study the feasibility of a research center concept, program criteria and site criteria, site identification and evaluation. Once this has been completed, I hope we can look forward to the committee's future consideration for establishing a cold-water, marine aquaculture research center in an appropriate State such as Maine.

Ms. COLLINS. Mr. President, there is no question that cold-water marine aquaculture holds enormous exciting potential that remains untapped by the Federal Government. Despite its cryptic name, cold-water marine aquaculture is the lifeblood of a very tangible important industry. Each year millions of Atlantic salmon are raised in the cold quick-moving coastal water off the coast of Downeast Maine. The strong tides and rocky coast combined with many sheltering islands provide the perfect environment for a commercially viable finfish aquaculture industry. My discussions with the Agricultural Resources Service, experienced aquaculturalists, and researchers at the University of Maine have confirmed that the coast of Maine would, indeed, be an excellent location for Federal research into marine aquaculture.

I understand that language included in the Agricultural appropriations bill requires ARS to study all of its current aquacultural activities. Is it the chairman's understanding that the study referenced in this bill will focus on, among other things, the feasibility of marine cold-water research program?

Mr. COCHRAN. I understand that my colleagues from Maine have a deep interest in furthering cold-water aquaculture research on marine species, especially since cold water aquaculture is an important industry in their State. In marking up the FY2000 appropriations, the committee considered the need for the Agricultural Research Service to update warmwater aquaculture research activities and in our report language, directed the ARS to submit to the committee by January 31, 2000, a report that will not only update warmwater aquaculture research

activities but also to include all aquaculture research currently being conducted by the agency. The report language also requires the agency to address the agency's current capacity and requirements for additional resources to meet future needs and issues confronting the Nation's aquaculture farmers, including opportunities in rural America. I agree that cold water aquaculture research needs are included in the overall mandate of the report language. I also believe the ARS report will be helpful in establishing the need for coldwater aquaculture research for marine species.

Ms. COLLINS. I appreciate the further clarification and would like to ask one additional question if I may. Could the study called for in the report address the feasibility and desirability of establishing a cold-water aquaculture research program in the State of Maine?

Mr. COCHRAN. Yes, that will be added to the report mandate.

Ms. COLLINS. My colleague and friend from Mississippi is clearly dedicated to the well-being of rural citizens from across the Nation. I thank him for his clarification of this matter of great importance to rural, coastal Maine and look forward to enacting this important legislation.

Ms. SNOWE. I thank my colleague from Mississippi not only for recognizing the importance of cold water aquaculture research for marine species but also for his continued fine work as Chair of the Senate agricultural appropriations process where he continues to be a strong advocate for numerous facets of agricultural research throughout the country.

HUMAN NUTRITION RESEARCH

Mr. DORGAN. Mr. President, I wish to thank the Chairman for his longstanding support of agricultural research and, more specifically, of the human nutrition research programs of the Agricultural Research Service.

Emphasis in human nutrition research at the USDA is designed to maintain a healthy populace and avoid the problems and substantial costs of diseases linked to poor dietary choices. Many diseases such as diabetes, cancer, osteoporosis, cataracts, and others, could be nearly eliminated with improved nutrition research and education.

The President's budget requested $20.25 million for the Human Nutrition Initiative, but because of significant constraints resulting from the allocation, the bill provides only $1.5 million. Of the $53 million originally requested for the program, $48.5 million is still needed.

These funds would reconcile production agriculture, which provides America the most abundant and safest food supply in the world, with consumer demands for a wholesome diet to enhance health, reduce illness, and improve the quality of life.

Does the Chairman agree that because of the critical nature of funding for the program the Human Nutrition Initiative is a subject that should be evaluated in greater detail during conference on this bill?

Mr. KOHL. I concur in my colleague's comments that funding for this program should be an item of discussion and greater support during conference with the House on this bill, and will work with him to that end.

GMO ACCESS IN SOUTHEAST ASIA

Mr. BOND. Mr. President, I and the several members of this Subcommittee have spent a considerable amount of time working to ensure that other nations do not unfairly discriminate against genetically modified crops grown by American farmers. These crops hold great promise for eliminating hunger in the developing nations of the world. In addition, advances in biotechnology will lead to a reduction in the use of pesticides, improvements in soil quality and many GMO (Genetically Modified Organisms) crops have documented health benefits. It would truly be a disaster for the people of those nations—as well as for farm families in this country—if the benefits of these products are lost because of unsound science or straight up protectionism.

We are all aware of the problems that we face in opening markets for these products in Europe and many of my colleagues are aware that we face new labeling requirements in Japan. What many of my colleagues may not realize is that the same groups that are fighting these products in Europe are funding similar efforts to stop the introduction and consumption of GMO products in developing countries around the world—some of the very countries that stand to benefit the most from these products. The opponents are now turning their attention to a key U.S. market—Southeast Asia. This area of the world is home to a half billion consumers and the income levels are well above those in countries such as India or China. Unfortunately, the GMO opponents are busy at work to keep us from competing fairly in the markets of Southeast Asia.

In Thailand, Malaysia, the Philippines and other countries in the region, American producers are facing a real threat of closed markets due to the efforts of non-governmental groups based mostly in Europe. This is a very important time in the region as a number of governments are studying how to and whether to regulate genetically modified organisms. As governments are reviewing the issues, it would be a tremendous mistake to allow the GMO opponents to go unanswered. As a government, we should be making every effort to assist our farmers and producers in educating government officials in these countries as to the sound scientific reviews that have been conducted on these products and the extensive regulatory approval process that the products are subjected to in the United States. Unfortunately, it appears that our federal government resources are completely tied up in fighting what some consider to be more pressing battles around the globe.

My staff and I have been in contact with the Administrator of the Foreign Agriculture Service, Tim Galvin, several times in the past few months urging him to dedicate a relatively modest amount of funding—$80,000—for the FAS to take internationally-respected scientists to countries throughout Southeast Asia so that they may meet with government officials and scientists who are working to address the GMO regulation issue. It is essential that we move forward with such education efforts to counter the rhetoric and the scare tactics of the NGOs. Several of the countries in this region are proceeding towards implementing regulatory schemes; if we do not take affirmative action on this front we stand to lose valuable markets. Despite the critical need for moving forward with such a program now, I have been unable to get Mr. Galvin to agree to this important program.

I also understand that there is a plan to eliminate the regional FAS position in Singapore, which is dedicated to working for biotechnology acceptance throughout Southeast Asia. Such a move would be a terrible mistake. Singapore is in many ways the gateway to the ASEAN region—which will overtake Japan as the second largest market for U.S. products and services by the year 2005. The Agricultural Trade Office's work with the ASEAN Secretariat towards establishing an ASEAN regional trade regime based on sound science and its work with the Singapore regional traders must continue if U.S. agriculture is successfully to realize this region's market potential. We should be focusing on improving and bolstering this office rather than eliminating it at a time when these countries are beginning to work on these important issues.

I know that the chairman of the Subcommittee shares my concern about these issues. I urge him to join me in calling on Mr. Galvin and other officials at USDA to move to address the need for the U.S. to become engaged on this issue in Southeast Asia and to fund these important programs.

Mr. COCHRAN. I thank the Senator for his comments and I assure him that I share his concern that we must fight to ensure that our commodities are not unfairly discriminated against in markets around the world. We cannot allow our soybean farmers, cotton farmers, corn farmers and others to have their exports put at risk by unfair regulation. We cannot cede any markets to GMO opponents. I share his desire to see USDA put the necessary resources into ensuring our interests are adequately represented as the nations of Southeast Asia consider regulation. I assure him that I will look into the status of these activities and seek to have them adequately funded.

Mr. BOND. I thank the chairman for his remarks, and I look forward to working with him to address this issue.

ANIMAL WELFARE ENFORCEMENT

Mr. KOHL. Mr. President, I would like to take this opportunity to make a few points about the increase included in this bill for enforcement of the Animal Welfare Act and certain language which appears in the Senate Report to accompany the appropriations bill now before the Senate.

Under the Animal Welfare Act, the Secretary of Agriculture is authorized to promulgate standards and other requirements governing the humane handling, housing, care, treatment, and transportation of certain animals by dealers and other regulated businesses. The Secretary has delegated the authority for enforcing this Act to the Administrator of the Animal and Plant Health Inspection Service (APHIS) whose budget is included in the pending appropriations bill.

For a number of years, the appropriated level for APHIS's enforcement activities of the Animal Welfare Act has held stagnant in the area of $9 million annually. The level of funding has allowed for employment of approximately 69 field inspectors to monitor activities in all fifty states plus the District of Columbia, Guam, and the Virgin Islands. Obviously, this number of inspectors, responsible for such a vast geographical area, is totally insufficient to investigate and control all inappropriate and illegal mistreatment of animals where it occurs within the regulated community. For many people, their pets are essentially members of their families and too often we learn of tragedies that occur during commercial transportation where pets are injured or killed. In other instances, we learn of inhumane treatment of animals in settings often referred to as ''puppy mills'' where conditions include disease, pests, poor feeding, and other forms of mistreatment that should and must be stopped.

Mr. COCHRAN. I thank the Senator from Wisconsin for raising the issue of enforcement of the Animal Welfare Act and for pointing out many of the terrible conditions for which this Act is designed to halt and efforts by USDA and this Congress to put an end to them. The Senator is correct that funding for this activity has remained constant over the past several years. The President included in his budget request for fiscal year 2000 an increase of $515,000 for these activities.

The President's request would provide additional funds for enforcement of the Animal Welfare Act, but only to maintain current activities such as inspections at regulated facilities to ensure compliance with the Act. In addition, inspectors would receive much needed training to ensure uniform enforcement of the regulations and to stay current with industry advancements in methodologies of research and caring for animals. APHIS would continue to replace outdated and old equipment including vehicles and continue modernizing its computer databases program. In view of the needs outlined in the budget request, and the overall problems outlined by the Senator from Wisconsin, this bill includes an increase of $2 million above last years level, nearly four times the amount of increase requested by the President.

Mr. KOHL. I thank the Senator from Mississippi for his explanation of the activities included in the President's request for enforcement of the Animal Welfare Act and for the generous increase he was able to provide in this bill. I want to stress to all Senators that the increase in this bill is designed to allow better enforcement of currently regulated activities. I am aware that the President's budget explanation also included concern that pending litigation and potentially expanded jurisdiction for enforcement of the Animal Welfare Act would further strain the limited resources of the agency. It was, in part, for that reason that language is included in Senate Report to make clear that the increase in this bill is to improve ongoing activities of the agency and not for expansion of regulated activities.

Mr. COCHRAN. The Senator is correct.

Mr. KOHL. The Senate report language expresses our concern, as does the President's budget justification, that a strain on existing resources could potentially negate the efforts taken in our bill to increase the number of inspections at regulated facilities by inadvertently increasing the caseload of inspectors. I have heard from numerous animal care advocates in Wisconsin who have told me we need more inspectors to make sure the work now going undone is taken care of. For that reason, and not for expansion of authorities, the increase is included in this bill.

However, I also want to note that while the language in the Senate report expressly limits the increased funding to currently authorized activities and also expresses our concern that expansion of agency programs at this time may strain resources past the breaking point, it is not intended to chill the efforts by advocacy groups to pursue their interests through either the rulemaking process or through the courts. It is not our intention for the Senate report language to sway, in one way or the other, upcoming decisions of the courts or to infringe on the Department's proper exercise of rulemaking authority. For those who may read the report language and be concerned that we are stepping too far into the realm of agency or court activities, we may wish to consider some modifications to this language for purposes of inclusion in the statement of managers to accompany the conference report to this appropriations bill.

Mr. COCHRAN. I thank the Senator for his concerns and I will work with him in the conference to consider whether modifications to this language are in order.

GREATER YELLOWSTONE INTERAGENCY BRUCELLOSIS COMMITTEE

Mr. CRAIG. Mr. President, first I would like to thank Chairman COCHRAN and Senator KOHL for the hard work they have put into the Fiscal Year 2000 Agriculture, Rural Development, and Related Agencies Appropriations bill. It is a challenging process, and they have done an excellent job balancing competing interests within the confines of a balanced budget.

I wish to engage in a colloquy with the distinguished Chairman of the Subcommittee regarding funding for the Greater Yellowstone Interagency Brucellosis Committee (GYIBC). There is currently a Cooperative State Federal Brucellosis Eradication Program to eliminate the brucellosis from the country. States are designated brucellosis free when none of their cattle or bison are found to be infected for 12 consecutive months. As of March 31, 1998, 42 States, plus Puerto Rico and the U.S. Virgin Islands, are free of brucellosis. The presence of brucellosis in free-ranging bison in Yellowstone National Park threatens the brucellosis status of Idaho, Wyoming, and Montana, as well as the health of their livestock herds, which are free of the disease. Reintroduction of the disease into a brucellosis-free State could have a serious economic impact on domestic livestock markets and potentially threaten export markets.

The Committee saw fit to allocate $610,000 for the coordination of Federal, state and private actions aimed at eliminating brucellosis from wildlife in the Greater Yellowstone Area. I would like to clarify how this money is to be allocated. Of the funds appropriated for the GYIBC, $400,000 is for the States of Idaho, Wyoming, and Montana to participate in the GYIBC, with the understanding that 50 percent goes to the state that chairs the committee and 25 percent goes to each of the other states. The remaining $210,000 is for the State of Idaho to protect the State's brucellosis-free status and implement the Idaho Wildlife Brucellosis plan. Is it the intent of the Committee to use these funds as I have described?

Mr. COCHRAN. Yes, it is the intent of the Committee to use the allocated funds as the Senator from Idaho stated.

Mr. CRAIG. I thank the Chairman.

APHIS PLANT PROTECTION COLLOQUY

Mr. CRAIG. Mr. President, first I would like to thank Chairman COCHRAN and Senator KOHL for the hard work they have put into the Fiscal Year 2000 Agriculture, Rural Development, and related Agencies Appropriations bill. It is a challenging process, and they have done an excellent job balancing competing interests within the confines of a balanced budget.

I wish to engage in a colloquy with the distinguished Chairman and Ranking Member of the Subcommittee regarding the appropriation for the Department of Agriculture's Animal and Plant Health Inspection Service plant protection programs and regulations.

The funds this bill makes available for plant protection are critical to protecting American agriculture from diseases, pests, and invasive plants. My own state of Idaho struggles greatly with noxious weeds, such as leafy spurge, which compete with the native grasses so essential for the raising of cattle.

Researchers at the University of Idaho and around the country are working diligently to develop mechanisms to use biological controls for weeds and to manage diseases of important agriculture plants. It is my understanding that current APHIS regulations require a permit for interstate transfer of a pathogen or plant infected with a pathogen from one research location to another. However, research and education facilities routinely transfer plant materials from one research location to another using good management practices.

To facilitate researchers' work on behalf of American agriculture, I ask that the Committee clarify its intent that the appropriations contained in this bill for the Department of Agriculture's Animal and Plant Health Inspection Service should be used to carry out plant protection programs and regulations that take into account the levels of risk presented by pathogens and to establish mechanisms to expedite or provide exemptions from any formal permit or certification processes for research and education facilities established under implementing regulations as the Secretary deems appropriate. Is it the intent of the Committee to use these funds as I have described?

Mr. COCHRAN. Yes, it is the intent of the Committee to use the allocated funds as the Senator from Idaho stated. Use of these appropriations for plant protection purposes will indeed benefit American agriculture, including producers in Mississippi.

Mr. CRAIG. It is also the Committee's belief that the routine handling of a variety of pathogens by many research and education facilities, using good management practices, has occurred widely without their untoward release and establishment in the environment?

Mr. COCHRAN. Yes. The Secretary of Agriculture should take this into account when establishing any regulatory processes for the movement and handling of pathogens. The Secretary should establish, to the extent possible, processes under which the facilities and their management practices are reviewed periodically, rather than requiring case-by-case approval for each us of a pathogen regardless of risk.

Mr. CRAIG. I understand from researchers in my state that pathogens that might be considered for exemption or expedited processes include: endemic and naturalized pathogens for which there is extensive information and handling experience and for which management strategies have been developed; pathogens intended for educational, research, or reference use that are not to be released into the environment; or pathogens that present low risk because of their mode of survival, dissemination, or some other aspect of their biology. Is that the Committee's understanding?

Mr. COCHRAN. Yes, the committee understands that certain types of pathogens present low risks and research education facilities should face minimal regulatory burden as deemed appropriate by the Secretary of Agriculture. The Committee would also urge APHIS to develop laboratory standards for facilities and management practices that will enable research and education facilities to handle higher-risk pathogens as well. These laboratory standards will help APHIS use its resources more efficiently and allow efficient use of research resources to combat plant diseases more effectively.

Mr. CRAIG. Mr. Chairman, is it the intent of the Committee that APHIS consult with relevant scientific societies as well as state regulators of plan pathogens and on-site reviewers of facilities where possible in modifying current regulations or developing future regulations regarding the movement of pathogens between research and education facilities?

Mr. COCHRAN. Yes, that is the Committee's intent.

Mr. KOHL. I agree with the distinguished Senator from Mississippi. In my home state of Wisconsin, a number of plant pathogens cause production losses for our producers. APHIS' implementation of plant protection programs using the appropriations in this bill, consistent with the Committee's intent, will assist researchers at many universities including the University of Wisconsin in their research efforts to combat plant disease and pests.

Mr. CRAIG. It is my understanding the APHIS is moving in this direction already. APHIS recently requested that the National Plant Board review its Plant Protection and Quarantine program to make recommendations for changes and improvements in the framework for regulations. This review, which included representatives of universities and industry as well as the state regulators, resulted in recommendations that will soon be presented in a report called ''Safeguarding American Plant Resources: A Review of APHIS' Plant Protection and Quarantine's Pest Safeguarding System.'' This report will also recommend risk-based management of plant permits, including development of mechanisms to exempt from permitting or expedite permitting in certain low-risk cases. Thank you for your continued interest in this matter.

CLARIFICATIONS TO THE SENATE COMMITTEE REPORT NO. 106–80

Mr. COCHRAN. I note for the record the following technical clarifications to the Senate committee report (Senate Report 106–80) on S. 1233, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill for fiscal year 2000:

On page 96 of the report, the chart regarding the rural economic development loans program account should not footnote the Committee recommendation. The Committee's recommendation for the direct loan subsidy is not offset by a rescission from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936.

On page 133 of the report, Bill Emerson and Mickey Leland Hunger Fellowships should be added to the list of programs which currently lack authorization for fiscal year 2000.

Mr. MCCAIN. Mr. President, this agriculture appropriations bill provides annual funding for our nation's farmers, producers and the agency supporting our agricultural industry, the U.S. Department of Agriculture. The chairman and his colleagues on the Agriculture Appropriations Subcommittee deserve much credit for their work on this bill, which ensures funding for fundamental programs to support agricultural, rural development and nutrition programs. Unfortunately, the process by which appropriators continue to add wasteful and unnecessary spending to this important funding measure is unacceptable.

Each year, I am amazed by arbitrary fashion in which the appropriations committees choose to allocate the strict federal dollars that we should reserve for important and necessary federal programs. At the expense of our American taxpayers, this bill and its accompanying report are riddled with unrequested, low-priority earmarks, representing $170 million in additional spending.

The agriculture appropriations bill is a haven for members to tack on unrequested and unauthorized funding for special interest projects, particularly in sections of the accompanying Senate report dealing with the Cooperative State Research, Education, and Extension Service. For example, 114 out of a total 118 projects funded under the section for special research grants are either unrequested or received additional funding above the budget request. Over 90 projects under the Agriculture Research Service were targeted for termination by the administration, yet a majority of these projects continue to receive funding in this bill.

These actions lead me to ask a fundamental question. What is the purpose of conducting a formal budget process when the Appropriations Committee exhibits such carte blanche authority to fund projects which have not been considered in our established authorization and funding process? I review all of the annual appropriations bills, yet I have rarely seen such flagrant examples of egregious spending as those included in this bill.

In the Senate report, the appropriations committee state their commitment to only fund priority projects,

yet earmarks are approved for such projects as $300,000 for cereal rust research in St. Paul, MN. No information is provided for members to determine what kind of project deals with ''cereal rust'' and why this project deserves a specific earmark of nearly a third of a million dollars.

Other earmarks include $500,000 for swine waste management in North Carolina, $100,000 to reduce damages and manage populations of fish-eating birds which prey on farm-raised cattle in the Mid-south area, and an increase of $452,000 to support the sterile fly release in San Joaquin Valley. It is incredible to me, and no doubt to the American people, that we speak of fiscal responsibility and budget constraints in one manner, and yet act in a diametrically opposite manner wasting enormous amounts of funding for projects that appear to have little relationship to improving the agricultural economy.

Some projects may be meritorious, such as potato research and weed control, but are these problems specific only to certain states like Washington and North Dakota? Enough to receive not only an earmark, but an increase above the requested levels? I am certain that my constituents in Arizona can attest to the need for funding to monitor certain crops and deal with problems of weed control, yet they are unable to compete for funding to address these issues when decisions are based more on parochial interests rather than national priority.

This bill goes beyond the traditional earmarking process by selecting particular sites across the country to receive additional spending for extra staff and personnel. Why are these facilities receiving direct funding for additional staff at a time when each agency is required to abide by the mandate of the Government Performance and Results Act to operate more efficiently with less bureaucracy? Even if these positions are critical, why are they not prioritized in the normal administrative process?

In various parts of the bill and report, the committee includes express language which all but provides direct earmarks for certain projects and grantees and effectively intervenes in what is supposed to be a competitive grant process outside the realm of political influences. For example, in the Senate report, language is included which states the committee's expectation that the Administration give full consideration to an application for funds to construct a new facility for the St. Paul Island Health Clinic in Alaska and other language which urges the Administration to consider applications from the State of Alabama for projects benefitting Montgomery, State Farmer's Market and other farmers in the State.

We are invested with the responsibility to fully consider and debate the appropriate expenditure of federal funds. I commend Senator COCHRAN, chairman of the Senate Subcommittee on Agriculture Appropriations, for his floor statement in which he stated that the committee sought to apply funding in a ''reasonable and thoughtful way.'' Unfortunately, the pork in this bill and report prove that the Appropriations Committee is still unable to curb its appetite for unnecessary and wasteful spending.

I have compiled a list of objectionable provisions, totalling $170 million, to S. 1233 and its accompanying Senate report, which, due to its length, cannot be printed in the RECORD. The list of objectionable provisions will be available on my Senate web page.

Mr. KERREY. Mr. President, I would like to indicate my strong support for two related research and technology initiatives in the U.S. Department of Agriculture's FY2000 budget—initiatives that were in the President's request, but which have not received any increases in this budget being debated today. The USDA Global Change Research Program and the Climate Change Technology Initiative are two very important programs that deserve additional attention and funding. I recognize that this Congress is faced with many competing funding needs, particularly with the dire situation faced by much of the agriculture community today, but I submit also that we cannot ignore the needs of potential future disasters, especially when the means to avoiding such disaster will benefit U.S. farmers and U.S. agriculture while also benefiting the entire nation.

I am referring to the potential effects of global climate change, and the potential for the agriculture sector to cost-effectively and efficiently help us to mitigate against increased concentrations of atmospheric greenhouse gases.

Like many policymakers and many of my colleagues, I am convinced by the data international scientists have amassed that indicates climate change is a phenomenon to be dealt with in order to avoid calamitous effects. I agree with the assessment of the scientific community that we must insure against potentially devastating effects of climate change by taking action now. We are certain that greenhouse gas concentrations have been substantially increasing in the atmosphere, and as those concentrations have increased, global surface temperatures have risen. While we are not sure of the exact nature or extent of the resulting climatic and weather-related disruptions that may occur as the greenhouse effect is intensified, we do know that we should act now. Acting now will benefit the global climate, and the health of our citizens.

A significant body of research indicates that there is great potential for U.S. agriculture—for cropland, rangeland, and pastureland, as well as for forests—to sequester carbon at particularly low costs to society. Scientists have shown that with selected management practices, agricultural soils can effectively absorb a large proportion of the annual increases in atmospheric CO2 that are attributed to the greenhouse effect of global climate change.

What this means for the U.S. is that we have a cheap, effective sink—a means to sequester a large amount of the carbon dioxide and other greenhouse gases that are being emitted from fossil fuel emissions. The sequestration of carbon in soils is a benefit to agriculture, in addition to society. Increased carbon in soils leads to reduced soil erosion, increased soil tilth and fertility, increased water absorption and retention, and most notably for agriculture, increased productivity. As noted recently by Dr. Rattan Lal, an international soil carbon research scientist—carbon is the basis for all life—including in agricultural soils. Carbon absorption by soils helps agriculture, and helps to reduce our greenhouse gas emissions.

While we understand a great deal about the means by which carbon is absorbed and retained in soils—for instance through minimal or no-till practices—there is still much that needs to be learned about the entire carbon cycle in nature, and how it moves from one pool, such as soils, to others, such as the atmosphere. We need to better understand the balance of land management and tillage techniques that sequester and retain carbon in soils, and to insure that agricultural policies are supportive of and encourage these activities. Additionally, research is needed to more accurately identify how carbon is lost from soils, either to the atmosphere or elsewhere—and to then identify how best to preserve and retain carbon in the soil sink.

What we are looking at is a win-win-win situation—a win for society, a win for the climate, and a win for agriculture. But we must invest now in this future, not only because it will help us to bridge the gap, as we move in the direction of reducing our dependence on fossil fuels and practices that emit greenhouse gases, but it will help us to soften the blow on all other impacted sectors. Using agriculture as a carbon sink helps not only agriculture—it gives all other sectors breathing room to technologically or otherwise adapt to reduced fossil fuel dependence. It will help this country to reduce our greenhouse gas emissions sooner, cheaper, and without the disruptions to businesses and the economy that some sectors have forecast.

Mr. President, that is why I want to voice my support for funding the USDA Carbon Cycle Research Program and the Climate Change Technology Initiative. Funding for these important programs is essential to optimize the potential for agriculture and for the climate. I urge that the Senate consider additional funding for these programs.

Mr. President, I ask that my full statement be included in the record during the debate on the Agriculture Appropriations Bill.

Mr. FEINGOLD. Mr. President, I'm proud to represent a state that produces a wide variety of the highest quality agricultural products, from dairy products to cranberries, ginseng, corn, wheat—the list goes on, and it is as varied as Wisconsin itself.

Agriculture is the lifeblood of my state, so when a bill like Agriculture Appropriations comes to the floor, I feel it's vitally important that every aspect of the legislation—including the interests attempting to influence this debate—be discussed and examined.

Earlier this year when I gave remarks on this floor, I promised that from time to time when I participate in debates on legislation I would point out the role of special interest money in our legislative process, an effort I am calling The Calling of the Bankroll.

That's why today I want to briefly highlight some of the political contributions that have been made by the agriculture industry—money spent to influence the way we approach agriculture appropriations on this floor, in the other body, and at the White House.

Agriculture interests have donated nearly $3 million in soft money during the last election cycle, and $15.6 million in PAC money. That's well over $18 million overall—and again that's during just a two-year period.

The soft money numbers are particularly interesting, Mr. President, because they reflect a pattern that a number of special interests follow, known as ''double giving'' or ''switch hitting.'' It means that a donor doesn't just give soft money to one party, the party whose political views the donor might favor. Instead double givers amass political clout by donating generously to both parties.

Examples of these soft money double givers in the agriculture industry during the last cycle include the Archer Daniels Midland Company, which donated $263,000 to the Democrats and $255,000 to the Republicans; United States Sugar Corp, which donated $157,500 to the Democrats and almost $250,000 to the Republicans; and Ocean Spray Cranberries Incorporated, which donated $156,060 to the Democrats and $117,600 to the Republicans.

Those are just a handful of examples, Mr. President, but I think they give my colleagues an idea of how the double-giving game is played.

Of course not everyone is a double giver. The top agribusiness soft money donor to the Democratic party, crop producer Connell Company, gave $435,000, all to the Democratic party committees. Dole Food Company gave more than $200,000 in soft money in 1997 and 1998, all to Republican party committees.

And in the interest of fairness, Mr. President, I also should mention an agribusiness donor that shares my position against the extension of the Northeast Dairy Compact: The International Dairy Foods Association, which gave more than $71,000 in soft money during 1997 and 1998 all to the Republican party committees.

There are many interests that will be affected by what we do here on this floor with regard to agriculture appropriations, Mr. President, and some have more resources to influence this debate than others. It is in the spirit of providing a fuller picture of the debate over agricultural issues—and the wealthy interests that seek to influence the debate's outcome—that I have presented this information, both for the benefit of the public and my colleagues.

I thank the chair and I yield the floor.

Mr. GORTON. Mr. President, like many in the Nation, Washington's agriculture communities have fallen on extremely tough times. For example, a combination of adverse economic circumstances has caused apple prices to fall to their lowest level in over a decade, while the price for soft winter wheat has plummeted to below $2.50 a bushel.

During the debate on the Fiscal Year 2000 Agriculture Appropriations bill, we have been discussing what to most growers is in the forefront of their mind—their bankbook and their bottom line. Without question, this issue deserves our time and attention.

While crumbling commodity prices have taken their toll on far too many proud and previously profitable agricultural producers and their families, they also are eroding the very foundation upon which much of my State's rural economy is built. Simply put, many of my state's farmers and their communities are suffering.

Washington State produces half the Nation's apples from orchards that start at the base of the Cascade mountains and stretch from the Canadian border in the north, to the Columbia River in the south. Aided by volcanic soil rich in nutrients, irrigation, cool nights and warm sunny days, Washington's apples are the envy of the world's other apple producing countries.

Where my State's apple orchards end, Washington's lush fields of wheat begin. Spanning the eastern third of my State, Washington's wheat farms produce the most sought after wheat in Asia. And yet, being the best and producing such high quality products does not always equate to success.

The Asian financial crisis and world wide overproduction have taken their toll on Washington's wheat farmers. At the same time, a record crop coupled with a decline in export opportunities and a flood of cheap apple-juice concentrate imports from China have imperiled many of my State's apple growers.

Still, Washington's agricultural producers are fiercely independent and not ones to look for a handout from the Federal Government. Rather, in all my discussions with members Washington's agricultural community and its leaders, what I am told my State's farmers need and want most from the Federal Government is a fair shake. Specifically, their list of demands includes trade, access to the tools necessary for quality production, regulatory relief, tax relief a dependable labor force, and Federal participation in agriculture research.

Growers have rightfully insisted upon fair and unfettered access to the world's consumers, which can only be achieved by insisting that there will be no trade deals until an acceptable agricultural agreement is reached during the upcoming round of multilateral trade negotiations slated to commence this fall in Seattle. I thoroughly support this demand, recognizing that Washington's producers export more than 25 percent of their harvest, with at least one third of the apples grown in Washington being shipped, and nine in ten bushels of wheat being exported.

Unfortunately, far too many countries still restrict or prohibit the importation of Washington's cornucopia of commodities. That is why I have expressed to administration trade officials the importance and significance of agriculture negotiations during the Ministerial. We must work to pry open these markets and, if need be, deny another country's goods access to our market until the doors of trade swing freely in both directions.

For example, just recently the Government of Taiwan agreed to delay implementation of pesticide tolerance tests that would have seriously hampered the U.S. apple and cherry trade with that country. Recognizing Taiwan is the apple industry's largest export market, I took the lead among my colleagues in the Senate to ensure that these tests would not be implemented until further scientific discovery had occurred.

Farmers face not only bogus phytosanitary trade barriers, but unfair trade practices by other countries. In early June, I sent a letter of support to the International Trade Commission regarding the dumping case brought by the U.S. apple industry against China. The ITC recently unanimously agreed that dumping had occurred and will announce potential duties in the near future. The case brought by the industry was terribly justified, recognizing the price paid for U.S. apples for juice concentrate plummeted to nearly a penny a pound.

Unilateral trade sanctions, as a result of the convincing messages sent by Washington farmers, have been at the center of nearly every agriculture discussion in the U.S. Senate. In response to the cries for relief from farmers, I have supported nearly every agriculture trade sanctions relief bill that has been introduced in the Senate. With nearly 60% of the world's population under U.S. sanction, the time to discuss the impact of these sanctions on the American family farm could not be more timely. It is without question that these sanctions do more harm to our agriculture communities than to the regimes on which they are imposed.

In addition to all the various trade conditions facing the producer, farmers in Washington have also demanded access to affordable and effective crop protection tools, which can only be achieved through science-based implementation of the Food Quality Protection Act. That's why I am an original cosponsor of the Regulatory Openness and Fairness Act to ensure that decisions regarding health risks are informed and not hasty, that the intent of the FQPA is carried out with the use of sound science and practical application, that a dose of common sense is applied, and that adequate time is available to make certain all decisions and tolerance standards are healthy and equitable.

Continued availability of water for irrigation, electrical generation and the transportation of bulk commodities from field to port, which can only be achieved through a balanced and scientifically-sound salmon recovery effort in the Pacific Northwest is a demand that resinates throughout Washington's orchards and fields. This is a demand I not only respect, but as most producers will know, continues to be one of my most important priorities as a U.S. Senator. I have gone to great lengths to ensure the solvency of the Snake and Columbia River hydroelectric systems with one key user in mind—farmers.

Washington produces a wide array of minor crops, many that are very labor intensive and require special attention during harvest. Washington's agriculture community demands a dependable and legal workforce to harvest and process their crops, which can only be achieved by reforming the H2A labor program to provide agricultural employers with an affordable and workable system for securing temporary foreign labor. I have testified with my colleagues and introduced bills in the Senate that would provide such reforms.

Farmers in Washington demand meaningful tax relief. Just last week, the tax bill passed in the Senate included the much sought after Farm and Ranch Risk Management accounts. These set-aside accounts will provide the savings mechanism growers have requested in order to secure financial longevity. In addition, I am a strong proponent for the elimination of the estate tax, one the most onerous financial burdens placed on a livelihood that is passed from generation to generation.

And finally, with passage of the 1996 Freedom to Farm bill, growers demanded federal participation in agriculture research. My role as a member of the Senate Agriculture Appropriations Subcommittee provides the mechanism necessary to ensure that the Pacific Northwest is adequately represented, and that science based research is utilized to assist growers in producing some of the most demanded, nutritional, and safest food supplies in the world.

All of the aforementioned demands are intended to provide Washington's agricultural producers the tools they need to cultivate a profitable future. I remain convinced of their merit and committed to the task of securing their achievement. Unfortunately, this administration has yet to recognize their importance and, in most cases, actually opposes their adoption.

And now the Senate is in the midst of a debate not only over the livelihood and longevity of the American farm, but to some extent, the policy that drives our nation's combines and tractors. I am unwilling to condone the approach being advocated by some of my colleagues, who are seeking to turn back the hands of time and to undermine the free-market principles embodies in the Freedom to Farm Act. Instead, I support an approach that provides the resources to those programs already in place to assist producers to overcome these difficult times.

Meanwhile, as the Senate debates the issue of farm economy and financial assistance, the White House remains silent. Recognizing the bottom line for many in the agriculture sector is slowly dropping, my colleagues and I sent a letter to the President, requesting his active participation in the establishment of a financial relief package for farmers. This letter was in addition to a request included in the fiscal year 1999 supplemental appropriations bill for administration involvement. As we debate this sensitive issue today, the Administration's inactivity and silence is deafening.

Recognizing the bleak financial future facing Washington's minor crops, I have during the past few days fought tirelessly to ensure that funding is provided in the Republican farm assistance package for fruits and vegetables. I have undertaken this endeavor very seriously and have engaged in extremely frank discussions with my colleagues over my support for an amendment that includes such a provision.

During the debate on the original Cochran financial relief package, I was successful in negotiating the inclusion of $50 million for the fruit and vegetable industries. Because of my desire to provide additional funds for fruits and vegetables, I worked with Senator Roberts to include in his amendment $300 million for specialty crops. While the entire Roberts amendment failed in the Senate, I am pleased that our tree fruit and vegetable industries have a $50 million starting point. As a member of the Senate Agriculture Appropriations Subcommittee, I will have the opportunity to work to increase this funding during conference on the bill.

I also responded to the calls for assistance from those in orchard country by including an amendment in the bill directing the Farm Service Agency to review all programs that assist apple growers in time of need. Specifically, I requested that FSA review the limits placed on operating loans utilized by apple farmers, and report back to Congress what the agency perceives is a workable remedy.

Rest assured, whatever the final outcome of the Fiscal Year 2000 Agriculture Appropriations bill, I will send two important messages to my agriculture constituency back home. First, I will continue working tirelessly to make certain all commodities produced from Washington's fertile soil will have a fair shake at receiving some form of assistance. I am poised and prepared to continue this challenge. And second, I will continue working on agriculture's list of demands, pushing to ensure that from trade to labor, and from taxes to environment, the livelihood that has made agriculture the career choice for so many will remain just that.

Mr. BAUCUS. Mr. President, I rise today to express my concern that S. 1233, the Agriculture Appropriations bill for FY2000 does not include adequate funding for carbon cycle or carbon sequestration research. The Administration has proposed approximately $22 million for these programs at the Natural Resource Conservation Service (NRCS) and the Agriculture Research Service (ARS). With that money, scientists can develop a better understanding of the potential for agricultural lands to serve as carbon sinks. These programs are priorities in the U.S. Global Change Research Program and the Administration's Climate Change Technology Initiative.

Once we more thoroughly understand how our soils capture and store carbon, we can use that knowledge to improve our management practices and yields. We can also cost-effectively use soils to offset carbon emissions that might lead to global warming. Failure to provide these funds is short-sighted and may prevent farmers and ranchers from reaping profits through storing carbon on their land in the near future.

Agricultural lands in the U.S. have a huge potential to store carbon that would otherwise be released into the atmosphere. Each year, the U.S. emits about 1.5 billion metric tons of carbon equivalent (MMTC) or gases that contribute to the greenhouse effect. According to USDA experts, properly managed U.S. croplands could be major sinks or reservoirs of carbon. They could sequester, or store, 85–200 MMTC more per year than the agriculture sector does now. If a coordinated program to manage carbon in agricultural soils were implemented worldwide, some experts project that carbon sequestration could increase to the rate of 3000 MMTC per year. This rate is equal to the world's net annual increases in atmospheric carbon dioxide.

Mr. President, about 25–30% of our nation's farmers, growers and ranchers are already employing best management practices which will effectively store carbon, so farmers and ranchers would not need to adopt radically new production techniques to store carbon. Most find these practices very cost-effective for their bottom-line because

the land rewards them for their attention. There are higher yields with increased carbon storage, less erosion, and improved soil and water quality. As an example, adoption of conservation tillage and residue management practices could lock up about .2 metric tons of carbon per acre every year.

Eventually, as actions by some of our major trading partners are now demonstrating, there is likely to be a worldwide market in carbon credit trading, regardless of what happens to the Kyoto Treaty in this country. This is a terrific economic opportunity. As we discuss the sorry state of American agriculture and the family farm in the context of this bill, we should keep in mind that soil carbon storage could become a very lucrative opportunity to maintain income levels. Experts are projecting that carbon credits will sell for somewhere between $10–$50 per ton and maybe higher. So, a farmer using best management practices on his 1000 acres could possibly get payments of $2,000–$10,000 or more per year for storing carbon.

Mr. President, the very modest sums that the Administration is seeking for these programs are not to implement Kyoto through some back-door method. There are legitimate scientific questions that need to be answered whether or not one believes Kyoto is necessary. Understanding soil science better will improve crop yields, make range management more efficient, and provide a host of environmental quality benefits. This knowledge will benefit all those who produce food and fiber.

I should note for my colleagues that there will be a national conference to explore opportunities for carbon sequestration in Missoula, Montana, from October 26–28. The purpose of this conference is to provide information and education on carbon sequestration activities to mitigate carbon dioxide emissions through market-based conservation.

Many of the experts that will speak at this conference are scientists whose work would be furthered if Congress funds the Administration's request. The efforts of the Montana Carbon Offset Coalition to establish a pilot carbon trading program would also be helped along by funding these programs.

Mr. President, there are many pressing needs facing Congress and, in particular, the managers of the Agriculture Appropriations bill. I just think that we should make investing in our future a priority. Soils seem to be a great low-cost way for us to reduce the impact our country has on the global climate. Even for those who do not believe climate change is happening due to mankind's emissions, increasing soil carbon content has huge side benefits for the economy and the environment. I hope the managers will find a way to fund these important programs in conference.

Mr. GRAMS. Mr. President, today the Senate passed the Cochran amendment to the agriculture appropriations bill that provides emergency relief to the nation's rural communities. I voted for the Cochran plan and the assistance it will bring to suffering Minnesota farm families.

Earlier in the discussion of agriculture relief, I participated in efforts to find a compromise that could provide more relief than the Cochran proposal. Specifically, I believe Minnesota farmers would have been better served by the Grassley-Conrad amendment, which failed by a close margin. The Grassley-Conrad package provided some additional elements, such as flood and crop loss payments, as well as increased aid for dairy producers. It was an $8.8 billion proposal that would have been particularly beneficial to our state's farmers.

The Cochran bill preserves the use of increased Agricultural Market Transition Act (AMTA) payments for income assistance to farmers, which is good for Minnesota producers. The Daschle-Harkin alternative package, while providing a higher amount of relief, tied income assistance to production levels. I am concerned that their proposal would have shortchanged some farmers, like wheat farmers in Northwestern Minnesota, who were unable to plant a crop this year due to severe weather. In one Northwestern county, only 10 percent of the normal acreage was planted. The Cochran proposal also provides needed relief to oilseed, livestock, dairy, and sugar producers. It also reduces the cost of crop insurance and increases the LDP payment limit to $150,000. And it exempts food and medicine sales from unilateral sanctions which will help Minnesota farmers sell to Cuba and other countries.

I am also pleased that the Senate resisted the attempt to extend the life of the Northeast Compact and prevent enactment of the federal milk marketing order reforms during consideration of the emergency farm relief package. Considering the hardships that the rural areas are suffering, now is certainly not the time to be taking up controversial proposals which discriminate against Midwest dairy farmers. Dairy farmers in the Midwest are struggling to make a decent living for their families, and they should not have to shoulder the additional burden of dairy policies that prevent them from receiving a fair price. I urge the conferees on the agriculture appropriations bill to likewise reject extension of the dairy compacts, and restore market fairness for America's dairy producers.

There is a great deal of apprehension in the rural community over the future of farming, and I am certainly glad that we passed essential relief for farmers now, instead of waiting until after the August recess. I remain committed to Freedom to Farm and the opportunity that it promises. However, Freedom to Farm can only help our farmers if the political courage can be mustered to enact reforms in the areas of taxation, sanctions and regulations, and if we can continue to expand our markets. In the short-term the nation's farmers need assistance to tide them over in these difficult times, and I'm pleased that the Senate took the necessary steps to get aid to them quickly.

Mr. DOMENICI. Mr. President, I rise in support of the Department of Agriculture and Related Agencies Appropriations bill for fiscal year 2000.

The Senate-reported bill provides $60.4 billion in new budget authority (BA) and $40.2 billion in new outlays to fund most of the programs of the Department of Agriculture and other related agencies. All of the discretionary funding in this bill is nondefense spending.

When outlays from prior-year appropriations and other adjustments are taken into account, the Senate-reported bill totals $64.3 billion in BA and $47.3 billion in outlays for FY 2000. Including mandatory savings, the Subcommittee is at its 302(b) allocation in both BA and outlays.

The Senate Agriculture Appropriations Subcommittee 302(b) allocation totals $64.3 billion in BA and $47.3 billion in outlays. Within this amount, $14.0 billion in BA and $14.3 billion in outlays is for nondefense discretionary spending.

For discretionary spending in the bill, and counting (scoring) all the mandatory savings in the bill, the Senate-reported bill is at the Subcommittee's 302(b) allocation in BA and outlays. It is $22 million in BA below and $161 million in outlays above the 1999 level for discretionary spending, and $537 million in BA and $577 million in outlays below the President's request for these programs.

I recognize the difficulty of bringing this bill to the floor at its 302(b) allocation. I appreciate the Committee's support for a number of ongoing projects and programs important to my home State of New Mexico as it has worked to keep this bill within its budget allocation.

Mr. President, I ask unanimous consent that a table displaying the Senate Budget Committee scoring of the bill be printed in the RECORD.

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

H.R. 1906, AGRICULTURE APPROPRIATIONS, 2000; SPENDING COMPARISONS—SENATE-REPORTED BILL
(Fiscal Year 2000 $ millions]

Senate-reported bill:				
Budget authority	13,983	.....	50,295	64,278
Outlays	14,254	.....	33,088	47,342
Senate 302(b) allocation:				
Budget authority	13,983	.....	50,295	64,278
Outlays	14,254	.....	33,088	47,342
1999 level:				
Budget authority	14,005	.....	41,460	55,465
Outlays	14,093	.....	33,429	47,522
President's request:				
Budget authority	14,520	.....	50,295	64,815
Outlays	14,831	.....	33,088	47,919
House-passed bill:				
Budget authority	13,882	.....	50,295	64,177
Outlays	14,508	.....	33,088	47,596

H.R. 1906, AGRICULTURE APPROPRIATIONS, 2000; SPENDING COMPARISONS—SENATE-REPORTED BILL—Continued

(Fiscal Year 2000 $ millions]

SENATE-REPORTED BILL COMPARED TO:				
Senate 302(b) allocation:				
Budget authority	.....	.....	.....	.....
Outlays	.....	.....	.....	.....
1999 level:				
Budget authority	(22)	.....	8,835	8,813
Outlays	161	.....	(341)	(180)
President's request:				
Budget authority	(537)	.....	.....	(537)
Outlays	(577)	.....	.....	(577)
House-passed bill:				
Budget authority	101	.....	.....	101
Outlays	(254)	.....	.....	(254)

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. COCHRAN. Mr. President, I know of no other statements or amendments to be submitted.

I suggest that we are ready for third reading of the bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

The PRESIDING OFFICER. Under order of the Senate, H.R. 1906 is discharged and the Senate will proceed to the bill. All after the enacting clause is stricken, and the text of S. 1233 is inserted, H.R. 1906 is read a third time and passed, the Senate insists on its amendment, requests a conference with the House, and the Chair appoints Mr. COCHRAN, Mr. SPECTER, Mr. BOND, Mr. GORTON, Mr. MCCONNELL, Mr. BURNS, Mr. STEVENS, Mr. KOHL, Mr. HARKIN, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, and Mr. BYRD conferees on the part of the Senate.

The Senator from South Carolina.

Mr. THURMOND. Mr. President, I want to take this opportunity to commend Senator COCHRAN for the great job he has done in handling this matter. There were a lot of interesting matters that came up and a lot of amendments that he had to consider. He has handled all of them skillfully and ably. We are very proud of the manner in which he has handled it. I also wish to commend the able Senator KOHL for working with him so well and doing such a fine job. We are very fortunate to have these fine men to handle this matter in such a skillful manner.

Mr. COCHRAN. Mr. President, I thank very much the distinguished President pro tempore, the Senator from South Carolina, Mr. THURMOND, for his generous remarks and his assistance in the handling of this bill of the Senate. His leadership is legendary. His influence in this body continues to be very important. We are grateful for his continued service in the Senate.

I also want to commend members of our staffs who have been so diligent and so effective in the handling of the duties they have assumed in connection with the development of this legislation and the passage of the bill. I specifically want to commend: Mark Keenum, my chief of staff; Rebecca Davies, chief clerk of the subcommittee; Hunt Shipman, Martha Scott Poindexter, Les Spivey, and Buddy Allen. They have all been very helpful and very conscientious and discharged their responsibilities in a professional and very praiseworthy way. I am deeply grateful for their good help.

On the Democratic side of the aisle, my good friend and colleague from Wisconsin is serving as a manager of this bill for the first time. He has done a great job helping us sort through the requests and the amendments that have been suggested in helping guide this bill to passage. We have not agreed on everything, but we worked through our disagreements in a cordial way. I appreciate very much his leadership on the Democratic side and the way he has handled his responsibilities.

I also want to thank the staff members who have worked on the Democratic side on this bill: Paul Bock, who is the chief of staff of Senator KOHL; Kate Sparks, his legislative director; Galen Fountain, who is an experienced member of the subcommittee staff, having worked for Senator Bumpers and others since his time here as a member of the Senate staff; and Carole Geagley. We appreciate the opportunity to work with all these fine folks.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. KOHL. Mr. President, I take this moment to thank Senator COCHRAN who has been an extremely fine and fair chairman. He has done a tremendous job in shepherding this bill through. I thank also Becky Davies of his subcommittee, and I express my appreciation to Galen Fountain, Paul Bock, and Kate Sparks of my side. They have done a tremendous job and been of great assistance to me. I couldn't have done my job without their help.

I am very pleased we have reached this point.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. Under the order of the Senate of June 30, having received H.R. 2606, the Senate will proceed to the bill, all after the enacting clause is stricken, and the text of S. 1234 is inserted. H.R. 2606, as amended, is read a third time and passed. The Senate insists on its amendment, requests a conference with the House, and the Chair appoints Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. CAMPBELL, Mr. BOND, Mr. STEVENS, Mr. LEAHY, Mr. INOUYE, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mrs. MURRAY, and Mr. BYRD conferees on the part of the Senate.

The bill (H.R. 2606), as amended, was passed.

(The text of S. 1234 was printed in the RECORD of July 1, 1999)

MORNING BUSINESS

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

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

WILLIE MORRIS, HONORING THE LIFE OF A GREAT SOUTHERN WRITER

Mr. LOTT. Mr. President, earlier this week, author Willie Morris, a native of Mississippi, passed away from an apparent heart attack at the young age of 64. Mr. Morris was a writer and editor who painted a vivid picture of the Southern way of life unlike any literary figure since William Faulkner. Mr. Morris had the heart of a good ole country boy who grew up in Yazoo City, and the intellect of a Rhodes Scholar.

Mr. Morris later went on to become a major literary leader, becoming editor and chief of Harper's Magazine at the age of 32. He attained national prominence in his career as a journalist, nonfiction writer, novelist, editor, and essayist by writing more than a dozen books on subjects ranging from his childhood English fox terrier in ''My Dog Skip'' to the intersection of football and race in ''The Courting of Marcus Dupree.'' Critics have characterized Mr. Morris's works as being ''exquisite and lyrical rendering.'' He was particularly well known for the books and articles in which he compared his experiences and southern heritage to America's own history.

Rather than attend the University of Mississippi, his father had him go to the distant and alien environs of the University of Texas in Austin, but in 1980 he returned to Ole Miss to be the writer in residence. His class room has been described like being at an Ole Miss v. LSU football game, because the students were always so excited.

Mr. President, Mr. Morris has been described as being ''a prolific author in his own life, defining moments of intimacy and compassion.''

David Sansing, a retired University of Mississippi historian said this about Mr. Morris, ''Willie was such an honest voice, clear, vivid, never ambiguous. He had to leave the South to really confirm his own Southernness. But of course, he came back.''

Willie Morris's writing undoubtedly had a grave impact on the lives of Mississippians and Southerners alike. He is survived by his wife, JoAnne Prichard of Jackson, and his son David Rae of New Orleans.

BUILDING SAFE SCHOOLS AND HEALTHY COMMUNITIES: THE WEST VIRGINIA RESPONSE

Mr. BYRD. Mr. President, stacks of spiral-bound notebooks and reams of paper, boxes of pencils and pens, lunch boxes and backpacks, are all making their way onto store shelves across the Nation as summer limps toward its hot, dry conclusion and the warm, crisp promise of autumn days, yellow school buses, and children walking to school closes in on us. A new school year is upon us, with all its bright potential for learning. Most students welcome the chance to see their friends again, and to again immerse themselves in the business of learning and growing. But sadly, some children are afraid to go to school. Some children must face and conquer the memories of sudden, violent death that have visited their schools in recent years.

Mr. President, in the wake of the senseless atrocities that have ripped at the traditional calm of schools across the country, it has become increasingly evident that we must work together here in Congress, and with our state governments, to prevent this kind of terrible tragedy from striking yet another American schoolyard. I am pleased to have recently joined with Senators LIEBERMAN and MCCAIN in authoring legislation to create a National Commission on Youth Violence, which has been included in the Senate-passed juvenile justice legislation.

With the new school year just around the corner, it seems an opportune time to refocus our energies on the work underway in each of our respective states, and to help the states craft even more effective prevention strategies for the upcoming academic year. And similarly, the states will serve as an invaluable resource for helping us to better strategize on federal solutions necessary for restoring peace and tranquility to our nation's schools. If we hope to have a school year free from the violence and emotional grief that rocked our nation last year, an equal exchange and dialogue is truly in order.

Given the most serious nature of the challenge we face, it is important that we bring together a wide range of experts to seek solutions to school violence. In this vein, I am pleased, today, to announce my cosponsorship with West Virginia University of a day-long symposium on safe schools and communities. From representatives of the West Virginia State Police, to parents, students, and the church community, the symposium participants will focus on efforts already underway throughout the state to combat school violence, and what more needs to be done to better protect our teachers and students from classroom violence. I hope that this event will give participants the opportunity to highlight the progress that has already been made in school safety, while also helping to create a guide for what still needs to be accomplished. West Virginia University, with its wealth of research and expertise, is the ideal forum for this event, and I feel confident that its contribution in behalf of the higher education community will further strengthen this ongoing dialogue throughout the state.

A school ought to be a place where students thrive on learning for learning's sake alone, and where teachers find true pleasure in explaining the details of the battle at Antietam or the Pythagorean theorem. It ought to be a place where students can frolic in the school playground with classmates during recess without a worry in the world. Mr. President, the events of the recent past work against this vision.

It is my hope that this symposium will provide West Virginians with an opportunity to look for ways to prevent such violence from occurring in West Virginia schools. By bringing together West Virginia parents, educators, students, law enforcement officials, policy makers, and a variety of other experts to examine school- and community-based strategies to reduce youth violence, we, collectively, will bring greater clarity and wisdom to this troubling issue, both at the state and federal levels.

As students and teachers prepare for another school year, we need to reflect on the violence that has taken place in so many other communities, and look for ways to prevent such violence from occurring in West Virginia schools. Through this symposium, it is my hope that we will take the time to find the strength to reach across the lines that serve to divide us and touch the common spirit that the Creator instilled in each of us. It is long past time for us to work together on common ground to achieve common dreams.

TIME TO SUPPORT CTBT RATIFICATION

Mr. AKAKA. Mr. President, I rise to urge Senate consideration of the Comprehensive Test Ban Treaty, CTBT. As Ranking Member of the Governmental Affairs Subcommittee on International Security, Proliferation and Federal Services, I believe that ratification of the CTBT would enhance our nation's security for several reasons.

It imposes a verifiable ban on all nuclear weapons testing, conducted anywhere, at any time; it takes a pro-active step towards ending the threat of nuclear tests conducted by rogue nations attempting to develop nuclear weapons; and it demonstrates the United States' commitment to a safer and more secure future free from radioactive fallout produced by nuclear explosions. Implementing the CTBT does not preclude improving our nuclear weapons. The United States will be able to maintain a sophisticated and viable arsenal without conducting dangerous nuclear tests.

In the last decade, the most frequently cited argument against a test ban has been the claim that continued testing is necessary to ensure that stockpiled weapons are reliable; that is, they will detonate as planned and that the yield and effects will meet design specifications. Even test ban critics acknowledge that reliability stockpile testing has been mainly nonnuclear.

In testimony before the Senate Armed Services Committee, Robert Baker, former Deputy Assistant Director for Verification and Intelligence at the Arms Control and Disarmament Agency, ACDA, said, ''[they] do not routinely go out and take nuclear weapons out of the stockpile and test them.'' Other weapons designers have testified that nuclear tests simulations on high-performance computers are adequate substitutes for nuclear explosions and can provide accurate data on warhead viability.

The purpose of testing existing weapons has not been to detect unforeseen problems but rather to check on particular problems identified through the non-nuclear inspection and simulation program. With very rare exceptions, the tested weapons performed in the desired manner. In fact, only one stockpile confidence test performed between 1979 and 1986 revealed a problem needing correction. The reason that any nuclear reliability testing of stockpiled weapons has been necessary in the past is that some older types of nuclear designs were originally put into the stockpile without the stringent production verification tests now standard. Our stockpile stewardship program enables the United States to meet the requirements for a treaty banning all types of nuclear testing while simultaneously maintaining a viable nuclear arsenal.

This is not a new effort. It was not invented by the Clinton Administration. American presidents have sought for nearly forty years to negotiate a treaty that prohibits nuclear testing.

President Eisenhower initially noted its importance in his State of the Union address in January of 1960 when he said that ''looking to a controlled ban on nuclear testing'' could be the means of ending the ''calamitous cycle . . . which, if unchecked, could spiral into nuclear disaster.''

President KENNEDY later reaffirmed the United States' commitment to such a treaty in a 1963 commencement address at American University, stating that ''the conclusion of such a treaty [that ended nuclear testing] would check the spiraling arms race in one of its most dangerous areas. . . . [Furthermore,] it would increase our security [and] it would decrease the prospects of war.'' Today, this treaty has the strong support of members from both parties.

If the Senate does not consent to the ratification of this treaty before the September 24, 1999, deadline, the United States will not be able to participate in decisions regarding the future of the treaty. Under the terms of Article XIV of the CTBT, a conference of the countries that have ratified can

be convened on the third anniversary of the treaty's opening for signature to determine how to ''accelerate the ratification process in order to facilitate the [treaty's] early entry into force.'' Although both countries that have and have not ratified the treaty before the date of this conference may attend, the non-member countries of the treaty are only invited as observers and may not participate.

The United States is one of the 44 named countries that is required to sign and ratify the treaty before it can ''enter into force''. If the United States does not ratify this treaty, we are preventing the CTBT's implementation. The United States must ratify this treaty so that it can continue its leadership role in arms control. We should not be the holdout country that threatens the CTBT's entry into force. By demonstrating our commitment to halting nuclear testing, the United States creates an environment that encourages other countries to ratify the treaty.

The threat of rogue nations developing nuclear weapons is real and urgent. The July 1999 Deutch Commission's Report, entitled ''Combating Proliferation of Weapons of Mass Destruction,'' cites several examples: in the spring of 1998, India and Pakistan conducted nuclear tests, worsening instability on the subcontinent; during the recent crisis in Kashmir, a nuclear war in South Asia looked possible for the first time; and countries in the Middle East and East Asia attempted to acquire weapons of mass destruction. The CTBT prevents other nations who ratify it from conducting nuclear tests. It helps rein in rogue nations now and in the future that attempt to acquire and develop weapons of mass destruction.

Finally, this is a treaty that the American people want. Recent polls show that 82 percent of Americans support ratification of the CTBT. They know that ending nuclear explosions is a better way to protect the United States against nuclear weapons threats.

I urge the Senate Foreign Relations Committee to hold hearings on the Comprehensive Test Ban Treaty so that we may take action on this agreement before it is too late. We cannot allow the United States to be locked out of its rightful leadership role at the September review conference on this treaty. This treaty is the most effective step that we can take to enhance international security and to maintain nuclear safety.

TRIBUTE TO SPECIALIST T. BRUCE CLUFF

Mr. BENNETT. Mr. President, a memorial service was held on Monday in Ft. Bliss, Texas, to honor five American men and women who lost their lives last week in the service of this country. On July 23, an Army airplane was reported missing over Colombia with five U.S. military personnel and two Colombians on board. The wreckage was located later in the week and days later, the Department of Defense confirmed the deaths of those on board.

Coffins draped with the Stars and Stripes left Bogota, and were flown to Ft. Bliss Texas, a wreching reminder of the continued sacrifice made by American men and women in the Armed Forces and of course their families.

One of the soldiers killed in the crash was Private First Class T. Bruce Cluff, a former resident of the city of Washington in my home state of Utah. Private Cluff served as one of 300 soldiers in a Battalion whose uniforms bear a crest that states ''Silently We Defend.''

Mr. President, because we cannot, and should not, allow the untimely loss of those in uniform to go unnoticed, I rise today to pay tribute to Private T. Bruce Cluff, a soldier killed in the line of duty; a soldier who received the Army Good Conduct Medal; a soldier who volunteered to risk his life for the protection of our nation and its defense against aggressors.

T. Bruce Cluff was born in Mesa, Arizona, and as a member of the Boy Scouts of America, attained the rank of Eagle Scout at the age of 13. He graduated from Whitehorse High School in 1992, and served a two year mission for the Church of Jesus Christ of Latter-day Saints in the state of Montana. Private Cluff attended Dixie College in Utah and worked as a Computer Aided Draftsman before enlisting in the Army in 1997. He completed basic training at Fort Leonard Wood, Missouri and Advanced Individual Training (AIT) at Fort Huachuca, Arizona.

In mourning Cluff's death and announcing his posthumous promotion to the rank of specialist, a statement from the Army read, ''His commander and NCO supervisors regarded his skills—as superlative. His can-do attitude and enthusiasm embodied the motto of his platoon, which reads, 'Excellence—Nothing Else is Acceptable.' ''

As a reminder to those of use who didn't know any of the soldiers personally, I share writings from George Washington which I believe shed light on a soldier's quiet commitment, and perhaps a tendency to forget what is asked of our men and women in uniform. The winter of 1777 was a bleak time in our nation's military history. George Washington, after his defeat at the Brandywine, established Winter Headquarters at Valley Forge. The soldiers were in rags, were sick and starving. Criticism of Washington from the Congress was loud, and spreading to the public.

On December 23, General Washington wrote to the Continental Congress, explaining that ''no less than 2,898 men now in camp are unfit for duty, because they are barefoot and otherwise naked.

He then addresses the criticism, ''But what makes this matter still more extraordinary in my eye is, that these very gentlemen—who were well apprised of the nakedness of our troops—should think a winter's campaign, and the covering of these States [New Jersey and Pennsylvania] from the invasion of an enemy, so easy and practicable a business. I can assure those gentlemen, that it is a much easier and less distressing thing to draw remonstrances in a comfortable room by a good fireside, than to occupy a cold, bleak hill, and sleep under frost and snow, without clothes or blankets.

Those of us who are in a 'comfortable room by a good fireside,' should be reminded that the missions of the military are not comfortable nor are they easy. Even in peacetime, America has troops stationed all over the world, engaged in all manner of missions, and regrettably, none without threat.

There will be few who know about the Cluff's loss. Specialist Cluff, to use his new rank, has not had his picture on the cover of any magazine. His life hasn't been the subject of wide media attention. However, his young wife who is expecting their third child, and his remaining two children, have lost a husband and young father. His siblings have lost a brother and his parents have lost a son. This country has lost a good soldier. It mourns with his family and honors his memory.

May the Cluffs be comforted in their time of grief. As we remember them and ask God to watch over them and bring them solace, may we also remember the family members of the other military personnel who, with Specialist Cluff, made the ultimate sacrifice in service to our country.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, let me say I was very moved by the remarks of the Senator from Utah. I am sure every Member of the Senate shares in expressing our sympathy for the men who were killed in that air crash. Certainly the Senator has done the Specialist and other Members very proud in his comments before the Senate.

HOLD ON THE NOMINATION OF RICHARD HOLBROOKE

Mr. GRASSLEY. Mr. President, on June 24 I announced that I had placed a hold on the nomination of Mr. Richard Holbrooke to be the new U.S. Ambassador to the United Nations. At that time, I had indicated that it was not a personal dispute with Mr. Holbrooke, but that it was a signal to the State Department. The Department has been mistreating a whistle blower, Ms. Linda Shenwick. She had made protected financial mismanagement disclosures to Congress. Her disclosures led to the creation of an Inspector General at the U.N., as well as other management reforms and statutory requirements.

My interest in this matter is simple. Congress cannot function as an institution if government employees cannot

communicate with Congress about wrongdoing. And the executive branch should not be allowed to shoot the messenger with impunity. I am simply trying to get the two parties to return to the negotiating table, where they had been up to as recently as two months ago, and arrive at a mutually agreed-upon new job for Ms. Shenwick.

Accordingly, I have placed a hold on three new nominees from the State Department. They are the following: A. Peter Burleigh as Ambassador to the Philippines; Carl Spielvogel as Ambassador to the Slovak Republic; and, J. Richard Fredericks as Ambassador to Switzerland.

In addition to these new holds, I have taken additional steps which I choose not to disclose at this time. They are designed to increase my and other interested colleagues' ability to insist that Ms. Shenwick be treated fairly. Several of my colleagues have indicated a desire to assist me on my further endeavors.

My interest, as I said, was not with Mr. Holbrooke. I intend to vote for him. My interest is, and has been from the beginning, in making sure the process for Ms. Shenwick remains fair. It became evident to me that the Secretary of State was not out of sorts with the hold-up of the Holbrooke nomination. Yet the hold accomplished some progress.

In the first place, the Department had long ignored a letter signed by nine United States Senators in October of last year, raising our concerns about its mistreatment of Ms. Shenwick. The Department did not even respond until June 30 of this year—eight months later. Since then, we have corresponded again, and I met with State Department attorneys through the good offices of my friend from Virginia, Senator Warner.

I also met with Administration officials and have engaged in useful dialogue. It has resulted in a more highly sensitized Administration as to the need for effective communications with the State Department to ensure fair treatment for Ms. Shenwick. These communications have produced one small yet positive step toward ensuring the fairest possible process.

In the meantime, I have chosen to increase my leverage by putting the holds on these three nominees. At the same time, I will release my hold on Mr. Holbrooke, satisfied that I have greater leverage, and the Administration's heightened awareness and assurances of a fair process.

AMBASSADOR RICHARD HOLBROOKE

Mr. LEAHY. Mr. President, I have lost track of how long it has been since the President nominated Ambassador Richard Holbrooke to be the United States Permanent Representative to the United Nations.

What I do know is that in the intervening months we have fought a war in Kosovo that I supported, but which harmed our relations with Russia and China.

We have watched as tens of thousands of students demonstrated in the streets of Tehran; seen further signs that North Korea is preparing to test a long-range missile that could reach our shores; entered a new and hopeful period in the Middle East peace process; watched the Northern Ireland peace process reach a dead end once again; and seen India and Pakistan, armed with nuclear weapons and the missiles to deliver them, clash over Kashmir. All of this has occurred while Ambassador Holbrooke has been waiting to be confirmed.

So, Mr. President, it is possible for the United States to carry on without a UN ambassador. We have managed to do that. The world has not come to an end, although not a day has passed without a crisis that we have an interest in. But does anyone here think it is a sensible way for the world's only superpower to conduct itself?

Every day, we face threats to our security interests, our economic interest, that affect the health and welfare of the American people, and which require the intensive attention and intervention of skilled diplomats. Aside from the Secretary of State, there is no diplomatic position more important than our UN Ambassador.

Yet month after month after month, we have seen this nomination delayed by the Majority party. First it was due to allegations of financial irregularities, which Ambassador Holbrooke resolved months ago. Months had already been lost waiting for a hearing.

Then, shortly after the Majority Leader said the Senate would vote on his nomination, a hold was placed on it and more weeks have passed without a vote being scheduled—a vote that is certain to confirm Ambassador Holbrooke overwhelmingly. In fact, he would have been confirmed easily months ago, if the Senate had been permitted to vote.

This is the last week before the August recess. There is absolutely no justification whatsoever for delaying this further. There are no political points to be made here. On the contrary, we hurt ourselves each day that we are without a UN Ambassador. It is, frankly, ridiculous to be acting as if this position can remain vacant for month after month, without weakening our influence around the world.

So let us hope this is the week that Ambassador Holbrooke will be confirmed, and that he can get started on the difficult job that we, the American people and the President, need him to do.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, August 3, 1999, the Federal debt stood at $5,613,220,970,175.47 (Five trillion, six hundred thirteen billion, two hundred twenty million, nine hundred seventy thousand, one hundred seventy-five dollars and forty-seven cents).

One year ago, August 3, 1998, the Federal debt stood at $5,505,964,000,000 (Five trillion, five hundred five billion, nine hundred sixty-four million).

Five years ago, August 3, 1994, the Federal debt stood at $4,640,190,000,000 (Four trillion, six hundred forty billion, one hundred ninety million).

Ten years ago, August 3, 1989, the Federal debt stood at $2,811,435,000,000 (Two trillion, eight hundred eleven billion, four hundred thirty-five million).

Fifteen years ago, August 3, 1984, the Federal debt stood at $1,557,032,000,000 (One trillion, five hundred fifty-seven billion, thirty-two million) which reflects a debt increase of more than $4 trillion—$4,056,188,970,175.47 (Four trillion, fifty-six billion, one hundred eighty-eight million, nine hundred seventy thousand, one hundred seventy-five dollars and forty-seven cents) during the past 15 years.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:52 a.m., a message from the House of Representatives, delivered by Mr. Berry, 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. 2606. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes.

At 3:51 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 987. An act to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard or guideline on ergonomics.

H.R. 2031. An act to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor.

H.R. 1907. An act to amend title 35, United States Code, to provide enhanced protection for inventors and innovators, protect patent terms, reduce patent litigation, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 167. Concurrent resolution authorizing the Architect of the Capitol to permit temporary construction and other work on the Capitol Grounds that may be necessary for construction of a building on Constitution Avenue Northwest, between 2nd Street Northwest and Louisiana Avenue Northwest.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 987. An act to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard or guideline on ergonomics; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2031. An act to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor; to the Committee on the Judiciary.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on August 4, 1999, he had presented to the President of the United States, the following enrolled bill:

S. 880. An act to amend the Clean Air Act to remove flammable fuels from the list of substances with respect to which reporting and other activities are required under the risk management plan program, and for other purposes.

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–4494. A communication from the Under Secretary of Defense for Acquisition and Technology, transmitting Selected Acquisition Reports (SARs) for the quarter ending June 30, 1999; to the Committee on Armed Services.

EC–4495. A communication from the Secretary of Energy, transmitting, pursuant to law, the report of the Office of Civilian Radioactive Waste Management for fiscal year 1998; referred jointly, pursuant to Public Law 97–425, to the Committees on Energy and Natural Resources, and the Environment and Public Works.

EC–4496. A communication from the Deputy General Counsel, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Administrative Claims Under the Tort Claims Act and Representations and Indemnification of SBA Employees'' (FR Doc. 99–18951 Filed 7–23–99), received August 2, 1999; to the Committee on Small Business.

EC–4497. A communication from the Interim Staff Director, United States Sentencing Commission, transmitting, pursuant to law, the annual report for fiscal year 1998; to the Committee on the Judiciary.

EC–4498. A communication from the Deputy Executive Secretary, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Vaccine Injury Compensation Program; Addition of Vaccines Against Rotavirus to the Program'' (RIN0906–AA50), received August 3, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4499. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to danger pay for government employees in Lima, Peru; to the Committee on Foreign Relations.

EC–4500. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, certification of a proposed Technical Assistance Agreement with Spain; to the Committee on Foreign Relations.

EC–4501. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services in the amount of $50,000,000 or more with the Republic of Italy; to the Committee on Foreign Relations.

EC–4502. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services in the amount of $50,000,000 or more with Canada; to the Committee on Foreign Relations.

EC–4503. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement with Germany; to the Committee on Foreign Relations.

EC–4504. A communication from the Under Secretary of Defense, transmitting, pursuant to law, a report relative to DoD purchases from foreign entities in fiscal year 1998; to the Committee on Armed Services.

EC–4505. A communication from the Executive Director, Procurement Management Directorate, Contract Policy Team, Defense Logistics Agency, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''DLA Acquisition Directive; Types of Contracts'', received August 3, 1999; to the Committee on Armed Services.

EC–4506. A communication from the Acting Branch Chief, Environmental Planning Branch, Environmental Division, U.S. Air Force, transmitting, pursuant to law, the report of a rule entitled ''Environmental Impact Analysis Process'' (32 CFR 989), received July 29, 1999; to the Committee on Armed Services.

EC–4507. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Temporary Assistance for Needy Families Program, dated August 1999; to the Committee on Finance.

EC–4508. A communication from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Exemption of Originating Mexican Goods From Certain Customs User Fees'' (RIN1515–AC47), received July 29, 1199; to the Committee on Finance.

EC–4509. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update'' (Notice 99–38), received August 2, 1999; to the Committee on Finance.

EC–4510. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rev. Rul. 99–34, BLS–LIFO Department Store Indexes-June 1999'' (Rev. Rul. 99–34), received July 29, 1999; to the Committee on Finance.

EC–4511. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities (HCFA–1913–F)'' (RIN0938–AI47), received August 3, 1999; to the Committee on Finance.

EC–4512. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Hospice Wage Index (HCFA–1054–N)'' (RIN0938–AJ62), received August 3, 1999; to the Committee on Finance.

EC–4513. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Schedules of Per-Visit and Per-Beneficiary Limitations on Home Health Agency Costs Reporting Periods Beginning on or After October 1, 1999 and Portions of Cost Reporting Periods Beginning Before October 1, 1999'' (RIN0938–AJ57), received August 3, 1999; to the Committee on Finance.

EC–4514. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities (HCFA–1056–N)'' (RIN0938–AJ38), received August 3, 1999; to the Committee on Finance.

EC–4515. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 2000 Rates'' (RIN0938–AJ50), received August 3, 1999; to the Committee on Finance.

EC–4516. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Civil Money Penalties for Nursing Homes (SNF/NF), Changes in Notice Requirements, and Expansion of Discretionary Remedy'', received August 3, 1999; to the Committee on Finance.

EC–4517. A communication from the Deputy Executive Secretary, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Section 403(a)(2) of the Social Security Act Bonus to Reward Decreases in Illigitimacy Ratio'' (RIN0970–AB79), received August 3, 1999; to the Committee on Finance.

EC–4518. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Appeal of the Loss of Nurse Aide Training Program'' (RIN0938–AJ59), received August 3, 1999; to the Committee on Finance.

EC–4519. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Documentation Requirements for Matching Credit Card and Debit Card Contributions in Presidential Campaigns'', received August 2, 1999; to the Committee on Rules and Administration.

EC–4520. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Party Committee Coordinated Expenditures; Costs of Media Travel with Publicly Financed Presidential Candidates'', received August 2, 1999; to the Committee on Rules and Administration.

EC–4521. A communication from the Employee Benefits Manager, AgFirst Farm Credit Bank, transmitting, pursuant to law, three reports relative to federal pension plans for calendar year 1998; to the Committee on Governmental Affairs.

EC–4522. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Director for Management, the designation of an Acting Deputy Director, and the nomination of a Deputy Director; to the Committee on Governmental Affairs.

EC–4523. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to a vacancy in the position of Controller, Office of Federal Financial Management, the designation of an Acting Controller, and the nomination of a Controller; to the Committee on Governmental Affairs.

EC–4524. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to additions to the Procurement List, received August 2, 1999; to the Committee on Governmental Affairs.

EC–4525. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the annual report of the Civil Service Retirement and Disability Fund for fiscal year 1998; to the Committee on Governmental Affairs.

EC–4526. A communication from the Chairman, U.S. Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''Federal Supervisors and Poor Performers'', dated July 1999; to the Committee on Governmental Affairs.

EC–4527. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report relative to General Accounting Office employees detailed to congressional committees as of July 19, 1999; to the Committee on Governmental Affairs.

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–287. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the appellate jurisdiction of federal courts regarding partial-birth abortions; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 257

Whereas, Louisiana is one of twenty-five states which has recently prohibited the specific medical procedure termed ''partial-birth abortions''; and

Whereas, numerous other states are working this legislative session to enact the same ban; and

Whereas, federal district courts have thus far struck down laws in seventeen different states, effectively declaring that partial-birth abortions cannot be banned; and

Whereas, this intrusion of the Federal courts in these states decisions concerning this medical procedure can be remedied only by federal congressional action to limit the jurisdiction of these federal courts; and

Whereas, the United States Constitution does not create or regulate these inferior federal courts, but instead explicitly gives congress the power to do so; and

Whereas, the U.S. Constitution makes the jurisdiction of the federal courts subject to congressional proscription through Article III, Section 2, Para. 2, by declaring that federal courts ''shall have appellate jurisdiction both as to law and fact with such exceptions and under such regulations as congress shall make''; and

Whereas, the intent of the framers of our documents was clear on this power of congress, such as when Samuel Chase (a signer of the Declaration of Independence and a U.S. Supreme Court Justice appointed by President George Washington) declared, ''The notion has frequently been entertained that the federal courts derive their judicial power immediately from the constitution; but the political truth is that the disposal of the judicial power (except in a few specified instances) belongs to Congress. If Congress has given the power to this court, we possess it, not otherwise''; and

Whereas, Justice Joseph Story, in his authoritative Commentaries on the Constitution, similarly declares, ''In all cases where the judicial power of the United States is to be exercised, it is for Congress along to furnish the rules of proceeding, to direct the process, to declare the nature and effect of the process, and the mode, in which the judgment, consequent thereon, shall be executed . . . And if Congress may confer power, they may repeal it . . . [The power of Congress [is] complete to make exceptions'']; and

Whereas, this position is confirmed not only by the signers of the Constitution themselves, such as George Washington and James Madison, but also by other leading constitutional experts and jurists of the day, including Chief Justice John Rutledge, Chief Justice Oliver Ellsworth, Chief Justice John Marshall, Richard Henry Lee, Robert Yates, George Mason, and John Randolph; and

Whereas, the United States Supreme Court has long recognized and affirmed this power of congress to limit the appellate jurisdiction of the federal courts, as in 1847 when the court declared that the ''court possesses no appellate power in any case unless conferred upon it by act of Congress'' and in 1865 when it declared ''it is for Congress to determine how far . . . appellate jurisdiction shall be given; and when conferred, it can be exercised only to the extent and in the manner prescribed by law''; and

Whereas, congress has on numerous occasions exercised this power to limit the jurisdiction of federal courts, and the Supreme Court has consistently upheld this power of congress in rulings over the last two centuries, including cases in 1847, 1866, 1868, 1876, 1878, 1882, 1893, 1898, 1901, 1904, 1906, 1908, 1910, 1922, 1948, 1966, 1973, 1977, etc; and

Whereas, it is congress alone which can remedy this current crisis and return to the states the power to make their own decisions on partial-birth abortions by excepting this issue from the appellate jurisdiction of the federal courts.

Therefore, be it *Resolved,* That the Legislature of Louisiana respectfully appeals to the Congress of these United States to limit the appellate jurisdiction of the federal courts regarding the specific medical practice of partial-birth abortions.

Be it *further Resolved,* That a copy of this Resolution be sent to the Speaker of the United States House of Representatives, the President of the United States Senate, and the Chief Clerical Officers of the United States House of Representatives and the United States Senate.

POM–288. A resolution adopted by the Legislature of the State of Alaska relative to the division of the Ninth Circuit Court of Appeals; to the Committee on the Judiciary.

LEGISLATIVE RESOLVE NO. 25

Be it resolved by the legislature of the State of Alaska:

Whereas the State of Alaska is within the jurisdiction of the United States Court of Appeals for the Ninth Circuit; and

Whereas the Court of Appeals for the Ninth Circuit consists of the States of Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington, and Guam, and the Commonwealth of the Northern Marianas Islands; and

Whereas United States Senators Murkowski of Alaska and Gorton of Washington have introduced S. 253, a bill that would amend Title 28 of the United States Code to divide the Court of Appeals for the Ninth Circuit into three regional divisions and a fourth circuit division, and that has the short title of the ''Federal Ninth Circuit Reorganization Act of 1999''; and

Whereas S. 253 proposes to place the states of Alaska, Idaho, Montana, Oregon, and Washington within one regional division of the Court of Appeals for the Ninth Circuit and to place the other states and territories, possessions, and protectorates into two other regional divisions; and

Whereas S. 253 proposes to adopt the recommendations of a Congressionally mandated commission, chaired by retired Supreme Court Justice Byron R. White, that studied the realignment of the federal courts of appeal; the recommendations were made in a report issued in December 1998; and

Whereas the membership of the Court of Appeals for the Ninth Circuit is heavily weighted toward the State of California and the court seems to concern itself predominately with issues arising out of California and the Southwestern United States; and

Whereas the Court of Appeals for the Ninth Circuit's case filings are consistently either greater than any other federal circuit or among the greatest; and

Whereas the Court of Appeals for the Ninth Circuit is the largest of the 13 circuit courts of appeal, spanning 1,400,000 square miles, and is larger than the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eleventh Circuits combined; and

Whereas the Court of Appeals for the Ninth Circuit serves a population of more than 49,000,000 people, almost 60 percent more than any other federal circuit; and

Whereas members of the Court of Appeals for the Ninth Circuit have shown a surprising lack of understanding of Alaska's people and geography; and

Whereas, in the so-called ''Katie John'' subsistence case, which is of tremendous importance to the people of the State of Alaska, even though the Court of Appeals for the Ninth Circuit granted expedited consideration of that case, the court did not issue its decision for over 13 months; and

Whereas the Court of Appeals for the Ninth Circuit consistently ranks at or near the bottom of the circuits in time from the filing of a case in the district court to final disposition in the court appeals; and

Whereas Attorney General Bruce Botelho has estimated that there are more than 200 Alaska cases currently pending before the Court of Appeals for the Ninth Circuit; and

Whereas, previously, the Attorneys General of the States of Idaho, Montana, Oregon, and Washington have also found that similar issues of unnecessary delay concerning, lack of understanding of, and lack of consideration for cases and issues by the Court of Appeals for the Ninth Circuit exist in regard to those states; and

Whereas the division of the Court of Appeals for the Ninth Circuit into regions would benefit the States of Alaska, Idaho, Montana, Oregon, and Washington by providing speedier and more consistent rulings

by jurists who have a greater familiarity with the social, geographical, political, and economic life of the region, especially if those jurists were required to be residents of that region;

Be it, *Resolved* That the Alaska State Legislature strongly supports S. 253 and the division of the Court of Appeals for the Ninth Circuit into three regional divisions with one region consisting of the States of Alaska, Idaho, Montana, Oregon, and Washington headquartered in the Pacific Northwest; and be it

Further Resolved, That the Alaska State Legislature questions the need for a fourth circuit division and urges the sponsors of S. 253 and the United States Congress to inquire into the need for a fourth circuit division; and be it

Further Resolved, That the Alaska State Legislature urges the sponsors of S. 253 to consider including a requirement that judges assigned to one of the three regional divisions must reside in that regional division and urges the United States Congress to amend S. 253 to address this concern; and be it

Further Resolved, That the Alaska State Legislature believes that a reorganization of the Court of Appeals for the Ninth Circuit is long overdue and urges the United States Congress to expeditiously consider and enact S. 253.

Copies of this resolution shall be sent to the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Strom Thurmond, President Pro Tempore of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable Dick Armey, Majority Leader of the U.S. House of Representatives; the Honorable Thomas Daschle, Minority Leader of the U.S. Senate; the Honorable Richard A. Gephardt, Minority Leader of the U.S. House of Representatives; the Honorable Orrin G. Hatch, Chair of the U.S. Senate Committee on the Judiciary; the Honorable Henry J. Hyde, Chair of the U.S. House Committee on the Judiciary; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM–289. A resolution adopted by the Legislature of the State of Alaska relative to the year 2000 census; to the Committee on Governmental Affairs.

LEGISLATIVE RESOLVE NO. 22

Be it resolved by the legislature of the State of Alaska:

Whereas the Constitution of the United States requires an enumeration of the population every 10 years and entrusts the Congress with overseeing each decennial enumeration; and

Whereas the sole constitutional purpose of the decennial census is to apportion the seats in the United States House of Representatives among the several states; and

Whereas an accurate and legal decennial census is necessary to properly apportion the seats in the United States House of Representatives among the states and to create legislative districts within the states; and

Whereas 13 U.S.C. 141(c) mandates that the Bureau of the Census provide each state with basic tabulations of population (P.L. 94–171 data) within one year after the decennial census date; and

Whereas the Alaska State Legislature believes that Article I, Section 2, Constitution of the United States, in order to ensure an accurate count and to minimize the potential for political manipulation, mandates an ''actual enumeration,'' meaning a physical headcount of the population, and prohibits reliance on estimates of the population for purposes of apportioning seats in the United States House of Representatives among the several states; and

Whereas legislative redistricting conducted by the states is a critical subfunction of the constitutional requirement to apportion representatives among the states; and

Whereas the United States Supreme Court, in Department of Commerce v. United States House, slip. op. no. 98–404, 1999 WL 24616, 67 U.S.L.W. 4090, ruled on January 25, 1999, that 13 U.S.C. 195 prohibits the proposed use by the Bureau of Census of statistical sampling in the determination of population for purposes of apportioning seats in the United States House of Representatives among the several state; and

Whereas the appellees in Department of Commerce v. United States House established standing partly on the basis of a claim of expected intrastate vote dilution due to the proposed use by the Bureau of the Census of statistical sampling; and

Whereas the use of census data adjusted by means of sampling or other statistical methodologies in redistricting by the State of Alaska could raise serious issues of vote dilution and violate ''one-person, one-vote'' legal protections, expose the state to protracted and costly litigation over redistricting, and ultimately result in a court ruling invalidating the redistricting plan; and

Whereas the Alaska State Legislature believes that a person, once enumerated, should not be counted by sampling or other statistical methodologies for purposes of redistricting; and

Whereas every reasonable and practical effort should be made to obtain the fullest and most accurate count of the population possible, including appropriate funding for state and local census outreach and education programs and post-census local review;

Be it *Resolved* That the Alaska State Legislature calls on the Bureau of the Census to conduct the 2000 decennial census consistent with the ruling in Department of Commerce v. United States House and with the Constitution of the United States; and be it

Further Resolved That the Alaska State Legislature calls on the Bureau of the Census to conduct a physical headcount of the population and not to use random sampling techniques or other statistical methodologies that add persons to or subtract persons from the census count in developing redistricting data under P.L. 94–171 for use by the states in intrastate redistricting; and be it

Further Resolved That the Alaska State Legislature opposes the use of P.L. 94–171 data for state legislative redistricting based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add or subtract persons; and be it

Further Resolved That the Alaska State Legislature requests that Alaska be given P.L. 94–171 data for legislative redistricting identical to the census tabulation date used to apportion seats in the United States House of Representatives, derived from a physical headcount of the population, and not adjusted using random sampling techniques or other statistical methodologies that add persons to or subtract persons from the census count; and be it

Further Resolved That the Alaska State Legislature urges the Congress, as the branch of government assigned the responsibility of overseeing the decennial enumeration of the population, to take whatever steps are necessary to ensure that the 2000 decennial census is conducted fairly and legally.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable William M. Daley, Secretary of the U.S. Department of Commerce; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Trent Lott, Majority Leader of the U.S. Senate; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 832: A bill to extend the commercial space launch damage indemnification provisions of section 70113 of title 49, United States Code (Rept. No. 106–135).

By Mr. BOND, from the Committee on Small Business, with an amendment in the nature of a substitute:

H.R. 1568: A bill to provide technical, financial, and procurement assistance to veteran owned small businesses, and for other purposes (Rept. No. 106–136).

By Mr. ROTH, from the Committee on Fiance:

Report to accompany the bill (S. 1388) to extend the Generalized System of Preferences (Rept. No. 106–137).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 800: A bill to promote and enhance public safety through the use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes (Rept. No. 106–138).

By Mr. JEFFORDS, from the Committee on Health, Education, Labor and Pensions, with an amendment in the nature of a substitute:

S. 632: A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. WARNER, for the Committee on Armed Services:

Charles A. Blanchard, of Arizona, to be General Counsel of the Department of the Army.

Carol DiBattiste, of Florida, to be Under Secretary of the Air Force.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Larry T. Ellis, 0750

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

David M. Crocker, 2737

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Mark A. Young, 5581

The following named officer for appointment as Chief of Naval Personnel, United States Navy, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5141:

To be vice admiral

Rear Adm. Norbert R. Ryan, Jr., 4487

(The above nominations were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. SNOWE (for herself and Mr. WYDEN):

S. 1480. A bill to amend title XVIII of the Social Security Act to assure access of medicare beneficiaries to prescription drug coverage through the SPICE drug benefit program; to the Committee on Finance.

By Mr. MCCONNELL (for himself, Mr. HELMS, Mr. BUNNING, Mr. COVERDELL, Mr. EDWARDS, Mr. ROBB, and Mr. WARNER):

S. 1481. A bill to amend the Agricultural Adjustment Act of 1938 to release and protect the release of tobacco production and marketing information; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. MCCAIN, Mr. HOLLINGS, and Mr. BREAUX):

S. 1482. A bill to amend the National Marine Sanctuaries Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for himself, Mr. KERRY, Mrs. MURRAY, Mr. DASCHLE, and Mr. KENNEDY):

S. 1483. A bill to amend the National Defense Authorization Act for Fiscal Year 1998 with respect to export controls on high performance computers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SPECTER:

S. 1484. A bill entitled ''Blind Justice Act of 1999''; to the Committee on the Judiciary.

By Ms. LANDRIEU (for Mr. NICKLES (for himself, Ms. LANDRIEU, Mr. ASHCROFT, Mr. BOND, Mr. BROWNBACK, Mr. CHAFEE, Mr. COCHRAN, Mr. CRAIG, Mr. DEWINE, Mr. EDWARDS, Mr. GRASSLEY, Mr. HOLLINGS, Mr. INHOFE, Mr. KENNEDY, Mr. LEVIN, Mr. LOTT, Mr. ROCKEFELLER, and Mr. SMITH of Oregon)):

S. 1485. A bill to amend the Immigration and Nationality Act to confer United States citizenship automatically and retroactively on certain foreign-born children adopted by citizens of the United States; to the Committee on the Judiciary.

By Mr. GORTON:

S. 1486. A bill to establish a Take Pride in America Program; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself, Mr. COCHRAN, Mrs. MURRAY, Mr. INOUYE, and Mr. KERREY):

S. 1487. A bill to provide for excellence in economic education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GORTON:

S. 1488. A bill to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BIDEN:

S. 1489. A bill to amend title 38, United States Code, to provide for the payment to States of pilot allowances for certain veterans eligible for burial in a national cemetery who are buried in cemeteries of such States; to the Committee on Veterans Affairs.

By Mr. THOMPSON (for himself and Mr. FRIST):

S. 1490. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for State and local sales taxes in lieu of State and local income taxes; to the Committee on Finance.

By Mr. GRAMS (for himself and Mr. WELLSTONE):

S. 1491. A bill to authorize a comprehensive program of support for victims of torture abroad; to the Committee on Foreign Relations.

By Mr. MACK (for himself, Mr. ABRAHAM, Mr. ALLARD, Mr. BENNETT, Mr. BROWNBACK, Mr. HAGEL, Mr. HELMS, and Mr. SHELBY):

S. 1492. A bill to require the Board of Governors of the Federal Reserve System to focus on price stability in establishing monetary policy to ensure the stable, long-term purchasing power of the currency, to repeal the Full Employment and Balanced Growth Act of 1978, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 1493. A bill to establish a John Heinz Senate Fellowship Program to advance the development of public policy with respect to issues affecting senior citizens; to the Committee on Rules and Administration.

By Mr. BINGAMAN (for himself, Mr. ROCKEFELLER, Ms. SNOWE, and Ms. MIKULSKI):

S. 1494. A bill to ensure that small businesses throughout the United States participate fully in the unfolding electronic commerce revolution through the establishment of an electronic commerce extension program at the National Institutes of Standards and Technology; to the Committee on Commerce, Science, and Transportation.

By Mr. DEWINE:

S. 1495. A bill to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new and revised toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOLLINGS (by request):

S. 1496. A bill to authorize activities under the Federal railroad safety laws for fiscal years 2000 through 2003, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER (for herself, Mr. SMITH of Oregon, and Mr. LAUTENBERG):

S. 1497. A bill to amend the Foreign Assistance Act of 1961 to take steps to control the growing international problem of tuberculosis; to the Committee on Foreign Relations.

By Mr. BURNS:

S. 1498. A bill to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BROWNBACK (for himself, Mr. MOYNIHAN, Mr. LOTT, Mr. DORGAN, Mr. ALLARD, Mr. CONRAD, Mr. ABRAHAM, Mr. COVERDELL, Mr. SESSIONS, and Mr. CRAIG):

S. Res. 172. A resolution to establish a special committee of the Senate to address the cultural crisis facing America; to the Committee on Rules and Administration.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 173. To authorize representation of the Senate Committee on Armed Services in the case of Philip Tinsley III v. Senate Committee on Armed Services; considered and agreed to.

S. Res. 174. To authorize representation of the Senate Committee on the Judiciary in the case of Philip Tinsley III v. Senate Committee on the Judiciary; considered and agreed to.

By Mr. BROWNBACK (for himself, Mr. LIEBERMAN, Mr. LOTT, Mr. HELMS, Mr. GRAHAM, Mr. MACK, Mr. WELLSTONE, and Mr. WYDEN):

S. Con. Res. 50. A concurrent resolution expressing the sense of Congress concerning the continuous repression of freedom of expression and assembly, and of individual human rights, in Iran, as exemplified by the recent repression of the democratic movement of Iran; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself and Mr. WYDEN):

S. 1480. A bill to amend title XVIII of the Social Security Act of assure access of Medicare beneficiaries to prescription drug coverage through the SPICE drug benefit program; to the Committee on Finance.

SENIORS PRESCRIPTION INSURANCE COVERAGE EQUITY (SPICE) ACT OF 1999

● Ms. SNOWE. Mr. President, today I am introducing the Seniors Prescription Insurance Coverage Equity (SPICE) Act along with my colleague from Oregon, Senator WYDEN. The purpose of this bill is to provide Medicare beneficiaries with access to prescription drug coverage. The program is voluntary and federal assistance will be provided to help pay for the premiums. Senator WYDEN and I believe that this bill is one solution to the lack of prescription drug coverage for America's seniors and we believe that it is a bill we could and should enact this year.

Lack of prescription drug coverage is a serious problem facing our seniors. When Medicare was created in 1965 it was based on the inpatient care system that was prevalent at that time. Today, thirty four years later, drug therapy often allows individuals to stay out of the hospital—but Medicare does not cover drugs. And the lack of coverage means that those over 65 years of age end up paying for half the costs associated with their prescriptions, while the average person under age 65 pays only a third. It also means that seniors are forgoing medication because they cannot afford it.

The SPICE Act creates a voluntary supplemental drug insurance policy that all Medicare eligible individuals can purchase. These policies will be guaranteed issue—no one can be turned down. SPICE eligibility will begin when Medicare eligibility begins. There will be a penalty for late entry, just as there is for those who make a late entry into the Medicare Part B program. The penalty fee for late entry will be waived if the late entry is based on the loss of prior drug coverage from a Medicare + Choice plan or a retiree group health plan.

All seniors will receive some premium support assistance on a sliding scale based on income. Every senior will receive at least 25% premium support. Those below 150% of the federal poverty line will receive 100% premium support. A sliding scale will phase down the premium support from 100% to 25% for those between 150% and 175% of the federal poverty line.

The federal premium support will be used to allow seniors to purchase SPICE policies from private providers, similar to the Medigap program. The policies will all meet a threshold standard developed by the SPICE Board, which includes consumers, state insurance commissioners, and insurance representatives, and will be designed with seniors needs in mind. Medicare+Choice and group health plans which provide drug coverage for Medicare eligible individuals will be able to receive the actuarial value of the drug benefit if their plans meet or exceed the SPICE Board threshold benefit plan.

Seniors will be given a choice of plans. This will ensure competition and help keep the costs down and will allow seniors to choose the plan that best meets their needs. To provide an idea of the types of choices, plans may offer coverage for different drugs (formularies), copays, deductibles, and caps. The SPICE Board will disseminate information about these choices, much like the Federal Employee Benefit Health Program (FEHBP) does.

Funding sources for the benefit will come from the on-budget surplus, which the Congressional Budget Office (CBO) estimates show to be $505 billion after the $792 billion tax cut legislation that is currently in conference. Additional funding may come from implementing the President's FY2000 budget proposal to raise the tobacco tax by 55 cents per pack in addition to enacting the 15 cent tobacco increase already in law one year earlier than originally planned.

America's seniors need help in obtaining prescription drug coverage. SPICE is a doable proposal that can be passed whether or not we are able to move forward on Medicare reform this year.●

● Mr. WYDEN. Mr. President, today Senator SNOWE and I are introducing legislation to provide seniors with insurance coverage for prescription drugs. This legislation, the Seniors Prescription Insurance Coverage Equity Act, SPICE, is the only bipartisan, market-based approach to provide seniors with choice and access to coverage that is actually paid for. It will give seniors the same kind of coverage that their member of Congress has.

The key issue for seniors around our nation, when it comes to the issue of prescription drugs, is affordability. Our proposal will assure that each and every senior who voluntarily chooses to enroll in a SPICE plan will have the bargaining power of HMOs and of the large insurers whose job it is to get the best price they can. At least 13 million seniors have no prescription drug coverage at all. Those seniors get penalized twice: they have to pay all their costs, and they pay more because they can't get the negotiated rate that the insurers and HMOs can. This bill will level the playing field for those seniors giving them affordability and access.

We know the kinds of drugs that are coming on the market now can help save lives, better the health status of an older person and, in many instances, save dollars because seniors taking their prescription drugs as they are told to by their doctor will prevent costly hospitalizations and the progression of disease. If we were to create Medicare today from scratch, there would be no questions about including prescription drug coverage. If we want to assure that Medicare beneficiaries stay healthy longer we must provide prescription drug coverage. If we want to be thoughtful, prudent purchasers of health care, we must find a way to assure seniors access to the drugs.

I believe the Snowe-Wyden proposal is that thoughtful, prudent and reasonable way. It assures a variety of options for coverage, and it assures that we bring real dollars to the table to pay for the program. There is no smoke and mirrors, no IOUs or other budget gimmicks in this plan.

The Snowe-Wyden proposal will be funded by funding from the non-Social Security on-budget surplus and a 55-cent increase in the tobacco tax. During this body's deliberations of the budget resolution, an amendment that Sen. SNOWE and I offered received 54 votes, including 12 Republican votes to do just this—fund a prescription drug benefit for seniors with an increase in the tobacco tax.

The SPICE legislation creates a senior-oriented program using the Federal Employees Benefit Program (FEHBP) as a model to provide benefits that include prescription drugs and other non-Medicare covered benefits. This benefit would be open to every beneficiary and be voluntary. However, if the senior elected coverage later rather when they were first eligible, the individual would pay incrementally more the longer he or she waited to choose a comprehensive coverage option.

The individual senior would be able to select from an array of drug policies and Medicare+Choice plans with prescription drugs coverage. This would be voluntary. No senior would have to change what their current coverage is if they do not choose to do so. All plans would be offered by private sector companies. For beneficiaries under 150 percent of the poverty level—$12,075 for a single senior and $16,275 for a couple, the federal government would pay the entire premium. For those between 150 percent and 175 percent of the federal poverty level, the amount the federal government would pay phases down from 100 percent of premium to 25 percent of the premium amount. For beneficiaries at 175 percent of poverty and over, the federal government would pay 25 percent of the premium amount.

Our SPICE benefit will be administered by a new Board that would be separate from the Health Care Financing Administration but report to the Secretary of Health and Human Services. The Board would approve plan designs and premium submissions, approve and distribute consumer education materials, develop enrollment procedures and make recommendations concerning additional funding, further ability to pay mechanisms and other steps needed to assure continuing availability of comprehensive coverage as seniors' health needs change over time.

Many of us would prefer to do an overhaul of Medicare and modernize it to include benefits like prescription drugs. However, the thirteen million Medicare beneficiaries who need coverage and the millions who have coverage that does not truly help them, need a way to get meaningful coverage today. This proposal will do that.●

By Ms. SNOWE (for herself, Mr. KERRY, Mr. MCCAIN, Mr. HOLLINGS, and Mr. BREAUX):

S. 1482. A bill to amend the National Marine Sanctuaries Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE NATIONAL MARINE SANCTUARIES AMENDMENTS ACT OF 1999

Ms. SNOWE. Mr. President, I rise today to introduce the National Marine Sanctuaries Amendments Act of 1999. I am pleased that Senator KERRY, Ranking Member of the Subcommittee on Oceans and Fisheries, Senator MCCAIN, Chairman of the Commerce Committee, Senator HOLLINGS, Ranking

Member of the Commerce Committee, and Senator BREAUX are joining me as cosponsors on this legislation. This bill will protect our nation's valuable marine resources while facilitating their sustainable use.

One hundred years after the first national park was created, the United States made a similar commitment to preserving its valuable marine resources by establishing the National Marine Sanctuary Program in 1972. Since then, twelve areas covering a wide range of marine habitats have been designated as national marine sanctuaries. Half of these designations have occurred in the last decade.

Today, our marine sanctuaries encompass everything from kelp forests and marine mammal nursery grounds, to underwater archeological sites. Together these sanctuaries protect nearly 18,000 square miles of ocean waters, an area nearly the size of Vermont and New Hampshire combined.

Acting as a platform for better ocean stewardship, these sanctuaries offer an opportunity for research, outreach, and educational activities. The national sanctuaries are also a model for multiple use management in the marine environment.

Obviously, balancing the protection of public resources with fostering economic activities requires the cooperative efforts of the federal, state, and local governments, as well as nongovernmental organizations and the public. There are many of these partnerships working together within the national marine sanctuary program. Most of the successes of the program can be attributed to these partnerships.

One of these sanctuaries is located in the Gulf of Maine. The Stellwagen Bank National Marine Sanctuary provides feeding and nursery grounds for more than a dozen types of whales, including the endangered humpback, northern right, sei, and fin whales. This has led to the development of a thriving whale watching tourist trade in the sanctuary. The area also supports diverse seabird species and other fish and shellfish such as bluefin tuna, herring, cod, flounder, lobster, and scallops. Consequently, important commercial fisheries for lobster, bluefin tuna, cod and others exist in and around the sanctuary.

Historic data strongly suggest the presence of several shipwreck sites within the sanctuary, including the recently discovered wreck of the steamship *Portland* which sunk in 1898. Seven historic shipwrecks have been identified within or adjacent to the boundaries. However, a complete inventory of historical resources has not been conducted. These traditional shipping lanes are still active today. A heavily-used vessel traffic separation lane in the sanctuary facilitates the passage of more than 2,700 commercial vessels in and out of regional ports each year.

Through careful management and cooperation, all of these diverse uses coexist in a marine sanctuary while providing protection to the marine resources. This is just one example of the diverse management strategies being utilized by the national program.

The goal of the national marine sanctuary program is quite ambitious. Unfortunately, lack of funding has hampered their success. To date, insufficient funds have been provided to keep up with the pace of expansion of the sanctuary system. As a result, the 12 existing sanctuaries are not fully operational. Nationwide, individual sanctuaries are understaffed; unable to fully implement their management plans; unable to review existing management plans every five years as required by law; and lack educational and outreach materials and facilities. Consequently, management plans that were written twenty years ago have not been updated to adapt to the changing needs of the area nor for advances in science and resource management.

Congress identified the need for these sanctuaries when we passed the original Act in 1972. It is time now to provide the funds necessary to achieve what we set out to do. This will require an increase in the authorization level. The bill we are introducing today provides $30 million in FY 2000 and increases the annual authorization level by $2 million a year to $38 million in FY 2004.

It is time to move beyond fundamental planning and reach full implementation of the national program. This bill focuses the sanctuary program on making the existing sanctuaries fully operational before the formal designation process can begin for additional sanctuaries. It is our intention that management plans be developed in an open and participatory process so that partnerships between resource protection and compatible uses are given every chance to succeed. Further, management plans must be reviewed and updated in a timely manner so that we can prioritize our objectives and respond to the changing needs of the resources and the people who utilize them.

A large part of the implementation process is the development of enforcement capabilities. It is one thing to plan resource protection, it is another thing to actually provide it. At the Subcommittee on Oceans and Fisheries hearing on reauthorization of the National Marine Sanctuaries Act, it was disappointing to hear about the overwhelming lack of enforcement in our marine sanctuaries. This bill encourages the development and implementation of meaningful enforcement plans, including partnerships with the states and other authorized entities. This will now become a part of the management plan review process. Further, the Administration will need to demonstrate that effective enforcement plans exist for the current sanctuaries before beginning the formal designation process for additional sanctuaries.

The National Marine Sanctuaries Act expires at the end of Fiscal Year 1999. This bill gives us the opportunity to realize the goals first laid out by Congress in 1972. There can be no doubt that this revitalization of the sanctuary program is long overdue.

Mr. President, this is a strong and much-needed bill that enjoys bipartisan support on the Commerce Committee. I look forward to moving this bill at the earliest opportunity.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1482

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 ''National Marine Sanctuaries Amendments Act of 1999''.

SEC. 2. AMENDMENT OF NATIONAL MARINE SANCTUARIES ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment or repeal to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.).

SEC. 3. CHANGES IN FINDINGS, PURPOSES, AND POLICIES.

(a) AMENDMENT OF FINDINGS.—Section 301(a) (16 U.S.C. 1431(a)) is amended—

(1) by striking ''research, educational, or aesthetic'' in paragraph (2) and inserting ''scientific, educational, cultural, archaeological, or aesthetic'';

(2) by inserting ''ecosystem'' after ''comprehensive'' in paragraph (3);

(3) by striking ''wise use'' in paragraph (5) and inserting ''sustainable use'';

(4) by striking ''and'' after the semicolon in paragraph (5);

(5) by striking ''protection of these'' in paragraph (6) and inserting ''protecting the biodiversity, habitats, and qualities of such''; and

(6) by inserting ''and the values and ecological services they provide'' in paragraph (6) after ''living resources''.

(b) AMENDMENT OF PURPOSES AND POLICIES.—Section 301(b) (16 1431(b)) is amended—

(1) by striking ''significance;'' in paragraph (1) and inserting ''significance and to manage these areas as the National Marine Sanctuary System;'';

(2) by striking paragraph (3) and inserting the following:

''(3) to maintain natural biodiversity and biological communities, and to protect, and where appropriate, restore, and enhance natural habitats, populations, and ecological processes;'';

(3) by striking ''understanding, appreciation, and wise use of the marine environment;'' in paragraph (4) and inserting ''understanding, and appreciation of the natural, historical, cultural, and archaeological resources of national marine sanctuaries;'';

(4) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), and inserting after paragraph (4) the following:

''(5) to support, promote, and coordinate scientific research on, and long-term monitoring of, the resources of these marine areas;'';

(5) by striking ''areas;'' in paragraph (8), as redesignated, and inserting ''areas, including

the application of innovative management techniques; and'';

(6) by striking ''marine resources; and'' in paragraph (9), as redesignated, and inserting ''marine and coastal resources.''; and

(7) by striking paragraph (10), as redesignated.

SEC. 4. CHANGES IN DEFINITIONS.

Section 302 (16 U.S.C. 1432) is amended—

(1) by striking ''304(a)(1)(C)(v)'' in paragraph (1) and inserting ''304(a)(2)(A)'';

(2) by striking '' 'Magnuson'' in paragraph (2) and inserting '' 'Magnuson-Stevens'';

(3) by striking ''and'' after the semicolon in subparagraph (B) of paragraph (6);

(4) by striking ''resources;'' in subparagraph (C) of paragraph (6) and inserting ''resources; and'';

(5) by inserting after paragraph (6)(C) the following:

''(D) the cost of curation and conservation of archaeological, historical, and cultural sanctuary resources;'';

(6) by striking ''injury;'' in paragraph (7) and inserting ''injury, including enforcement activities related to any incident;''

(7) by striking ''educational, or '' in paragraph (8) and inserting ''educational, cultural, archaeological,'';

(8) by striking ''and'' after the semicolon in paragraph (8);

(9) by striking ''Magnuson Fishery Conservation and Management Act.'' in paragraph (9) and inserting ''Magnuson-Stevens Act;''; and

(10) by adding at the end thereof the following:

''(10) 'system' means the National Marine Sanctuary System established by section 303; and

''(11) 'person' has the meaning given that term by section 1 of title 1, United States Code, but includes a department, agency, and instrumentality of the government of the United States, a State, or a foreign Nation.''.

SEC. 5. CHANGES IN SANCTUARY DESIGNATION STANDARDS.

Section 303 (16 U.S.C. 1433) is amended—

(1) by striking the section caption and inserting the following:

SEC. 303. NATIONAL MARINE SANCTUARY SYSTEM.

(2) by striking subsection (a) and inserting the following:

''(a) ESTABLISHMENT OF SYSTEM.—There is established the National Marine Sanctuary System, which shall consist of national marine sanctuaries designated by the Secretary in accordance with this title.'';

(3) by striking paragraph (3) of subsection (b), and redesignating paragraphs (1) and (2) as paragraphs (2) and (3);

(4) by striking so much of subsection (b) as precedes paragraph (2), as redesignated, and inserting the following:

''(b) SANCTUARY DESIGNATION STANDARDS.—

''(1) IN GENERAL.—Before designating an area of the marine environment as a national marine sanctuary, the Secretary shall find that—

''(A) the area is of special national significance due to its—

''(i) biodiversity;

''(ii) ecological importance;

''(iii) archaeological, cultural, or historical importance; or

''(iv) human-use values;

''(B) existing State and Federal authorities should be supplemented to ensure coordinated and comprehensive conservation and management of the area, including resource protection, scientific research, and public education;

''(C) designation of the area as a national marine sanctuary will facilitate the objectives in subparagraph (B); and

''(D) the area is of a size and nature that will permit comprehensive and coordinated conservation and management.'';

(5) by striking ''subsection (a)'' in paragraph (2), as redesignated, and inserting ''paragraph (1)'';

(6) by redesignating subparagraphs (E) through (I) of paragraph (2), as redesignated, as paragraphs (F) through (J), and inserting after paragraph (D) the following:

''(E) the areas's scientific value and value for monitoring as a special area of the marine environment;'';

(7) by redesignating subparagraphs (H), (I), and (J), as redesignated, as subparagraphs (I), (J), and (K) and by inserting after subparagraph (G), as redesignated, the following:

''(H) the feasibility, where appropriate, of employing innovative management approaches to protect sanctuary resources or to manage compatible uses;'';

(8) by striking ''vital habitats, and resources which generate tourism;'' in subparagraph (I), as redesignated, and inserting ''and vital habitats;'';

(9) by redesignating subparagraphs (J) and (K) as subparagraphs (K) and (L), and inserting after subparagraph (I) the following:

''(J) the value of the area as an addition to the System;''; and

(10) by striking ''Merchant Marine and Fisheries'' in subparagraph (A) of paragraph (3), as redesignated, and inserting ''Resources'';

(11) by inserting after ''Administrator'' in subparagraph (B) of paragraph (3), as redesignated the following: ''of the Environmental Protection Agency,''; and

(12) by adding at the end of subsection (b) the following:

''(4) REQUIRED FINDINGS.—

''(A) NEW DESIGNATIONS.—Before beginning the designation process for any sanctuary that is not a designated sanctuary before January 1, 2000, the Secretary shall make, and submit to the Congress, a finding that each designated sanctuary has—

''(i) an operational level of facilities, equipment, and employees;

''(ii) a list of priorities it considers most urgent and a strategy to address those priorities;

''(iii) a plan and schedule to complete site characterization studies to inventory existing sanctuary resources, including cultural resources; and

''(iv) a plan for enforcement of the Act within its boundaries, including partnerships with adjacent States or other authorities.

''(B) EXCEPTION.—Subparagraph (A) does not apply to any draft management plan, draft environmental impact statement, or proposed regulation for a Thunder Bay National Marine Sanctuary.''.

SEC. 6. CHANGES IN PROCEDURES FOR DESIGNATION AND IMPLEMENTATION.

(a) CHANGES IN NOTICE REQUIREMENTS.—Section 304(a) (16 U.S.C. 1434(a)) is amended—

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

''(C) on the same day the notice required by subparagraph (A) is submitted to the Office of the Federal Register, the Secretary shall submit a copy of the notice and the draft sanctuary designation documents prepared under paragraph (2) to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.'';

(2) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), and inserting the following after paragraph (1):

''(2) SANCTUARY DESIGNATION DOCUMENTS.—The Secretary shall prepare sanctuary designation documents on the proposal that include the following:

''(A) A draft environmental impact statement under paragraph (3).

''(B) A management plan document, which the Secretary shall make available to the public, containing—

''(i) the terms of the proposed designation;

''(ii) proposed mechanisms to coordinate existing regulatory and management authorities within the area;

''(iii) the proposed goals and objectives, management responsibilities, resource studies, and appropriate strategies for managing sanctuary resources, including innovative approaches such as marine zoning, interpretation and education, research, monitoring and assessment, resource protection, restoration, and enforcement (including surveillance activities for the area);

''(iv) an evaluation of the advantages of cooperative State and Federal management if all or part of a proposed marine sanctuary is within the territorial limits of a State, or is superjacent to the subsoil and seabed within the seaward boundary of a State (as established under the Submerged Lands Act (43 U.S.C. 1301 et seq.);

''(v) an estimate of the annual cost to the Federal government of the proposed designation, including costs of personnel, equipment and facilities, enforcement, research, and public education; and

''(vi) the regulations proposed under paragraph (1)(A).

''(C) Maps depicting the boundaries of the proposed sanctuary.

''(D) A statement of the basis for the findings made under section 303(b)(2).

''(E) An assessment of the considerations under section 303(b)(1).

''(F) A resource assessment that includes—

''(i) present and potential uses of the area, including commercial and recreational fishing, research and education, minerals and energy development, subsistence uses, and other commercial, governmental, or recreational uses;

''(ii) a discussion, prepared after consultation with the Secretary of the Interior, of any commercial, governmental, or recreational resource uses in the areas that are subject to the primary jurisidiction of the Department of the Interior; and

''(iii) information prepared in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator of the Environmental Protection Agency, on any past, present, or proposed future disposal or discharge of materials in the vicinity of the proposed sanctuary.''.

(b) OTHER NOTICE-RELATED CHANGES.—Section 304(a) (16 U.S.C. 1434(a)) is further amended—

(1) by striking ''as provided by'' in subparagraph (A) of paragraph (3), as redesignated, and inserting ''under'';

(2) by inserting ''cultural, archaeological,'' after ''educational,'' in paragraph (4), as redesignated;

(3) by striking ''only by the same procedures by which the original designation is made.'' in paragraph (4), as redesignated, and inserting ''by following the applicable procedures of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and chapter 5 of title 5, United States Code.'';

(4) by inserting ''this Act and'' after ''objectives of'' in the second sentence of paragraph (6), as redesignated; and

(5) by striking ''Merchant Marine and Fisheries Resources'' in paragraph (7), as redesignated, and inserting ''Resources''.

(c) OTHER CHANGES.—Section 304 (16 U.S.C. 1434) is amended—

(1) by inserting ''or the national system'' in subsection (b)(2) after ''sanctuary'';

(2) by striking ''management techniques,'' in subsection (e) and inserting ''management techniques and strategies,''; and

(3) by striking ''title.'' in subsection (e) and inserting ''title. This review shall include a prioritization of management objectives.''

SEC. 7. CHANGES IN ACTIVITIES PROHIBITED.

Section 306 (16 U.S.C. 1436) is amended—

(1) by striking ''sell,'' in paragraph (2) and inserting ''offer for sale, sell, purchase, import, export,''; and

(2) by striking paragraph (3) and inserting the following:

''(3) interfere with the enforcement of this title by—

''(A) refusing to permit any authorized officer to board a vessel, other than a vessel operated by the Department of Defense or United States Coast Guard, subject to such person's control for the purpose of conducting a search or inspection in connection with the enforcement of this title;

''(B) assaulting, resisting, opposing, impeding, intimidating, or interfering with any authorized officer in the conduct of any search or inspection under this title;

''(C) submitting false information to the Secretary or any officer authorized by the Secretary in connection with any search or inspection under this title; or

''(D) assaulting, resisting, opposing, impeding, intimidating, harassing, bribing, or interfering with any person authorized by the Secretary to implement the provisions of this title; or''.

SEC. 8. CHANGES IN ENFORCEMENT PROVISIONS.

Section 307 (16 U.S.C. 1437) is amended—

(1) by redesignating paragraphs (1) through (5) of subsection (b) as paragraphs (2) through (6), and inserting before paragraph (2) the following:

''(1) arrest any person, if there is reasonable cause to believe that the person has committed an act prohibited by section 306(3);'';

(2) by redesignating subsections (c) through (j) as subsections (d) through (k), and inserting after subsection (b) the following:

''(c) CRIMINAL OFFENSES.—

''(1) IN GENERAL.—Violation of section 306(3) is punishable by a fine under title 18, United States Code, imprisonment for not more than 6 months, or both.

''(2) AGGREVATED VIOLATIONS.—If a person in the course of violating section 306(3)—

''(A) uses a dangerous weapon,

''(B) causes bodily injury to any person authorized to enforce this title or to implement its provisions, or

''(C) causes such a person to fear imminent bodily injury,

then the violation is punishable by a fine under title 18, United States Code, imprisonment for not more than 10 years, or both.'';

(3) by redesignating subsections (e) through (k), as redesignated, as subsections (f) through (l), respectively, and by inserting after subsection (d), as redesignated, the following:

''(e) JUDICIAL CIVIL PENALTIES.—The Secretary may bring an action to access and collect any civil penalty for which a person is liable under paragraph (d)(1) in the United States district court for the district in which the person from whom the penalty is sought resides, in which such person's principal place of business is located, or where the incident giving rise to civil penalties under this section occurred.'';

(4) by inserting ''electronic files,'' after ''books,'' in subsection (h), as redesignated; and

(5) by redesignating subsections (i) through (l), as designated, as subsections (j) through (m), and by inserting after subsection (h), as redesignated, the following:

''(i) NATIONWIDE SERVICE OF PROCESS.—In any action by the United States under this chapter, process may be served in any district where the defendant is found, resides, transacts business, or has appointed an agent for the service of process.''.

SEC. 9. ADDITIONAL REGULATIONS AUTHORITY ADDED.

Section 308 (16 U.S.C. 1439) is amended to read as follows:

''SEC. 308. REGULATIONS AND SEVERABILITY.''

''(a) REGULATIONS.—The Secretary may issue such regulations as may be necessary to carry out this title.

''(b) SEVERABILITY.—If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of this title and of the application of that provision to other persons and circumstances shall not be affected.''.

SEC. 10. CHANGES IN RESEARCH, MONITORING, AND EDUCATION PROVISIONS.

Section 309 (16 U.S.C. 1440) is amended to read as follows:

''SEC. 309. RESEARCH, MONITORING, AND EDUCATION PROGRAMS AND INTERPRETIVE FACILITIES.

''(a) IN GENERAL.—The Secretary shall conduct, support, or coordinate research, monitoring, evaluation, and education programs necessary and reasonable to carry out the purposes and policies of this title.

''(b) RESEARCH AND MONITORING.—The Secretary may support, promote, and coordinate appropriate research on, and long-term monitoring of, the resources and human uses of marine sanctuaries, as is consistent with the purposes and policies of this title. In carrying out this subsection the Secretary may consult with Federal agencies, States, local governments, regional agencies, interstate agencies, or other persons, and coordinate with the National Estuarine Research Reserve System.

''(c) EDUCATION AND INTERPRETIVE FACILITIES.—The Secretary may establish facilities or displays—

''(1) to promote national marine sanctuaries and the purposes and policies of this title; and

''(2) either solely or in partnership with other persons, under an agreement under section 311.''.

SEC. 11. CHANGES IN SPECIAL USE PERMIT PROVISIONS.

Section 310 (16 U.S.C. 1441) is amended—

(1) by redesignating subsections (b) through (e) as subsections (c) through (f), and by inserting after subsection (a) the following:

''(b) PUBLIC NOTICE REQUIRED.—The Secretary shall provide appropriate public notice before identifying any activity subject to a special use permit under subsection (a).'';

(2) by striking ''insurance'' in paragraph (4) of subsection (c), as redesignated, and inserting ''insurance, or post an equivalent bond,'';

(3) by striking ''resource and a reasonable return to the United States Government.'' in paragraph (2)(C) of subsection (d), as redesignated, and inserting ''resource.'';

(4) by redesignating paragraph (3) of subsection (d), as redesignated, as paragraph (4), and by inserting after paragraph (2) thereof the following:

''(3) WAIVER OR REDUCTION OF FEES.—The Secretary may waive or reduce fees under this subsection, or accept in-kind contributions in lieu of fees under this subsection, for activities that do not derive profit from the access to and use of sanctuary resources or that the Secretary considers to be beneficial to the system.''; and

(5) by striking ''designating and'' in paragraph (4)(B) of subsection (d), as redesignated.

SEC. 12. CHANGES IN COOPERATIVE AGREEMENTS PROVISIONS.

Section 311 (16 U.S.C. 1442) is amended—

(1) by adding at the end of subsection (a) the following: ''Notwithstanding any other provision of law to the contrary, the Secretary may apply for, accept, and use grants from Federal agencies, States, local governments, regional agencies, interstate agencies, foundations, or other persons, to carry out the purposes and policies of this title.''; and

(2) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), and inserting after subsection (a) the following:

''(b) USE OF STATE AND FEDERAL AGENCY RESOURCES.—The Secretary may, whenever appropriate, use by agreement the personnel, services, or facilities of departments, agencies, and instrumentalities of the government of the United States or of any State or political subdivision thereof on a reimbursable or non-reimbursable basis to assist in carrying out the purposes and policies of this title.''.

SEC. 13. CHANGES IN PROVISIONS CONCERNING DESTRUCTION, LOSS, OR INJURY.

(a) LIABILITY.—Section 312 (16 U.S.C. 1443(a)) is amended—

(1) by striking ''used to destroy, cause the loss of, or injure'' in subsection (a)(2) and inserting ''that destroys, causes the loss of, or injures'';

(2) by inserting ''or vessel'' after ''person'' in subsection (a)(4);

(3) by inserting ''(as defined in section 302(11))'' after ''damages'' in subsection (b)(2);

(4) by striking ''vessel who'' in subsection (c) and inserting ''vessel that'';

(5) by striking ''person may'' in subsection (c) and inserting ''person or vessel may'';

(6) by inserting ''by the Secretary'' after ''used'' in subsection (d); and

(7) by adding at the end of subsection (d) the following:

''(4) STATUTE OF LIMITATIONS.—An action for response costs and damages under subsection (c) may not be brought more than 2 years after the date of completion of the relevant damage assessment and restoration plan prepared by the Secretary.''.

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

Section 313 (16 U.S.C. 1444) is amended by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) $30,000,000 for fiscal year 2000;

''(2) $32,000,000 for fiscal year 2001;

''(3) $34,000,000 for fiscal year 2002;

''(4) $36,000,000 for fiscal year 2003; and

''(5) $38,000,000 for fiscal year 2004.''.

SEC. 15. CHANGES IN U.S.S. MONITOR PROVISIONS.

Section 314 (16 U.S.C. 1445) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

SEC. 16. CHANGES IN ADVISORY COUNCIL PROVISIONS.

Section 315 (16 U.S.C. 1446) is amended by striking ''provide assistance'' in subsection (a) and inserting ''advise and make recommendations''.

SEC. 17. CHANGES IN THE SUPPORT ENHANCEMENT PROVISIONS.

Section 316 (16 U.S.C. 1447) is amended—

(1) by striking ''use'' in subsection (a)(4) and inserting ''manufacture, reproduction, or other use'';

(2) by striking ''sanctuaries;'' in subsection (a)(4) and inserting ''sanctuaries or by persons that enter cooperative agreements with the Secretary under subsection (f);'';

(3) by striking ''symbols'' in subsection (a)(6) and inserting ''symbols, including sale of items bearing the symbols,'';

(4) striking ''Secretary; and'' in paragraph (3) of subsection (f), as redesignated, and inserting ''Secretary, or without prior authorization under subsection (a)(4); or''; and

(5) by adding at the end thereof the following:

''(f) AUTHORIZATION FOR NON-PROFIT ORGANIZATION TO SOLICIT SPONSORS.—

''(1) IN GENERAL.—The Secretary may enter into an agreement with a non-profit organization authorizing it to assist in the administration of the sponsorship program established under this section. Under an agreement entered into under this paragraph, the Secretary may authorize the non-profit organization to solicit persons to be official sponsors of the national marine sanctuary program or of individual national marine sanctuaries, upon such terms as the Secretary deems reasonable and will contribute to the successful administration of the sanctuary system. The Secretary may also authorize the non-profit organization to collect the statutory contribution from the sponsor, and, subject to paragraph (2), transfer the contribution to the Secretary.

''(2) REIMBURSEMENT FOR ADMINISTRATIVE COSTS.—Under the agreement entered into under paragraph (1), the Secretary may authorize the non-profit organization to retain not more than 5 percent of the amount of monetary contributions it receives from official sponsors under the agreement to offset the administrative costs of the organization in soliciting sponsors.''.

By Mr. REID (for himself and Mr. KERRY):

S. 1483. A bill to amend the National Defense Authorization Act for fiscal Year 1998 with respect to export controls on high performance computers; to the Committee on Banking, Housing, and Urban Affairs.

ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS OF HIGH PERFORMANCE COMPUTERS

Mr. REID. Mr. President, on July 1, 1999, President Clinton announced that the Commerce Department would implement changes to the United States export controls on high performance computers. By changing the limits on high performance computers, we will be increasing our national security and easing outdated regulations that are currently imposed on the thriving high tech industry and on government itself.

Mr. President, as you may know, I have followed this issue closely for the last eight months since the inception of the high-tech working group that I chair. I have met with many company leaders, both large and small, to discuss the issue of export controls on computers. I am convinced that if we don't immediately act to ease export controls, many American jobs may be at risk. Each day that our nations's companies can't compete in foreign markets, we are losing market share and eventually will be giving up our world dominance in the high-tech sector.

The bill that I am offering today reduces the review period from 180 days to 30 days to complement the Administration's easing of export restrictions by amending the National Defense Authorization Act of 1998.

Mr. President. In closing, I would like to share with you an example of how outdated today's restrictions are. I was recently at a meeting where Michael Dell, President of Dell Computers, stood up and pulled his pager from his hip holster. He held it up and said that under current export controls, his little pager that is smaller than a computer mouse, cannot be exported to many countries because it is considered a ''super computer.''

Mr. President. These controls need to be changed as the Administration has made clear, but it needs to be done sooner rather than later. In short, these controls need to be eased yesterday.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1483

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

SECTION 1. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS OF HIGH PERFORMANCE COMPUTERS.

Section 1211(d) of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended in the second sentence by striking ''180'' and inserting ''30''.

By Mr. SPECTER:

S. 1484. A bill entitled ''Random Selection of Judges Act of 1999''; to the Committee on the Judiciary.

RANDOM SELECTION OF JUDGES ACT OF 1999

Mr. SPECTER. Mr. President, I will speak very briefly on the introduction of legislation for the random selection of judges. I had thought when cases were assigned in the Federal courts they were assigned in a random fashion, unless they were related to some other case where a specific judge had jurisdiction and that judge would have the case by a related case assignment.

During the course of the past week there has come to light a situation in the District of Columbia where the chief judge assigned specific judges to two very high-profile cases, one involving Mr. Webster Hubbell as a defendant and the other involving Mr. Charlie Trie as a defendant.

My understanding of the practice has been that cases would be assigned on a random basis. In checking the specifics, I have found that the Judicial Conference, which is the policy-making body for the Federal Judiciary, only recommends that Federal courts randomly assign cases. It has not become a mandate to do so. I believe that public policy warrants having it as a mandate.

It is customary for the Congress to legislate on matters of administration. For example, Congress has set a time limit under the speedy trial rule in the criminal courts. For another example, Congress has established time limits on Federal court habeas corpus cases where death penalty cases are appealed into the Federal courts.

This is not a matter where we are talking about the discretion or judgment of an individual judge on how to decide a case, where judicial independence mandates that nobody make any suggestion to the judge as to how an individual case is to be decided. But as a matter of administrative policy it is entirely appropriate for the Congress to set the rules, one of which I think should be the random assignment of judges.

In March of this year the Judicial Conference even rescinded its 28-year-old policy that recommended giving the chief judges, the assigning judge, latitude to make special assignments of ''protracted, difficult, or wildly publicized cases,'' so such latitude is no longer recommended by the Judicial Conference.

The chief judge of the District of Columbia has responded to the Associated Press article in a letter to the Washington Times dated August 2. I ask unanimous consent to have printed in the RECORD a copy of the newspaper article from the Washington Times, together with a copy of the response by the chief judge to the newspaper article.

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

JUDGES FRET OVER ASSIGNING OF CASES

FELLOW JURISTS ARE CONCERNED THAT TRIALS OF CLINTON FRIENDS WENT TO HIS APPOINTEES

(By Pete Yost)

The chief judge of the U.S. District Court bypassed the traditional random assignment system to send criminal cases against presidential friends Webster Hubbell and Charlie Trie to judges President Clinton appointed, court officials said.

U.S. District Judge Norma Holloway Johnson's decision to abandon the longtime random computer assignment for high-profile cases has raised concerns among several other judges, the officials said in interviews.

The judges also raised concerns about an appearance of possible conflicts of interest, because judges assigned the cases were friendly with key players—presidential confidant Vernon Jordan and defense lawyer Reid Weingarten—and made rulings that handicapped prosecutors.

Half a dozen judges, Republicans and Democrats, said they have high regard for the ethics they have high regard for the ethics and work of the two judges involved, Paul L. Friedman and James Robertson, and do not believe they were improperly influenced.

But the judges, who spoke on condition for anonymity, said they have discussed among themselves the public perception of ignoring the random draw—used in almost all cases—and passing over more experienced judges appointed by presidents of both parties.

One judge said his colleagues have discussed whether assigning cases directly rather than using the random lottery raises ''an appearance problem at least'' and ''whether there has been impartial administration of justice.''

The airing of the behind-the-scenes controversy provides a rare window into a court process sealed from public view.

Judges Johnson, Friedman and Robertson all declined repeated requests for interviews.

Judge Johnson, an appointee of President Carter, assigned:

Judge Friedman to the Trie case, the first major prosecution from the Justice Department probe of Democratic fund raising. Mr. Clinton nominated Judge Friedman, a former president of the local bar, in 1994.

Judge Robertson was handed the Hubbell tax case, independent counsel Kenneth Starr's first prosecution in Washington. Judge Robertson is an ex-president of the local bar and a former partner at the law firm of former White House counsel Lloyd Cutler.

Mr. Clinton nominated him in the last days of Mr. Cutler's tenure as counsel in 1994. Judge Robertson had donated $1,000 to Mr. Clinton's 1992 presidential bid and has said he ''worked on the periphery'' of that campaign.

Judge Robertson on two occasions dismissed felony charges against Hubbell. He dismissed the tax case against Hubbell, who eventually pleaded guilty to a misdemeanor when an appeals court reinstated the case.

Judge Johnson allowed a later indictment—charging Hubbell with lying to federal regulators—be assigned at random by computer. By coincidence, the computer picked Judge Robertson, who threw out the central felony count in the case. Judge Robertson, who threw out the central felony count in the case. Hubbell pleaded guilty to that same felony count June 30, after an appeals court reversed Judge Robertson.

One politically sensitive aspect of the Hubbell tax evasion indictment was a reference to a $62,500 consulting arrangement that Mr. Jordan helped obtain for Hubbell, making Mr. Jordan a potential witness.

Judge Robertson and Mr. Jordan are friends from their days in the civil rights movement. Mr. Jordan did not return repeated calls seeking comment.

[Judge Robertson, who was highly critical of Mr. Starr's tactics in the Hubbell case, also dealt major setbacks to Donald Smaltz, the independent counsel who investigated former Agriculture Secretary Mike Espy.

[In one instance, the judge granted a new trial to a Tyson Foods Inc. executive, Jack L. Williams, who had been convicted on two counts of making false statements to federal investigators.

[Last September, Judge Robertson overturned the conviction of Tyson lobbyist Archie Schaeffer III for giving illegal gifts to Mr. Espy. A federal appeals court reinstated that conviction July 23.]

Judge Johnson assigned the Trie case and two subsequent cases against Democratic fund-raisers to Judge Friedman, who tossed out various charges.

After one of Judge Friedman's rulings was overturned on appeal, Trie agreed to plead guilty.

Judge Friedman and Mr. Weingarten, the defense lawyer in two of three fund-raising cases before Judge Friedman, are longtime friends.

''He's a professional friend, but he's a judge now,'' Mr. Weingarten said. ''These relationships change when somebody goes to the bench.''

When Judge Johnson bypassed the random draw for these cases, 12 full-time judges were on the federal court, seven of them Clinton appointees. Four were Republican appointees. The court also has a number of senior judges who work part-time.

Judge Johnson garnered headlines for her rulings against Mr. Clinton in the Monica Lewinsky scandal, rejecting privilege claims by the president and ordering White House lawyer Bruce Lindsey and Secret Service personnel to testify.

Experts said the assignments to Clinton-nominated judges did not violate any rules but could shake public confidence.

''As far as assigning a recently appointed judge of the same party, it's dangerous, it's risky, it's hazardous because the outcome might support the cynical view that the judge did not decide the matter on the merits even though that may be the furthest thing from the truth,'' Columbia University law professor H. Richard Uviller said.

New York University law professor Stephen Gillers said, ''If the case is high-profile, that should increase the presumption in favor of random selection.''

The assignments were confirmed to AP by several court officials with access to parts of the court computer system not available to the public.

Local court rules give Judge Johnson the right to assign ''protracted'' cases to specific judges, although nearly all the cases in U.S. District Court here are assigned by lottery, court officials said.

The Judicial Conference, the policy-making body for the federal judiciary, recommends that federal courts randomly assign cases. In March, the conference rescinded its 28-year-old policy that recommended giving chief judges latitude to make special assignments of ''protracted, difficult or widely publicized cases.''

Actual practice varies from court to court.

In the Southern District of New York, which has more than two dozen full-time judges, Court Executive Clifford P. Kirsch said, ''It's all been by a blind draw . . . so it doesn't appear anyone is preselecting or favoring one judge over another judge.''

U.S. DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA,
Washington, DC, August 2, 1999.

EDITOR,
The Washington Times,
Washington, DC.

As I firmly believe that justice is best served in the courts of law and not on the front page of a newspaper, it has long been my policy not to discuss my judicial decision-making with members of the press. However, I feel compelled to make an exception to that policy in order to correct the disturbing misimpression left by a recent story circulated by the Associated Press and published in your paper as well as several other news outlets. [This A.P. article alleges that I ''bypassed the traditional random assignment system'' to assign certain criminal cases to judges appointed by President Clinton, singling out the criminal case against Yah Lin ''Charlie'' Trie, which was assigned to Judge Paul L. Friedman, and the criminal case against Webster Hubbell, which was assigned to Judge James Robertson. The article implies that these cases were assigned to these judges based on political motivations. This unsubstantiated assertion could not be further from the truth.] Moreover, it does a significant disservice to the perception of impartial justice that I believe all of the judges on our Court strive mightily to maintain. Contrary to the false perception left by the A.P. story, these cases were assigned to highly capable federal judges. Politics was not and is never a factor in our case assignments.

In order to set the record straight, the circumstances leading to these routine ''special assignments'' are quite simple. For years, Local Rule 403(g) of the Rules of the District Court for the District of Columbia has authorized the Chief Judge to specially assign protracted or complex criminal cases to consenting judges when circumstances warrant. My predecessors and I have used this assignment system to enable our Court to expeditiously handle high profile criminal cases with their unique demands on judicial resources. For example, criminal cases arising from Watergate and the Iran-Contra affair were handled through special assignment. In both those instances of overwhelming media scrutiny and complexity, the special assignment system well served our needs. In addition to these highly publicized criminal cases, special assignment has also been a valuable tool in addressing multiple defendant narcotics conspiracy cases. It is the responsibility of the Chief Judge to move the docket as expeditiously as possible. That is all that was intended by these assignments.

Finally, I must note that the A.P. article irresponsibly impugns the reputation of two fine federal judges by suggesting conflicts of interest in their handling of these cases. Neither judge had any obligation to recuse himself from the cases to which he was assigned, for neither faced a conflict of any sort. A judge's prior affiliations and acquaintances, alone, do not require recusal or disqualification. Indeed, many judges on this Court know many lawyers and public officials in Washington. If recusal were required on the basis of these innocuous connections, it would wreak havoc on case scheduling.

In the future, I suggest that before your newspaper prints a story that impugns the integrity of two outstanding members of the federal judiciary, you offer more evidence of an actual conflict than the slender reed of innuendo which supports these current allegations. Such an unsubstantiated and unsupportable attack does your publication little credit and the truth much harm.

Sincerely,

NORMA HOLLOWAY JOHNSON,
Chief Judge.

Mr. SPECTER. In the reply, the chief judge says this:

> This A.P. article alleges that I ''bypassed the traditional random assignment system'' to assign certain criminal cases to judges appointed by President Clinton, singling out the criminal case against Yah Lin ''Charlie'' Trie, which was assigned to Judge Paul L. Friedman, and the criminal case against Webster Hubbell, which was assigned to Judge James Robertson. The article implies that these cases were assigned to these judges based on political motivations. The unsubstantiated assertion could not be further from the truth.

Now, I do not question the statements made by the chief judge in denying any portion of partiality or impropriety, but I do believe that when this case is called to widespread public attention the Congress ought to act. That is why I am introducing this legislation today on behalf of myself and Senator HATCH, chairman of the Judiciary Committee.

The reasons for this legislation are articulated by Columbia University law professor H. Richard Uviller, who said:

> As far as assigning a recently appointed judge of the same party, it's dangerous, it's risky, it's hazardous because the outcome might support the cynical view that the judge did not decide the matter on the merits even though that may be the furthest thing from the truth.

A similar statement was made by New York University law professor Steven Gillers, who said:

> If the case is high-profile, that should increase the presumption in favor of random selection.

This issue of random selection is one that I feel particularly strongly about based on my experience as district attorney in the Philadelphia criminal courts. When high-profile or politically-tinged cases were filed in the criminal courts of Philadelphia during my tenure as district attorney, I routinely asked for a jury trial because I

wanted the facts decided by an impartial fact finder. At the outset of that tenure in January of 1966, the Commonwealth was a party to the proceeding and, like the defendant, had a right to demand a jury trial. I did demand jury trials because I found that the assignment to specific judges was not random and did on some occasions have inappropriate motivations.

During the course of my tenure as district attorney, the State supreme court made a change in the criminal rules and took away the right of the district attorney to demand a jury trial. That was recently reinstated by a constitutional amendment so that the experience I have seen requires a very heavy emphasis on the random selection.

During my tenure as district attorney, we reformed the entire minor judiciary of Philadelphia known as magistrates because of widespread corruption and inappropriate practices in that judicial system. While this in no way reflects upon the Federal courts of the United States, which I think are of uniformly high quality, I do believe that the principle of random selection of judges is a very important principle. I do believe there ought to be an exception if there is a related case; that is, where a judge was assigned a case on a random basis and another matter comes in where there are very similar, if not identical, questions of fact and questions of the parties. But this legislation removes at least the appearance and the question that there may be some collateral motivation.

To reiterate, I seek recognition today to introduce the Random Selection of Judges Act of 1999, a bill which will require that cases in Federal court be assigned to judges randomly, by means of a computer program. I believe that only the random assignment of cases to judges will ensure blind justice in our courts.

This power to assign cases creates the potential for abuse. An assigning judge who is so inclined could attempt to alter the outcome of a case by assigning it to a judge who, in the opinion of the chief judge, holds a ''correct'' view on the issue at hand.

A story recently in the news clearly demonstrates the potential for abuse under the current system. Over the weekend, the Associated Press reported that Judge Norma Holloway Johnson, Chief Judge of the District Court for the District of Columbia, bypassed the traditional random computer assignment system in her court and instead directly assigned criminal cases against certain presidential friends to judges appointed by President Clinton. Specifically, the campaign finance case against Charlie Trie was assigned to Judge Paul L. Friedman, and the tax cases against Webster Hubbell were assigned to Judge James Robertson. According to the news reports, Judge Johnson's decision to abandon random assignment in these high profile cases raised concerns among several other judges on her court. It was also reported that these judges raised concerns because Judge Robertson is friends with Vernon Jordan, who played a role in the Hubbell affair, and Judge Friedman is friends with Reid Weingarten, who represents the defendants in two fundraising cases before Friedman.

According to the Associated Press article, it has been asserted by some that Judge Johnson assigned these cases to Clinton appointees because they would be more sympathetic to the President and his friends than Republican appointees who may have gotten the cases through random assignment. Judge Johnson has denied any political or other improper motive in a letter to the Washington Times. The fact is that Judge Johnson herself issued a number of rulings against President Clinton, including her rulings rejecting privilege claims by White House lawyer Bruce Lindsey and the Secret Service. But no matter what Judge Johnson's motives, her actions make quite clear that, under the current system, the potential for abuse does exist.

Currently, the Judicial Conference, which is the policymaking body for the federal judiciary, recommends that Federal courts randomly assign cases. In fact, in March the conference even rescinded its 28-year-old policy that recommended giving chief judges latitude to make special assignments of ''protracted, difficult, or widely publicized cases.'' But there is still no requirement that Federal courts randomly assign cases. The problem with mere recommendations is that they can be ignored. If we believe that cases should be randomly assigned, then we must require that cases be randomly assigned.

My bill imposes such a requirement. Under my bill, the chief judges of the Federal district and circuit courts must assign cases by means of an automated random assignment program. Recognizing that there are some instances in which it would serve the interests of efficiency to allow the chief judges to directly assign cases to specific judges, my bill includes two important exceptions to the random assignment requirement. First, chief judges will be permitted to directly assign a case to a judge who has already heard a related case. A related case is defined as one which involves substantially the same facts, individuals and/or property as a case previously before the court. For instance, a case against a defendant in a bank robbery could be directly assigned to a judge who already heard the case against another defendant in the same bank robbery.

Secondly, chief judges will be permitted to directly assign a technical case to a judge who is already familiar with the subject matter at issue. Technical cases are defined as those which involve specialized, unusually complex facts or subject matter and which would demand a great deal of time to master. For example, an asbestos liability case could be directly assigned to a judge who has already developed an expertise in handling asbestos liability cases.

While Congress should not micromanage the Courts, the legislation I introduce today is reasonable, limited, and well within our power. Article 1, Section 8, Clause 9 of the Constitution gives Congress the power to ''constitute Tribunals inferior to the supreme Court.'' Pursuant to this power, Congress established the Federal circuits and originally assigned Supreme Court justices to ride these circuits. Under this power, Congress eventually established the Federal district courts and outlined their jurisdiction. The sections of the Federal Code I seek to amend today—which permit the assignment of judges in accordance with court rules—were themselves Congressional enactments. Even in recent years, Congress has imposed restrictions on the procedures of the courts. For example, the Anti-Terrorism Bill of 1996 contained a provision I authored to reform habeas corpus. This provision imposes strict time limits on both the filing of habeas corpus petitions and the response by the courts to such petitions. Likewise, many bills we pass include requirements that certain cases be heard by the Courts on an expedited basis.

Mr. President, I feel strongly that my bill should not become a partisan issue. As I mentioned before, one's opinion of Judge Johnson and her actions is entirely beside the point. Judge Johnson's reported actions merely make us aware of the potential for abuse in our current system and the need to rectify it. I hope my colleagues will join me in supporting this necessary, common-sense legislation.

I ask unanimous consent that the bill be printed.

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

S. 1484

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

SECTION 1. SHORT TITLE.

(A) SHORT TITLE.—This act may be cited as the ''Random Selection of Judges Act of 1999.''

SECTION 2. ASSIGNMENT OF CASES IN DISTRICT COURT.

Title 28, United States Code is amended—

(1) in section 137 as follows:

(A) By adding the words, ''Except as provided below,'' at the beginning of the first paragraph.

(B) By deleting the words ''and assign in cases'' in the middle of the second paragraph.

(C) By inserting the following new paragraphs at the end of the section:

''Except as provided below, the chief judge of the district court shall assign all cases by means of an automated random assignment program provided by the Administrative Office of the United States Courts.

''Notwithstanding the foregoing, the chief judge of the district court may directly assign related cases and technical cases to a specific judge without using the automated random assignment program. The chief judge may directly assign a related case only to a

judge who is hearing or has heard a case or cases to which the new case relates. The chief judge may directly assign a technical case only to a judge who has significant experience with the subject matter at issue.

''For purposes of this section, a ''related case'' is a case which involves substantially the same facts, individuals, and/or property as a case previously or contemporaneously before the court.

''For purposes of this section, a ''technical case'' is a case which involves specialized, unusually complex facts or subject matter and which would demand a significant investment of time for a judge to master.''

SECTION 3. ASSIGNMENT OF CASES IN CIRCUIT COURT.

Title 28, United States Code is amended—

(1) in section 46 as follows:

(A) By adding the words, ''in accordance with the procedures outlined in Section 46(e),'' at the end of Section 46(a).

(B) By adding the words, ''In accordance with the procedures outlined in Section 46(e)'' at the beginning of Section 46(b).

(C) By inserting the following new Section 46(e) at the end of the section:

''Except as provided below, the chief judge of the circuit court shall assign all cases by means of an automated random assignment program provided by the Administrative Office of the United States Courts.

''Notwithstanding the foregoing, the chief judge of the circuit court may directly assign related cases and technical cases to a specific judge or judges without using the automated random assignment program. The chief judge may directly assign a related case only to a judge or judges who are hearing or have heard a case or cases to which the new case relates. The chief judge may directly assign a technical case only to a judge or judges who have significant experience with the subject matter at issue.

''For purposes of this section, a 'related case' is a case which involves substantially the same facts, individuals, and/or property as a case previously or contemporaneously before the court.

''For purposes of this section, a 'technical case' is a case which involves specialized, unusually complex facts or subject matter and which would demand a significant investment of time for a judge to master.''

By Ms. LANDRIEU (for Mr. NICKLES (for himself, Ms. LANDRIEU, Mr. ASHCROFT, Mr. BOND, Mr. BROWNBACK, Mr. CHAFEE, Mr. COCHRAN, Mr. CRAIG, Mr. DEWINE, Mr. EDWARDS, Mr. GRASSLEY, Mr. HOLLINGS, Mr. INHOFE, Mr. KENNEDY, Mr. LEVIN, Mr. LOTT, Mr. ROCKEFELLER, and Mr. SMITH of Oregon)):

S. 1485. A bill to amend the Immigration and Nationality Act to confer United States citizenship automatically and retroactively on certain foreign-born children adopted by citizens of the United States; to the Committee on the Judiciary.

ADOPTED ORPHANS CITIZENSHIP ACT

Ms. LANDRIEU. Mr. President, I am proud to join the Senator from Oklahoma, Mr. DON NICKLES, and a number of my colleagues, including Senators ASHCROFT, BOND, BROWNBACK, CHAFEE, COCHRAN, CRAIG, DEWINE, EDWARDS, GRASSLEY, HOLLINGS, INHOFE, KENNEDY, LEVIN, LOTT, ROCKEFELLER, and GORDON SMITH in introducing a very important piece of legislation called the Adopted Orphans Citizenship Act.

As you can see from this long list of distinguished Members, the Adopted Orphans Citizenship Act is an important piece of legislation and one I hope, by introducing it today, we could actually have some committee and floor action on in the weeks and months ahead. I commend Senator NICKLES for his leadership. We have presented this bill on behalf of the 15,000 children who are adopted into our country each year through the process of international adoption.

A few weeks ago, I had the great privilege to join Senator LEVIN and others to travel to Romania and had the opportunity to see firsthand the institutions and orphanages. Over 100,000 children of Romania call these places home, but they in fact do not look much like homes, as you can imagine. The staff at these homes try very hard to give the children in their care the love and support they need as they grow and mature, yet the fact is they are living in these institutions. Nothing can really supplant or take the place of a family or home to call your own.

Not only in Romania but in many places in the world, American families are building their families through the process of international adoption. Last year alone, 15,000 families opened their homes and their hearts to adopt a child from another country, and 85,000 families adopted children from within the United States. But this bill is directed at the families who are bringing children from other parts of the world to come and be part of an American family and become American citizens. What people may not realize is that now, when the adoption process is final, when all the paperwork has been done, after all the time and energy and in some cases a considerable amount of financial expense that is associated with these particular adoptions, under our current law, these children and these families still have to go through a citizenship process.

This bill will basically make that process automatic and would, as the other parts of our law, recognize no difference between a child who is a biological child and a child who is an adopted child. It simplifies our law, it reduces paperwork, it reduces heartaches, reduces headaches, and really is something we should have done years ago. I am proud to join my colleagues today to introduce this legislation that, if passed, will make it automatic that children who are adopted into families in the United States will receive, with their adoption finalization, automatic citizenship, to be citizens of the United States of America.

I think this change is long overdue. I can say, as the mother of two beautiful adopted children, obviously there is no difference between biological and adopted children. Both are wonderful ways to build families. Through the adoption process, many families in the United States are able to provide homes for children who were not fortunate enough to have them the first time around. So I am happy to join my colleagues to introduce this bill.

I send it to the desk and ask it be referred to the proper committee, and I ask unanimous consent the bill be printed in the RECORD.

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

S. 1485

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 ''Adopted Orphans Citizenship Act''.

SEC. 2. ACQUISITION OF UNITED STATES CITIZENSHIP BY CERTAIN ADOPTED CHILDREN.

(a) AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT.—Section 301 of the Immigration and Nationality Act (8 U.S.C. 1401) is amended—

(1) by striking ''and'' at the end of subsection (g);

(2) by striking the period at the end of subsection (h) and inserting ''; and''; and

(3) by adding at the end the following:

''(i) an unmarried person, under the age of 18 years, born outside the United States and its outlying possessions and thereafter adopted by at least one parent who is a citizen of the United States and who has been physically present in the United States or one of its outlying possessions for a period or periods totaling not less than 5 years prior to the adoption of the person, at least 2 of which were after attaining the age of 14 years, if—

''(1) the person is physically present in the United States with the citizen parent, having attained the status of an alien lawfully admitted for permanent residence;

''(2) the person satisfied the requirements in subparagraph (E) or (F) of section 101(b)(1); and

''(3) the person seeks documentation as a United States citizen while under the age of 18 years.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to persons adopted before, on, or after the date of enactment of this Act.

By Mr. GORTON:

S. 1486. A bill to establish a Take Pride in America Program; to the Committee on Energy and Natural Resources.

TAKE PRIDE IN AMERICA VOLUNTEER RECOGNITION ACT OF 1999

Mr. GORTON. Mr. President, I am delighted to introduce the Take Pride in America Volunteer Recognition Act of 1999, legislation which will revitalize and expand an important program created in the 1980's to enhance the legacy of the Great Outdoors.

Each American is part owner of an incredible asset—millions and millions of acres of national parks, national forests, national wildlife refuges and other public lands. These wonderful places are part of the legacy each of us shares, whether we live in my state of Washington or on the other side of the nation. We visit these places often and for a variety of reasons. Together, federal lands attract nearly two billion visits annually. Americas' Great Outdoors is a place for active fun—for skiing and fishing, camping and

whitewatersports—as well as for quite time away from our cities, jobs and commutes.

Years ago, an important initiative was launched to encourage Americans to enjoy this legacy, and take responsibility for protecting it for future generations. The program was called Take Pride in America and had three components. The first portion was a public awareness campaign, designed to emphasize the importance of caring for federal lands and water. The second portion was an environmental education program for school children and for visitors to public lands. The third portion was a volunteer recruitment and recognition effort.

The Take Pride in America program received the support of a great number of well-known Americans. Public Service Announcements and appearances were contributed by Clint Eastwood and Linda Evans, Lou Gossett and Charles Bronson, Gerald McRainey and even ALF. The Oak Ridge Boys wrote and recorded to Take Pride in America theme song, and donated all royalties to the program. Forty-seven governors initiated Take Pride programs within their states, recognizing outstanding volunteers ranging from young children to seniors. Volunteers from across the nation came to Washington for an annual national recognition event at the White House and similar prominent locations. The Ad Council obtained professional support for the program and donated placements for PSA's—in fact, some of the elements of this campaign continue to run.

The results were good. Volunteerism for America's Great Outdoors surged and vandalism decline. Agencies such as the National Park Service, the Bureau of Land Management, the Forest Service and the Corps of Engineers were given a new tool to recruit and recognize Americans who invested their time and energy into enhancing our shared wealth of parks and forests.

Other priorities have put the Take Pride in America Program on hold in recent years. It is time to take this tool out and put it to good use once again.

Our public lands have maintenance and enhancement needs that exceed our ability to fund through general appropriations. We are now experimenting with new recreation fees and other mechanisms to attack a deferred maintenance backlog amounting to more than one billion dollars.

My legislation would restore and expand the program created by Congress in 1990, recommitting us to all three parts of the original program. It would also strengthen the program to reflect a special opportunity associated with the National Fee Demonstration Program created in 1996, which provides nearly $200 million annually in additional resources to four key federal land systems. The legislation would strengthen our volunteer programs in several ways, including the establishment of a special pass to recognize volunteers who serve 50 hours or more on federal public lands.

In my state, the Forest Service has done a tremendous job of organizing and utilizing the skills and enthusiasm of volunteers committed to improving our forests. The volunteer programs in the Northwest vary from forest to forest. Typically, groups like the Student Conservation Association, Mountaineers, Mazamas, and Backcountry Horsemen of Washington contract with the National Forest Service to complete specific projects designed to improve the health of the forests and enhance recreational opportunities. Individuals within these associations can earn passes for free access at national forest trailheads in the Pacific Northwest. I think this program is outstanding, and I want the Forest Service to continue accommodating and encouraging the efforts of volunteers. This bill is designed to encore these types of volunteer programs in other regions of the National Forest Service, the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service. In addition, I want to recognize the special efforts of volunteers who contribute over 50 hours of work on federal lands. The legislation directs the Department of Interior and Department of Agriculture to recognize these individuals with a pass to recreation areas throughout the federal system.

I look forward to exploring appropriate means for recognition of volunteers as this legislation is considered in the hearing process. We need to consider carefully the relationship between the special Take Pride in America Pass and other passes, including the Golden Eagle and Golden Age passes.

This legislation also will serve as a catalyst for expanding the scope of volunteer programs on federal lands. Too often in the past, our expectations for volunteer projects have focused on projects requiring shovels or paint brushes and requiring high levels of physical exertion. The truth is that important volunteer projects that can protect and enhance America's Great Outdoors are far more diverse. We need skills senior Americans have developed during a lifetime of living and learning, from research in libraries to teaching. We need those with special talents and gifts, from architects to web page designers, from attorneys—yes, even attorneys—to masons. We need to have meaningful projects for those with just a few hours to contribute as well as for those who are prepared to make an ongoing commitment of their time. Some of the projects can even be undertaken off-site. We need a good directory of needed volunteer undertakings that is widely available long before a volunteer shows up at a forest or park headquarters.

To the hundreds of thousands of Americans who already spend time protecting and enhancing America's public lands—covering nearly one in three acres of the nation—I give my thanks and ask for help in devising a system that recognizes the wonderful contribution you make and inspires millions of others to join in your important work. I also ask for the support of the Department of Interior and the Department of Agriculture for this legislation and its goal of taking better care of America's Great Outdoors.

By Mr. AKAKA (for himself, Mr. COCHRAN, Mrs. MURRAY, Mr. INOUYE, and Mr. KERREY):

S. 1487. A bill to provide for excellence in economic education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

EXCELLENCE IN ECONOMIC EDUCATION ACT OF 1999

Mr. AKAKA. Mr. President, I rise to speak about the Excellence in Economic Education Act of 1999, a bill I am introducing today with my friends, Senators COCHRAN, MURRAY, INOUYE, and KERREY.

With each passing day, the need for increased economic literacy becomes more and more apparent. The rise of Internet commerce, market globalization, advances in technology, growth of online investment services, and the increase in the number of Americans who invest in the stock market serve to highlight the importance of economic literacy for citizens of every age and professional background. I am convinced that more education about basic economic concepts such as money, personal finance, and inflation—starting from a young age—could help people make decisions about their financial situation, so that they can better prepare for and endure our changing economy.

We need to help young people better understand economic implications of their actions: they can't always get what they want; they need to be more responsible with money; and, they are learning fiscal habits now that will stay with them for the rest of their lives.

In addition to teaching our youth how to make good financial decisions, we must help them become productive and well-informed citizens. It has been shown that a lack of knowledge about fundamental economics can have negative effects on our economy and lead to divisions and polarization in our communities. Economic education can have profound long-term effects for all of us.

We must educate our country's future workforce about what effects the retirements of our ''baby boom generation'' will have on them. Currently, Social Security reform is one of the biggest issues that is before us. We are working to ensure that Social Security will remain solvent well into the next century.

As we know, the number of people receiving Social Security will surge from 44 million now to 75 million in 2020. Even if we achieve a truly bipartisan

solution on Social Security, our young people will still feel the impact from this tremendous future demographic shift, and they should learn how to prepare themselves for security in retirement. Economic education can help them.

Mr. President, I would like to comment on the results of a basic economics test given nationally by the National Council on Economic Education, which provides further evidence of the need for increased economic education. Taken by 1,010 adults and 1,085 high school students, the test's findings are striking:

(1) half of adults and two-thirds of high school students failed, while only six percent of adults and three percent of high school students got an ''A'';

(2) on average, adults received a grade of 57 percent and high school students a grade of 48 percent;

(3) students and adults alike lacked a basic understanding about the concepts of money, inflation and scarcity of resources—core economic concepts;

(4) a sizeable number of students—35 percent—admitted that they simply do not know what the effect of an increase in interest rates would be; and

(5) only a little more than half of adults, 54 percent, and less than one in four students, 23 percent, know that a budget deficit occurs when the Federal Government's expenditures exceed its revenues for that year.

However, amid these disappointing results, the study found that 96 percent believe basic economics should be taught in high school. Currently, 38 states have adopted guidelines for teaching economics in their schools, but only 13 states require that students take economics in order to graduate. Clearly, people see the need for improved economic education, and this need exists in many States.

This brings me to a brief description of what the Excellence in Economic Education Act would do. My bill would ensure that a majority of total funds appropriated under the Act would be distributed to state councils on economic education and economic education centers based at universities to support the work that these entities are performing. It would support the National Council on Economic Education in economic literacy activities that it conducts. It would also fund the creation of new councils and centers in states without a council or center.

The goals of the bill are to increase student knowledge of and achievement in economics; strengthen teachers' understanding of and ability to teach economics; encourage related research and development, dissemination of instructional materials, and replication of best practices and programs; help States measure the impact of economic education; ensure a strong presence of the nationwide network in every State; and leverage and increase private and public support for economic education partnerships at all levels.

Support for economic education is in the Goals 2000: Educate America Act which lists economics as a national core subject area.

My bill encourages the National Council and state councils and centers to work with local businesses and private industry as much as possible, particularly in obtaining matching funds.

Mr. President, we need to improve economic literacy for our children, just as we need to ensure reading literacy, writing aptitude, math and science comprehension, and an understanding of history and the arts. Economics is a fundamental, practical building block that should round out our children's education. I hope that my colleagues will join me in cosponsoring the Excellence in Economic Education Act.

For more specific details on the grants my bill creates, one-fourth of funds would be provided to the National Council, so that the council may strengthen and expand its nationwide economic education network, support and promote teacher training in coordination with current Eisenhower Professional Development activities, support related research, and develop and disseminate appropriate materials.

The remaining funds will be distributed by the National Council to state councils or centers, which will work in partnership with the private sector, state educational agencies, local educational agencies, institutions of higher education or other organizations that promote economic development or educational excellence. With this money, councils and centers will be able to fund teacher training programs, resources to school districts that want to incorporate economics into curricula, evaluations of the impact of economic education on students, related research, school-based student activities to promote consumer and personal finance education and to encourage awareness and student achievement in economics, interstate and international student and teacher exchanges, and replication of best practices to promote economic literacy.

The National Council runs an International Economics Exchange Program which is authorized in the Elementary and Secondary Education Act. This program assists with economic education in transition countries of the former Soviet Union, and enjoys broad support. My bill would boost the domestic component of the National Council's activities.

In addition, my bill puts increased emphasis on economics by adding it to the list of subject areas in Elementary and Secondary Education Act programs, such as National Teacher Training Project, Star Schools, Magnet Schools, Fund for the Improvement of Education, and Urban and Rural Education Assistance.

We are looking for ways to better educate our young people on how to manage their resources, be better workers, make wise investments, and prepare for a secure financial future. My bill provides the flexibility needed so that this may happen through practical means and make economics come alive for students. It is important to start working on this now. Before we know it, current eighth graders will have gone through high school, possibly college, and entered the workforce.

One again, I thank Senators COCHRAN, INOUYE, MURRAY, and KERREY for becoming original cosponsors of this bill, and I urge my colleagues to join us in cosponsoring the Excellence in Economic Education Act.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

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

S. 1487

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

SECTION 1. EXCELLENCE IN ECONOMIC EDUCATION.

(a) AMENDMENT.—Title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8001 et seq.) is amended by adding at the end the following:

''PART L—EXCELLENCE IN ECONOMIC EDUCATION

''SEC. 10995. SHORT TITLE; FINDINGS.

''(a) SHORT TITLE.—This part may be cited as the ''Excellence in Economic Education Act of 1999''.

''(b) FINDINGS.—Congress makes the following findings:

''(1) The need for economic literacy in the United States has grown exponentially in the 1990's as a result of rapid technological advancements and increasing globalization, giving individuals in the United States more numerous and complex economic and financial choices than ever before as members of the workforce, managers of their families' resources, and voting citizens.

''(2) Individuals in the United States lack essential economic knowledge, as demonstrated in a 1998–1999 test conducted by the National Council on Economic Education, a private nonprofit organization. The test results indicated the following:

''(A) Students and adults alike lack a basic understanding of core economic concepts such as scarcity of resources and inflation, with less than half of those tested demonstrating knowledge of those basic concepts.

''(B) A little more than ⅓ of those tested realize that society must make choices about how to use resources.

''(C) Only ⅓ of those tested understand that active competition in the marketplace serves to lower prices and improve product quality.

''(D) Slightly more than ½ of adults in the United States and less than ¼ of students in the United States know that a Federal budget deficit is created when the Federal Government's expenditures exceed its revenues in a year.

''(E) Overall, adults received a grade of 57 percent on the test and secondary school students received a grade of 48 percent on the test.

''(F) Despite those poor results, the test pointed out that individuals in the United States realize the need for understanding basic economic concepts, with 96 percent of adults tested believing that basic economics should be taught in secondary school.

''(3) A range of trends points to the need for individuals in the United States to receive a practical economics education that

will give the individuals tools to make responsible choices about their limited financial resources, choices which face all people regardless of their financial circumstances. Examples of the trends are the following:

''(A) The number of personal bankruptcies in the United States continued to rise and set new records in the 1990's, despite the longest peacetime economic expansion in United States history. One in every 70 United States households filed for bankruptcy in 1998. Rising bankruptcies have an impact on the cost and availability of consumer credit which in turn negatively affect overall economic growth.

''(B) Credit card delinquencies in the United States rose to 1.83 percent in 1998, which is a percentage not seen since 1992 when the effects of a recession were still strong.

''(C) The personal savings rate in the United States over the 5 years ending in 1998 averaged only 4.5 percent. In the first quarter of 1999, the personal savings rate dropped to negative 0.4 percent. A decline in savings rates reduces potential investment and economic growth.

''(D) By 2030, the number of older persons in the United States will grow to 70,000,000, more than twice the number of older persons in the United States in 1997. The additional older persons will add significantly to the population of retirees in the United States and require a shift in private and public resources to attend to their specific needs. The needs will have dramatic, long-term economic consequences for younger generations of individuals in the United States workforce who will need to plan well in order to support their families and ensure themselves a secure retirement.

''(4) The third National Education Goal puts economics forth as 1 of 9 core content areas in which teaching, learning, and students' mastery of basic and advanced skills must improve.

''(5) The National Council on Economic Education presents a compelling case for doing more to meet the need for economic literacy. While an understanding of economics is necessary to help the next generation to think, choose, and function in a changing global economy, economics has too often been neglected in schools.

''(6) States' requirements for economic and personal finance education are insufficient as evidenced by the fact that, while 39 States have adopted educational standards (including guidelines or proficiencies) in economics—

''(A) only 13 of those States require all students to take a course in economics before graduating from secondary school;

''(B) only 25 States administer tests to determine whether students meet the standards; and

''(C) only 27 States require that the standards be implemented in schools.

''(7) Improved and enhanced national, State, and local economic education efforts, conducted as part of the Campaign for Economic Literacy led by the National Council on Economic Education, will help individuals become informed consumers, conscientious savers, prudent investors, productive workforce members, responsible citizens, and effective participants in the global economy.

''(8)(A) Founded in 1949, the National Council on Economic Education is the preeminent economic education organization in the United States, having a nationwide network that supports economic education in the Nation's schools.

''(B) This network supports teacher preparedness in economics through—

''(i) inservice teacher education;

''(ii) classroom-tested materials and appropriate curricula;

''(iii) evaluation, assessment, and research on economics education; and

''(iv) suggested content standards for economics.

''(9) The National Council on Economic Education network includes affiliated State Councils on Economic Education and more than 275 university or college-based Centers for Economic Education. This network represents a unique partnership among leaders in education, business, economics, and labor, the purpose of which is to effectively deliver economic education throughout the United States.

''(10) Each year the National Council on Economic Education network trains 120,000 teachers, reaching more than 7,000,000 students. By strengthening the Council's nationwide network, the Council can reach more of the Nation's 50,000,000 students.

''(11) The National Council on Economic Education conducts an international economic education program that provides information on market principles to the world (particularly emerging democracies) through teacher training, materials translation and development, study tours, conferences, and research and evaluation. As a result of those activities, the National Council on Economic Education is helping to support educational reform and build economic education infrastructures in emerging market economies, and reinforcing the national interest of the United States.

''(12) Evaluation results of economics education activities support the following conclusions:

''(A) Inservice education in economics for teachers contributes significantly to students' gains in economic knowledge.

''(B) Secondary school students who have taken economics courses perform significantly better on tests of economic literacy than do their counterparts who have not taken economics.

''(C) Economics courses contribute significantly more to gains in economic knowledge than does integration of economics into other subjects.

''(13) Through partnerships, the National Council on Economic Education network leverages support for its mission by raising $35,000,000 from the private sector, universities, and States.

''SEC. 10996. EXCELLENCE IN ECONOMIC EDUCATION.

''(a) PURPOSE.—The purpose of this part is to promote economic literacy among all United States students in kindergarten through grade 12 by enhancing national leadership in economic education through the strengthening of a nationwide economic education network and the provision of resources to appropriate State and local entities.

''(b) GOALS.—The goals of this part are—

''(1) to increase students' knowledge of and achievement in economics to enable the students to become more productive and informed citizens;

''(2) to strengthen teachers' understanding of and competency in economics to enable the teachers to increase student mastery of economic principles and their practical application;

''(3) to encourage economic education research and development, to disseminate effective instructional materials, and to promote replication of best practices and exemplary programs that foster economic literacy;

''(4) to assist States in measuring the impact of education in economics, which is 1 of 9 national core content areas described in section 306(c) of the Goals 2000: Educate America Act (20 U.S.C. 5886(c));

''(5) to extend strong economic education delivery systems to every State; and

''(6) to leverage and expand private and public support for economic education partnerships at national, State, and local levels.

''SEC. 10997. GRANT PROGRAM AUTHORIZED.

''(a) GRANTS TO THE NATIONAL COUNCIL ON ECONOMIC EDUCATION.—

''(1) IN GENERAL.—The Secretary is authorized to award a grant to the National Council on Economic Education (referred to in this section as the 'grantee'), which is a nonprofit educational organization that has as its primary purpose the improvement of the quality of student understanding of economics through effective teaching of economics in the Nation's classrooms.

''(2) USE OF GRANT FUNDS.—

''(A) ONE-QUARTER.—The grantee shall use ¼ of the funds made available through the grant and not reserved under subsection (f) for a fiscal year—

''(i) to strengthen and expand the grantee's nationwide network on economic education;

''(ii) to support and promote training, of teachers who teach a grade from kindergarten through grade 12, regarding economics, including the dissemination of information on effective practices and research findings regarding the teaching of economics;

''(iii) to support research on effective teaching practices and the development of assessment instruments to document student performance;

''(iv) to develop and disseminate appropriate materials to foster economic literacy; and

''(v) to coordinate activities assisted under this section with activities assisted under title II.

''(B) THREE-QUARTERS.—The grantee shall use ¾ of the funds made available through the grant and not reserved under subsection (f) for a fiscal year to award grants to State economic education councils, or in the case of a State that does not have a State economic education council, a center for economic education (which council or center shall be referred to in this section as a 'recipient'). The grantee shall award such a grant to pay for the Federal share of the cost of enabling the recipient to work in partnership with 1 or more of the entities described in paragraph (3) for 1 or more of the following purposes:

''(i) Collaboratively establishing and conducting teacher training programs that use effective and innovative approaches to the teaching of economics.

''(ii) Providing resources to school districts that want to incorporate economics into the curricula of the schools in the districts.

''(iii) Conducting evaluations of the impact of economic education on students.

''(iv) Conducting economic education research.

''(v) Creating and conducting school-based student activities to promote consumer, economic, and personal finance education, such as saving, investing, and entrepreneurial education, and to encourage awareness and student achievement in economics.

''(vi) Establishing interstate and international student and teacher exchanges to promote economic literacy.

''(vii) Encouraging replication of best practices to encourage economic literacy.

''(C) ADDITIONAL REQUIREMENTS AND TECHNICAL ASSISTANCE.—The grantee shall—

''(i) meet such other requirements as the Secretary determines to be necessary to assure compliance with this section; and

''(ii) provide such technical assistance as may be necessary to carry out this section.

''(3) PARTNERSHIP ENTITIES.—The entities referred to in paragraph (2)(B) are the following:

''(A) A private sector entity.

''(B) A State educational agency.

''(C) A local educational agency.

''(D) An institution of higher education.

''(E) Another organization promoting economic development.

''(F) Another organization promoting educational excellence.

''(4) ADMINISTRATIVE COSTS.—The grantee and each recipient receiving a grant under this section for a fiscal year may use not more than 25 percent of the funds made available through the grant for administrative costs.

''(b) TEACHER TRAINING PROGRAMS.—

''(1) IN GENERAL.—In carrying out the teacher training programs described in subsection (a)(2)(B) a recipient shall—

''(A) train teachers who teach a grade from kindergarten through grade 12;

''(B) conduct programs taught by qualified teacher trainers who can tap the expertise, knowledge, and experience of classroom teachers, private sector leaders, and other members of the community involved, for the training; and

''(C) encourage teachers from disciplines other than economics to participate in such teacher training programs, if the training will promote the economic understanding of their students.

''(2) RELEASE TIME.—Funds made available under this section for the teacher training programs described in subparagraphs (A) and (B) of subsection (a)(2) may be used to pay for release time for teachers and teacher trainers who participate in the training.

''(c) INVOLVEMENT OF BUSINESS COMMUNITY.—In carrying out the activities assisted under this part the grantee and recipients are encouraged to—

''(1) include interactions with the local business community to the fullest extent possible, to reinforce the connection between economic education and economic development; and

''(2) work with private businesses to obtain matching contributions for Federal funds and assist recipients in working toward self-sufficiency.

''(d) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost described in subsection (a)(2)(B) shall be 50 percent. The Federal share of the cost of establishing a State council on economic education or a center for economic education under subsection (f), for 1 fiscal year only, shall be 75 percent.

''(2) NON-FEDERAL SHARE.—The non-Federal share may be paid in cash or in kind, fairly evaluated, including plant, equipment, or services.

''(e) APPLICATIONS.—

''(1) GRANTEE.—To be eligible to receive a grant under this section, the grantee shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Secretary may require.

''(2) RECIPIENTS.—

''(A) IN GENERAL.—To be eligible to receive a grant under this section, a recipient shall submit an application to the grantee at such time, in such manner, and accompanied by such information as the grantee may require.

''(B) REVIEW.—The grantee shall invite the individuals described in subparagraph (C) to review all applications from recipients for a grant under this section and to make recommendations to the grantee regarding the funding of the applications.

''(C) INDIVIDUALS.—The individuals referred to in subparagraph (B) are the following:

''(i) Leaders in the fields of economics and education.

''(ii) Such other individuals as the grantee determines to be necessary.

''(f) SPECIAL RULE.—For each State that does not have a recipient in the State, as determined by the grantee, not less than the greater of 1.5 percent or $100,000 of the total amount appropriated under subsection (i), for 1 fiscal year, shall be made available to the State to pay for the Federal share of the cost of establishing a State council on economic education or a center for economic education in partnership with a private sector entity, an institution of higher education, the State educational agency, and other organizations.

''(g) SUPPLEMENT AND NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local funds expended for the purpose described in section 10996(a).

''(h) REPORT.—The Secretary shall prepare and submit to the appropriate committees of Congress a report regarding activities assisted under this section not later than 2 years after the date funds are first appropriated under subsection (i) and every 2 years thereafter.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part $10,000,000 for fiscal year 2000, and such sums as may be necessary for each of the 4 succeeding fiscal years.''.

(b) RELATED AMENDMENTS.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(1) in section 2103(a)(2)(I) (20 U.S.C. 6623(a)(2)(I)), by inserting ''economics,'' after ''civics and government,'';

(2) in section 3206(b)(4) (20 U.S.C. 6896(b)(4)), by inserting ''economics,'' after ''history,'';

(3) in section 5108(b) (20 U.S.C. 7208(b)), by inserting ''economics,'' after ''history,'';

(4) in section 10101(b)(1)(A)(iii) (20 U.S.C. 8001(b)(1)(A)(iii)), by striking ''and social studies'' and inserting ''social studies, and economics,'';

(5) in section 10963(b)(4) (20 U.S.C. 8283(b)(4))—

(A) in subparagraph (E), by striking ''and'' after the semicolon;

(B) in subparagraph (F), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(G) economic education and other programs designed to enhance economic literacy and personal financial responsibility;''; and

(6) in section 10974(a)(8)(H) (20 U.S.C. 8294(a)(8)(H)), by striking ''local rural entrepreneurship'' and inserting ''promoting economic literacy, local rural entrepreneurship,''.

By Mr. BIDEN:

S. 1489. A bill to amend title 38, United States Code, to provide for the payment to States of pilot allowances for certain veterans eligible for burial in a national cemetery who are buried in cemeteries of such States.

VETERANS' PLOT ALLOWANCE EQUITY

● Mr. BIDEN. Mr. President, today I am introducing legislation which provides equity for a group of veterans at their final moment: those veterans who are buried in State-owned veterans' cemeteries.

For a number of years, the amount of space in national veterans' cemeteries has been rapidly declining. With the strong encouragement of the Federal government, the States have undertaken to develop their own veterans' cemeteries. When certain categories of veterans are buried without charge in these State veterans' cemeteries, the Federal government pays the State a $150 ''plot allowance'' for the burial space. However, only limited categories of veterans are covered by this payment: those who were discharged for disability or who were receiving disability-related compensation; those who died in a veterans hospital; and those indigent veterans whose bodies were unclaimed after death.

For the many other veterans who don't fall into one of these few categories, the federal government will pay nothing for their burial space if they are buried in a State veterans' cemetery. By contrast, if any of these veterans were buried in a national veterans' cemetery, for which they are eligible, the federal government picks up the cost of the burial space. This disparity seems inexplicable, a final insult to the dedicated service of men and women who unselfishly served their country.

My bill removes this inequity by stating that, for any veteran who is eligible for burial in a national veterans' cemetery but who is interred in a State veterans' cemetery, the federal government will pay the State a $150 plot allowance for the burial space. That's it. No ifs, ands, or buts. No exceptions.

The government promised these veterans that they would be taken care of in their final passage, and it must live up to this vow. Regardless of whether veterans are buried in a State cemetery or in a national cemetery, their service in the armed forces benefitted all of us, and we should stop quibbling about whether the location of the grave has anything to do with the dignity and selflessness of the service to the country.

Mr. President, I urge my fellow Senators to support this bill in the name of fairness and in recognition of the service to the country of all our veterans in their final hour.●

By Mr. THOMPSON (for himself and Mr. FRIST):

S. 1490. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for State and local sales taxes in lieu of State and local income taxes; to the Committee on Finance.

DEDUCTIBILITY OF STATE SALES TAXES

● Mr. THOMPSON. Mr. President, I rise today to introduce legislation that will address an inequity in the tax code that affects the citizens of my state and citizens of the other states that do not have a state income tax. Tennesseans are discriminated against under federal tax laws simply because our state chooses to raise revenue primarily through a sales tax instead of an income tax. My bill would end this inequity by allowing taxpayers to deduct either their state and local sales taxes or their state and local income taxes on their federal tax forms, but not both. I am joined today by my colleague from Tennessee, Senator FRIST.

Under current law, individuals who itemize their deductions for federal tax purposes are only permitted to deduct state and local income taxes and property taxes paid. State and local sales

taxes are not deductible. Therefore, residents of nine states are treated differently from residents of states with an income tax. Seven states—Texas, Florida, Alaska, Wyoming, Washington, South Dakota and Nebraska—have no state income tax. Two states—Tennessee and New Hampshire—only impose an income tax on interest and dividends, but not wages.

Prior to 1986, taxpayers were permitted to deduct all of their state and local taxes paid (including income, sales and property taxes) when computing their federal tax liability. The ability to deduct all state and local taxes is based on the principle that levying a tax on a tax is unfair.

In 1986, however, Congress made dramatic changes to the tax code. The Tax Reform Act of 1986 significantly reduced federal tax rates on individuals. In exchange for these lower rates, Congress broadened the base of income that is taxed by eliminating many of the deductions and credits that previously existed in the code, including the deduction for state and local sales taxes.

Mr. President, I believe that our federal tax laws should be neutral with respect to the treatment of state and local taxes. As I have said, that is not the case now. The current tax code is biased in favor of states that raise revenue through an income tax. I strongly support comprehensive reform of the tax code that will address issues such as neutrality, fairness and simplicity. As we work to reform the overall tax code, restoring equality in this area should be a part of the discussion.●

By Mr. MACK (for himself, Mr. ABRAHAM, Mr. ALLARD, Mr. BENNETT, Mr. BROWNBACK, Mr. HAGEL, Mr. HELMS, and Mr. SHELBY):

S. 1492. A bill to require the Board of Governors of the Federal Reserve System to focus on price stability in establishing monetary policy to ensure the stable, long-term purchasing power of the currency, to repeal the Full Employment and Balanced Growth Act of 1978, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

ECONOMIC GROWTH AND PRICE STABILITY ACT OF 1999

● Mr. MACK. Mr. President, I ask that the text of the bill be printed in the RECORD.

The bill follows:

S. 1492

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 ''Economic Growth and Price Stability Act of 1999''.

SEC. 2. FINDINGS; STATEMENT OF POLICY.

(a) FINDINGS.—The Congress finds that—

(1) during periods of inflation, the United States has experienced a deterioration in its potential economic growth;

(2) a decline in inflation has been a crucial factor in encouraging recent robust economic growth;

(3) stable prices facilitate higher sustainable levels of economic growth, investment, and job creation;

(4) the multiple policy goals of the Full Employment and Balanced Growth Act of 1978 cause confusion and ambiguity about the appropriate role and aims of monetary policy, which can add to volatility in economic activity and financial markets, harming economic growth and costing workers jobs;

(5) recognizing the dangers of inflation and the appropriate role of monetary policy, political leaders in countries throughout the world have directed the central banks of those countries to institute reforms that focus monetary policy on the single objective of price stability, rather than on multiple policy goals;

(6) there is a need for the Congress to clarify the proper role of the Board of Governors of the Federal Reserve System in economic policymaking, in order to achieve the best environment for long-term economic growth and job creation; and

(7) because price stability is a key condition for maintaining the highest possible levels of productivity, real incomes, living standards, employment, and global competitiveness, price stability should be the primary long-term goal of the Board of Governors of the Federal Reserve System.

(b) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the principal economic responsibilities of the Government are to establish and ensure an environment that is conducive to both long-term economic growth and increases in living standards, by establishing and maintaining free markets, low taxes, respect for private property, and the stable, long-term purchasing power of the United States currency; and

(2) the primary long-term goal of the Board of Governors of the Federal Reserve System (hereafter in this Act referred to as the ''Board'') should be to promote price stability.

SEC. 3. MONETARY POLICY.

(a) AMENDMENT TO THE FEDERAL RESERVE ACT.—Section 2A of the Federal Reserve Act (12 U.S.C. 225a) is amended to read as follows:

''SEC. 2A. MONETARY POLICY.

''(a) PRICE STABILITY.—The Board and the Federal Open Market Committee (hereafter in this section referred to as the 'Committee') shall—

''(1) establish an explicit numerical definition of the term 'price stability'; and

''(2) maintain a monetary policy that effectively promotes long-term price stability.

''(b) CONGRESSIONAL CONSULTATION.—Not later than February 20 and July 20 of each year, the Board shall consult with the Congress at semiannual hearings before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking and Financial Services of the House of Representatives, about the objectives and plans of the Board and the Committee with respect to achieving and maintaining price stability.

''(c) CONGRESSIONAL OVERSIGHT.—The Board shall, concurrent with each semiannual hearing required by subsection (b), submit a written report to the Congress containing—

''(1) numerical measures to help assess the extent to which the Board and the Committee are achieving and maintaining price stability in accordance with subsection (a);

''(2) a description of the intermediate variables used by the Board to gauge the prospects for achieving the objective of price stability; and

''(3) the definition, or any modifications thereto, of 'price stability' established in accordance with subsection (a)(1).''.

(b) COMPLIANCE ESTIMATE.—

(1) IN GENERAL.—Concurrent with the first semiannual hearing required by section 2A(b) of the Federal Reserve Act (as amended by subsection (a) of this section) following the date of enactment of this Act, the Board shall submit to the Congress a written estimate of the length of time it will take for the Board and the Committee to fully achieve price stability. The Board and the Committee shall take into account any potential short-term effects on employment and output in complying with the goal of price stability.

(2) DEFINITIONS.—For purposes of this section—

(A) the term ''Board'' means the Board of Governors of the Federal Reserve System; and

(B) the term ''Committee'' means the Federal Open Market Committee.

SEC. 4. REPEAL OF OBSOLETE PROVISIONS.

(a) FULL EMPLOYMENT AND BALANCED GROWTH ACT OF 1978.—The Full Employment and Balanced Growth Act of 1978 (15 U.S.C. 3101 et seq.) is repealed.

(b) EMPLOYMENT ACT OF 1946.—The Employment Act of 1946 (15 U.S.C. 1021 et seq.) is amended—

(1) in section 3 (15 U.S.C. 1022)—

(A) in the section heading, by striking ''and short-term economic goals and policies'';

(B) by striking ''(a)''; and

(C) by striking ''in accord with section 11(c) of this Act'' and all that follows through the end of the section and inserting ''in accordance with section 5(c).'';

(2) in section 9(b) (15 U.S.C. 1022f(b)), by striking '', the Full Employment and Balanced Growth Act of 1978,'';

(3) in section 10 (15 U.S.C. 1023)—

(A) in subsection (a), by striking ''in the light of the policy declared in section 2'';

(B) in subsection (e)(1), by striking ''section 9'' and inserting ''section 3''; and

(C) in the matter immediately following paragraph (2) of subsection (e), by striking ''and the Full Employment and Balanced Growth Act of 1978'';

(4) by striking section 2;

(5) by striking sections 4 through 8; and

(6) by redesignating sections 3, 9, 10, and 11 as sections 2 through 5, respectively.

(c) CONGRESSIONAL BUDGET ACT OF 1974.—Title III of the Congressional Budget Act of 1974 (2 U.S.C. 631 et seq.) is amended—

(1) in section 301—

(A) in subsection (b), by striking paragraph (1) and redesignating paragraphs (2) through (9) as paragraphs (1) through (8), respectively;

(B) in subsection (d), in the second sentence, by striking ''the fiscal policy'' and all that follows through the end of the sentence and inserting ''fiscal policy.'';

(C) in subsection (e)(1), in the second sentence, by striking ''as to short-term and medium-term goals''; and

(D) by striking subsection (f) and inserting the following:

''(f) [Reserved.]''; and

(2) in section 305—

(A) in subsection (a)(3), by inserting before the period at the end '', as described in section 2 of the Economic Growth and Price Stability Act of 1999'';

(B) in subsection (a)(4)—

(i) by striking ''House sets forth the economic goals'' and all that follows through ''designed to achieve,'' and inserting ''House of Representatives sets forth the economic goals and policies, as described in section 2 of the Economic Growth and Price Stability Act of 1999,''; and

(ii) by striking ''such goals,'' and all that follows through the end of the paragraph and inserting ''such goals and policies.'';

(C) in subsection (b)(3), by inserting before the period at the end '', as described in section 2 of the Economic Growth and Price Stability Act of 1999''; and

(D) in subsection (b)(4)—

(i) by striking ''goals (as'' and all that follows through ''designed to achieve,'' and inserting ''goals and policies, as described in section 2 of the Economic Growth and Price Stability Act of 1999,''; and

(ii) by striking ''such goals,'' and all that follows through the end of the paragraph and inserting ''such goals and policies.''.●

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 1493. A bill to establish a John Heinz Senate Fellowship Program to advance the development of public policy with respect to issues affecting senior citizens; to the Committee on Rules and Administration.

THE JOHN HEINZ SENATE FELLOWSHIP PROGRAM

Mr. SPECTER. Mr. President, I have sought recognition to introduce a bill reauthorizing the John Heinz Senate Fellowship Program. This Congressional fellowship program, created in 1992, is a fitting tribute to my late colleague and dear friend, United States Senator John Heinz. Senator Heinz dedicated his life and much of his Congressional career to improving the lives of senior citizens. He believed that Congress has a special responsibility to serve as a guardian for those who cannot protect themselves. This fellowship program, which focuses on aging issues, honors the life and continues the legacy of Senator John Heinz.

During his 20 years in the Congress, John Heinz compiled an enviable record of accomplishments. While he was successful in many areas, he built a national reputation for his strong commitment to improving the quality of life of our nation's elderly. Pennsylvania, with nearly 2 million citizens aged 65 or older—over 15% of the population—houses the second largest elderly population nationwide. As John traveled throughout the state, he listened to the concerns of this important constituency and came back to Washington to address their needs through policy and legislation.

Senator Heinz led the fight against age discrimination by championing legislation to eliminate the requirement that older Americans must retire at age 65, and by ensuring full retirement pay for older workers employed by factories forced to close. During his Chairmanship of the Senate Special Committee on Aging from 1981–1986 and his tenure as Ranking Minority Member from 1987–1991, Senator Heinz used his position to improve health care accessibility and affordability for senior citizens and to reduce fraud and abuse within Federal health care programs. Congress enacted his legislation to provide Medicare recipients a lower cost alternative to fee-for-service medicine, as well as his legislation to add a hospice benefit to the Medicare program.

John also recognized the great need for nursing home reforms. He was successful in passing legislation mandating that safety measures be implemented in nursing homes and ensuring that nursing home residents cannot be bound and tied to their beds or wheelchairs.

Mr. President, the John Heinz Senate Fellowship Program will help continue the efforts of Senator Heinz to give our nation's elderly the quality of life they deserve. The program encourages the identification and training of new leadership in aging policy by awarding fellowships to qualified candidates to serve in a Senate office or with a Senate Committee staff. The goal of this program is to advance the development of the public policy in issues affecting senior citizens. Administered by the Heinz Family Foundation in conjunction with the Secretary of the Senate, the program allows fellows to bring their firsthand experience in aging issues to the work of Congress. Heinz fellows who are advocates for aging issues spend a year to help us learn about the effects of Federal policies on our elderly citizens, those who are social workers help us find better ways to protect our nation's elderly from abuse and neglect, and those who are health care providers help us to build a strong health care system that addresses the unique needs of our seniors.

As fellows, senior citizen advocates and aging policy experts not only have the opportunity to use their expertise to facilitate national debate about issues concerning senior citizens, they also prepare themselves to make future contributions to their local communities. The Heinz fellowship enables us to train new leaders in senior citizen advocacy and aging policy. The fellows return to their respective careers with a new understanding about how to work effectively with government, so they may better fulfill their goals as senior citizen advocates.

The John Heinz Fellowship Program has been a valuable tool for Congress and our communities since its establishment in 1992. The continuation of this vital program will signal a sustained commitment to our nation's elderly. I urge my colleagues to join me in cosponsoring this resolution, and urge its swift adoption. 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. 1493

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 ''John Heinz Senate Fellowship Program''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Senator John Heinz believed that Congress has a special responsibility to serve as a guardian for those persons who cannot protect themselves.

(2) Senator Heinz dedicated much of his career in Congress to improving the lives of senior citizens.

(3) It is especially appropriate to honor the memory of Senator Heinz through the creation of a Senate fellowship program to encourage the identification and training of new leadership in aging policy and to bring experts with firsthand experience of aging issues to the assistance of the Congress in order to advance the development of public policy in issues that affect senior citizens.

SEC. 3. FELLOWSHIP PROGRAM.

(a) IN GENERAL.—In order to encourage the identification and training of new leadership in issues affecting senior citizens and to advance the development of public policy with respect to such issues, there is established a John Heinz Senate Fellowship Program.

(b) SENATE FELLOWSHIPS.—The Heinz Family Foundation, in consultation with the Secretary of the Senate, is authorized to select Senate fellowship participants.

(c) SELECTION PROCESS.—The Heinz Family Foundation shall—

(1) publicize the availability of the fellowship program;

(2) develop and administer an application process for Senate fellowships; and

(3) conduct a screening of applicants for the fellowship program.

SEC. 4. COMPENSATION; NUMBER OF FELLOWSHIPS; PLACEMENT.

(a) COMPENSATION.—The Secretary of the Senate is authorized, from funds made available under section 5, to appoint and fix the compensation of each eligible participant selected under this Act for a period determined by the Secretary.

(b) NUMBER OF FELLOWSHIPS.—No more than 2 fellowship participants shall be so employed. Any individual appointed pursuant to this Act shall be subject to all laws, regulations and rules in the same manner and to the same extent as any other employee of the Senate.

(c) PLACEMENT.—The Secretary of the Senate, after consultation with the Majority Leader and Minority Leader of the Senate, shall place eligible participants in positions in the Senate that are, within practical considerations, supportive of the fellowship participants' areas of expertise.

SEC. 5. FUNDS.

The funds necessary to compensate eligible participants under this Act for fiscal year 1999 shall be paid from the contingent fund of the Senate. Such funds shall not exceed, for fiscal year 1999, $71,000. There are authorized to be appropriated $71,000 for each of the fiscal years 2000 through 2004 to carry out the provisions of this Act.

By Mr. BINGAMAN (for himself, Mr. ROCKEFELLER, Ms. SNOWE, and Ms. MIKULSKI):

S. 1494. A bill to ensure that small businesses throughout the United States participate fully in the unfolding electronic commerce revolution through the establishment of an electronic commerce extension program at the National Institutes of Standards and Technology; to the Committee on Commerce, Science, and Transportation.

ELECTRONIC COMMERCE EXTENSION ESTABLISHMENT ACT OF 1999

Mr. BINGAMAN. Mr. President, today I'm very pleased to be joined by Senators ROCKEFELLER, SNOWE, and MIKULSKI in introducing the ''Electronic Commerce Extension Establishment Act of 1999.'' The purpose of this bill is

simple—to ensure that small businesses in every corner of our nation fully participate in the electronic commerce revolution unfolding around us by helping them find and adopt the right e-commerce technology and techniques. It does this by authorizing an ''electronic commerce extension'' program at the National Institute of Standards and Technology modeled on NIST's existing, highly successful Manufacturing Extension Program.

Everywhere you look today, e-commerce—the buying, selling, and even the delivery of goods and services via computer networks—is starting a revolution in American business. Being so new, precise e-commerce numbers are hard to come by, but by one estimate business to business and business to consumer e-commerce sales in 1998 were $100 billion. If you add in the hardware, software, and services making those sales possible, the number rises to $300 billion. That's comparable to adding another entire automobile industry to the economy in the last few years. Another estimate has business to business e-commerce growing to $1.3 trillion by 2003. Whatever the exact numbers, an amazing change in our economy has begun.

But the shift to e-commerce is about more than new ways to sell things; it's about new ways to do things. It promises to transform how we do business—how we design products, manage supply chains and inventories, advertise and distribute goods, et cetera—and thereby boost productivity, the root of long term improvements in our standard of living. A recent Washington Post piece on Cisco Systems, a major supplier of Internet hardware, notes that Cisco saved $500 million last year by selling its products and buying its supplies online. On sales of $8.5 billion, that helped make for some nice profits. Imagine the productivity and economic growth spurred when more firms get efficiencies like that. And that's the point of this bill, to make sure that small businesses get those benefits too.

Electronic commerce is a new use of information technology and the Internet. Many people, including Alan Greenspan, suspect information technology is the major driver behind the productivity and economic growth we've been enjoying. The crucial verb here is ''use.'' It is the widespread use of a more productive technology that sustains accelerated productivity growth. It was steam engine, not its sales, that powered the industrial revolution. In 1899, only about 5 percent of factory horsepower came from electric motors, even though the technologies had been around for two decades. But by 1920, when electric motors finally accounted for more than half of factory horsepower, they created a surge in industrial productivity as more efficient factory designs became common.

Closer to today, in 1987, Nobel Prize winning economist Robert Solow quipped, ''We see the computer age everywhere but in the productivity statistics.'' Well, it looks like the computer has started to show up because more people are using them in more ways, like e-commerce. Information technology producers, companies like Cisco Systems who are, notably, some of the most sophisticated users of IT, are 8 percent of our economy; from 1995 to 1998 they contributed 35 percent of our economic growth. There are also some indications that IT is now improving productivity among companies that only use IT, though economists continue to debate that.

But here's the real point. If we are going to sustain this productivity and economic growth, if this is to be more than a one time boost that dies out, we have to spread sophisticated uses of information technology like e-commerce beyond the high tech sector and companies like Cisco Systems and into every corner of the economy, including small businesses. Back in the 1980s we used to debate if it mattered if we made money selling ''potato chips or computer chips.'' But here's the real difference: consuming a lot of potato chips isn't good for you; consuming a lot of computer chips is.

I emphasize all this because too often our discussions of government policy, technology, and economic growth dwell on the invention and sale of new technologies, which are crucial, but shortchange the all important, but not terribly glamorous topic of their adoption and use. Extension programs, like the electronic commerce extension program in this bill, are policy aimed at precisely spreading the adoption and use of more productive technology by small businesses.

Now, with that in mind, the e-commerce revolution creates both opportunities and challenges for small businesses. On the one hand, it will open new markets to them and help them be more efficient. Many of us have seen that cartoon with a dog in front of a computer saying, ''On the Internet no one knows you're a dog.'' Well, on the web, the garage shop can look as good as IBM or GM. On the other hand, the high fixed costs, low marginal costs, and technical sophistication that can sometimes characterize e-commerce, when coupled with a good brand name, may allow larger, more established e-commerce firms to quickly move from market to market. Amazon.com, perhaps the archetype e-commerce firm, has done such a wonderful job of making a huge variety of books widely available that it's been able to expand to CDs, to toys, to electronics, to auctions. Moreover, firms in more rural or isolated areas have suddenly found sophisticated, low cost, previously distant businesses entering their market, and competing with them. Thus, there is considerable risk that many small businesses be left behind in the shift to e-commerce. That would not be good for them, nor for the rest of us, because we all benefit when everyone is more productive and everyone competes.

The root of this problem is the fact that many small firms have a hard time identifying and adopting new technology. They're hard pressed and hard working, but they just don't have the time, people, or money to understand all the different technologies they might use. And, they often don't even know where to turn for help. Thus, while small firms are very flexible, they can be slow to adopt new technology, because they don't know which to use or what to do about it. That's why we have extension programs. Extension programs give small businesses low cost, impartial advice on what technologies are out there and how to use them.

Extension programs have a long, solid pedigree. They started in 1914, with the Department of Agriculture's Cooperative Extension Service to ''extend'' the benefits of agricultural research to the farmer. That extension service has played no small part in making the American farmer the most productive in the world. More recently, the competitiveness crisis of the 1980's prompted the creation of the Manufacturing Extension Program, or MEP, at NIST to help small manufacturers find and use the technology they need. NIST has done a good job building and managing MEP's network of more than 70 non-profit centers, in all 50 states, with 2000 experts on call, that has helped over 60,000 manufacturers.

Today, the United States is the international leader in e-commerce, but other nations are working to catch up, just like they did in manufacturing. Thus, the time is ripe to solidify our lead in e-commerce and extend it to every part of our economy in every corner of the nation. An electronic commerce extension program will help us do that.

So, what might such a program do? Imagine you're a small specialty foods retailer in rural New Mexico and you see e-commerce as a way to reach more customers. But your specialty is chiles, not computers; imagine all the questions you'd have. How do I sell over the web? Can I buy supplies that way too? How do I keep hackers out of my system? What privacy policies should I follow? How do I use encryption to collect credit card numbers and guarantee customers that I'm who I say I am? Can I electronically integrate my sales orders with instructions to shippers like Federal Express? How might I handle orders from Japan or Holland? Should I band together with other local producers to form a chile cybermall? What servers, software, and telecommunications will I need and how much will it cost? Can I do this via satellite links? Your local e-commerce extension center would answer those questions for you. And, you could trust their advice, because you'd know they were impartial and had no interest in selling you a particular product.

This bill will lead to the creation of a high quality, nationwide network of non-profit organizations providing that kind of expert advice, analogous to the MEP network NIST runs today, but

with a focus on e-commerce and on firms beyond manufacturers. NIST, as part of the Department of Commerce, is a logical choice to run an e-commerce extension program because it's about promoting commerce via technology and standards; recall that the Internet is based on standards for how computers can talk to each other. But the best reason for NIST to do this is that MEP shows they can do it well; that expertise will prove invaluable in getting this new network up and running.

Similarly, this bill is directly modeled on the MEP authorization. It retains the key features of MEP: a network of centers run by non-profits; strict merit selection; cost sharing where the federal government's share decreases from one half to one third over time; and periodic independent review of each center. In addition, it emphasizes serving small businesses in rural or more isolated areas, so that those businesses can get a leg up on e-commerce too. In short, this legislation takes an approach that has already been proven to work.

Practically speaking, if this bill becomes law, I assume NIST, together with its headquarters organization, the Technology Administration, would begin by leveraging their MEP management expertise to start a few e-commerce extension centers and then gradually build out a network separate from MEP. They could also use the study of e-commerce extension resulting from my amendment to the Commerce, State, Justice Appropriations bill the other week. I also want to note that this is a new, separate authorization for an e-commerce extension program because it will have a different focus than MEP and because I do not want it to displace MEP in any way. MEP is a great program. Let's keep it going strong while we build this new e-commerce extension system.

Mr. President, I hope my colleagues will join me in supporting this important, timely, and practical piece of legislation. Just as a strong agricultural sector called for an agricultural extension service, and a strong industrial sector called for manufacturing extension, our shift to an information economy calls for electronic commerce extension.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1494

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 ''Electronic Commerce Extension Establishment Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The United States economy is in the early stages of a revolution in electronic commerce—the ability to buy, sell, and even deliver goods and services through computer networks. Estimates are that electronic commerce sales in 1998 were around $100,000,000,000 and could rise to $1,300,000,000,000 by 2003.

(2) Electronic commerce promises to spur tremendously United States productivity and economic growth—repeating a historical pattern where the greatest impetus toward economic growth lies not in the sale of new technologies but in their widespread adoption and use.

(3) Electronic commerce presents an enormous opportunity and challenge for small businesses. Such commerce will give such businesses new markets and new ways of doing businesses. However, many such business will have difficulty in adopting appropriate electronic commerce technologies and practices. Moreover, such businesses in more rural areas will find distant businesses entering their markets and competing with them. Thus, there is considerable risk many small businesses will be left behind in the shift to electronic commerce.

(4) The United States has an interest in ensuring that small businesses in all parts of the United States participate fully in the electronic commerce revolution, both for the sake of such businesses and in order to promote productivity and economic growth throughout the entire United States economy.

(5) The Federal Government has a long history of successfully helping small farmers with new agricultural technologies through the Cooperative Extension System at the Department of Agriculture, founded in 1914. More recently, the National Institute of Standards and Technology has successfully helped small manufacturers with manufacturing technologies though its Manufacturing Extension Program, established in 1988.

(6) Similarly, now is the time to establish an electronic commerce extension program to help small businesses throughout the United States identify, adapt, and adopt electronic commerce technologies and business practices, thereby ensuring that such businesses fully participate in the electronic commerce revolution.

SEC. 3. PURPOSE.

The purpose of this Act is to establish an electronic commerce extension program focused on small businesses at the National Institute of Standards and Technology.

SEC. 4. ESTABLISHMENT OF ELECTRONIC COMMERCE EXTENSION PROGRAM AT NATIONAL INSTITUTES OF STANDARDS AND TECHNOLOGY.

(a) ESTABLISHMENT.—The National Bureau of Standards Act (15 U.S.C. 271 et seq.) is amended by inserting after section 25 (15 U.S.C. 278k) the following new section:

''REGIONAL CENTERS FOR THE TRANSFER OF ELECTRONIC COMMERCE TECHNOLOGY

''SEC. 25A. (a)(1) The Secretary, through the Undersecretary of Commerce for Technology and the Director and in consultation with other appropriate officials, shall provide assistance for the creation and support of Regional Centers for the Transfer of Electronic Commerce Technology (in this section referred to as 'Centers').

''(2) The Centers shall be affiliated with any United States-based nonprofit institution or organization, or group thereof, that applies for and is awarded financial assistance under this section in accordance with the program established by the Secretary under subsection (c).

''(3) The objective of the Centers is to enhance productivity and technological performance in United States electronic commerce through—

''(A) the transfer of electronic commerce technology and techniques developed at the Institute to Centers and, through them, to companies throughout the United States;

''(B) the participation of individuals from industry, institutions of higher education, State governments, other Federal agencies, and, when appropriate, the Institute in cooperative technology transfer activities;

''(C) efforts to make electronic commerce technology and techniques usable by a wide range of United States-based small companies;

''(D) the active dissemination of scientific, engineering, technical, and management information about electronic commerce to small companies, with a particular focus on reaching those located in rural or isolated areas; and

''(E) the utilization, when appropriate, of the expertise and capability that exists in State and local governments, institutions of higher education, the private sector, and Federal laboratories other than the Institute.

''(b) The activities of the Centers shall include—

''(1) the establishment of electronic commerce demonstration systems, based on research by the Institute and other organizations and entities, for the purpose of technology transfer; and

''(2) the active transfer and dissemination of research findings and Center expertise to a wide range of companies and enterprises, particularly small companies.

''(c)(1) The Secretary may provide financial support to any Center created under subsection (a) in accordance with a program established by the Secretary for purposes of this section.

''(2) The Secretary may not provide to a Center more than 50 percent of the capital and annual operating and maintenance funds required to create and maintain the Center.

''(3)(A) Any nonprofit institution, or group thereof, or consortia of nonprofit institutions may, in accordance with the procedures established by the Secretary under the program under paragraph (1), submit to the Secretary an application for financial support for the creation and operation of a Center under this section.

''(B) In order to receive financial assistance under this section for a Center, an applicant shall provide adequate assurances that it will contribute 50 percent or more of the estimated capital and annual operating and maintenance costs of the Center for the first three years of its operation and an increasing share of such costs over the next three years of its operation.

''(C) An applicant shall also submit a proposal for the allocation of the legal rights associated with any invention which may result from the activities of the Center proposed by the applicant.

''(4)(A) The Secretary shall subject each application submitted under this subsection to merit review.

''(B) In making a decision whether to approve an application and provide financial support for a Center under this section, the Secretary shall consider at a minimum—

''(i) the merits of the application, particularly the portions of the application regarding technology transfer, training and education, and adaptation of electronic commerce technologies to the needs of particular industrial sectors;

''(ii) the quality of service to be provided;

''(iii) geographical diversity and extent of service area; and

''(iv) the percentage of funding and amount of in-kind commitment from other sources.

''(5)(A) Each Center receiving financial assistance under this section shall be evaluated during the third year of its operation by

an evaluation panel appointed by the Secretary.

''(B) Each evaluation panel under this paragraph shall be composed of private experts, none of whom shall be connected with the Center involved, and with appropriate Federal officials. An official of the Institute shall chair each evaluation panel.

''(C) Each evaluation panel under this paragraph shall measure the performance of the Center involved against the objectives specified in this section and under the arrangement between the Center and the Institute.

''(6) The Secretary may not provide funding for a Center under this section for the fourth through the sixth years of its operation unless the evaluation regarding the Center under paragraph (5) is positive. If such evaluation for a Center is positive, the Secretary may provide continued funding for the Center through the sixth year of its operation at declining levels.

''(7)(A) After the sixth year of operation of a Center, the Center may receive additional financial support under this section if the Center has received a positive evaluation of its operation through an independent review conducted under procedures established by the Institute. Such independent review shall be undertaken for a Center not less often than every two years commencing after the sixth year of its operation.

''(B) The amount of funding received by a Center under this section for any fiscal year of the Center after the sixth year of its operation may not exceed an amount equal to one-third of the capital and annual operating and maintenance costs of the Center in such fiscal year under the program.

''(8) The provisions of chapter 18 of title 35, United States Code, shall (to the extent not inconsistent with this section) apply to the promotion of technology from research by Centers under this section except for contracts for such specific technology extension or transfer services as may be specified by statute or by the Director.

''(d)(1) In addition to such sums as may be appropriated to the Secretary and Director for purposes of the support of Centers under this section, the Secretary and Director may accept funds from other Federal departments and agencies for such purposes.

''(2) The selection and operation of a Center under this section shall be governed by the provisions of this section, regardless of the Federal department or agency providing funds for the operation of the Center.

''(e) In this section, the term 'electronic commerce' means the buying, selling, and delivery of goods and services, or the coordination or conduct of economic activities within and among organizations, through computer networks.''.

(b) DESCRIPTION OF PROGRAM.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall publish in the Federal Register a proposal for the program required by section 25A(c) of the National Bureau of Standards Act, as added by subsection (a).

(2) The proposal for the program under paragraph (1) shall include—

(A) a description of the program;

(B) procedures to be followed by applicants for support under the program;

(C) criteria for determining qualified applicants under the program;

(D) criteria, including the criteria specified in paragraph (4) of such section 25A(c), for choosing recipients of financial assistance under the program from among qualified applicants; and

(E) maximum support levels expected to be available to Centers for the Transfer of Electronic Commerce Technology under the program in each year of assistance under the program.

(3) The Secretary shall provide a 30-day period of opportunity for public comment on the proposal published under paragraph (1).

(4) Upon completion of the period referred to in paragraph (3), the Secretary shall publish in the Federal Register a final version of the program referred to in paragraph (1). The final version of the program shall take into account public comments received by the Secretary under paragraph (3).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for the Department of Commerce each fiscal year such amounts as may be required during such fiscal year for purposes of activities under section 25A of the National Bureau of Standards Act, as added by subsection (a).

By Mr. DEWINE:

S. 1495. A bill to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new and revised toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness; to the Committee on Health, Education, Labor, and Pensions.

THE ICCVAM AUTHORIZATION ACT OF 1999

● Mr. DEWINE. Mr. President, I rise today to introduce a bill that would authorize the Interagency Coordinating Committee on the Validation of Alternative Methods, otherwise known as ''ICCVAM.'' This bill would permanently establish ICCVAM, which currently only exists as a ''standing'' committee—so, it could be dismantled at any time. This bill would make it more permanent, thus giving companies and Federal agencies a sense of certainty, and encourage them to make the long term research investments that are required to develop alternative animal toxicology test methods for ICCVAM to review. This will decrease, and may ultimately lead to the end of, the use of animals in testing cosmetics, shampoos, detergents, and other products.

ICCVAM was created pursuant to the 1993 National Institutes of Health Revitalization Act's mandate that the National Institute of Environmental Health Sciences (NIEHS) recommend new processes for Federal agencies' acceptance of alternative toxicology tests using animals. ICCVAM is composed of representatives of 13 Federal agencies that use animals in toxicology research.

ICCVAM evaluates and recommends improved testing methods and makes it possible for more uniform testing to be adopted across Federal agencies. This legislation maintains the current practice of leaving the ultimate decision of whether or not to adopt the new test method up to each individual Federal agency. For example, a new lab test using a skin substitute has been evaluated and accepted by ICCVAM so that potentially toxic substances can first be tested on this ''substitute skin'' rather than on an animal. The test is a measure of the ability of a chemical to burn the skin. If the substance tests positive (i.e., burns or irritates the ''substitute skin''), then it could be considered to produce skin burns and no animal would be used in further testing. If the substance does not irritate the ''artificial skin,'' then the substance might then be tested on an animal. Ultimately, ICCVAM streamlines the test method validation and approval process by evaluating methods of interest to multiple agencies. By having the same method in place in multiple agencies, it aids in reducing the need to perform multiple animal tests to meet the requirements of various federal agencies. This bill and ICCVAM do not apply to regulations related to medical research. This bill is supported by the Humane Society of the United States, the Doris Day Animal League, Procter & Gamble, the American Humane Association, Colgate-Palmolive Company, the Gillette Company, and the Massachusetts Society for the Prevention of Cruelty to Animals.●

By Mrs. BOXER (for herself, Mr. SMITH of Oregon, and Mr. LAUTENBERG):

S. 1497. A bill to amend the Foreign Assistance Act of 1961 to take steps to control the growing international problem of tuberculosis; to the Committee on Foreign Relations.

INTERNATIONAL TUBERCULOSIS CONTROL ACT OF 1999

Mrs. BOXER. Mr. President, today I am pleased to be joined by my colleague on the Foreign Relations Committee, Senator SMITH of Oregon, and by Senator LAUTENBERG in introducing the International Tuberculosis Control Act.

This bill speaks to the growing international problem of tuberculosis. That is a disease we thought we had eliminated—and in fact, in the Western World, we largely did with the development of antibiotics in the 1950s. But the disease is making a comeback. As the World Health Organization (WHO) notes on the back cover of its most recent report on TB, ''The tuberculosis epidemic is growing larger and more dangerous each year.''

According to the WHO, last year, nearly 2 million people died of tuberculosis-related conditions. And—get this—the WHO estimates that one-third of the entire world's population is infected with TB.

Like so many other diseases, it impacts women disproportionately. TB is the world's leading killer of women between the ages of 15 and 44. For women in the primes of their lives, more than twice as many die of tuberculosis than because of war. TB kills three times as many women aged 15–44 as HIV/AIDS, and three times as many as heart disease.

And it is a leading cause of children becoming orphans.

But this is not just a growing international problem. Because of its persistence abroad, it is having a tremendous impact here at home.

TB is an airborne disease. You can get it when someone coughs or sneezes.

And with the increased immigration and travel to the United States—as well as the homeless population, the rate of incarceration, and HIV/AIDS—we are seeing it re-emerge in many of our communities. Nearly 40 percent of the TB cases in the United States are attributable to foreign-born individuals.

We have seen it in my state of California, where local public health officials never thought they would have to worry about TB again. But they are. In 1997, nearly 20,000 TB cases were reported to the Centers for Disease Control. And over 4000 of them—20 percent of all TB cases in the United States—were in California.

The headline on the March 25 editorial in ''The Oakland Tribune'' said it best: ''We ignore TB at our peril.'' Public health officials acknowledge that the key to controlling TB at home is to control TB abroad.

Fortunately, the experts know what to do—and it works. TB can be treated and cured. We have seen that in this country.

But in many other countries where this disease persists, there are numerous barriers that are facing public health officials. For example, the process for screening, detecting, and treating tuberculosis is very lengthy and labor intensive. Also, there is a lack of trained personnel and medicine in those nations with a high incidence of TB.

The United States Agency for International Development (USAID) and the World Health Organization have begun implementing a program to eliminate these barriers and to treat and control tuberculosis. So far, they have had some success. But the resources are, quite frankly, inadequate.

And they may become even more inadequate in the near future. The WHO is currently developing a global action plan to combat tuberculosis. That plan should be finalized and ready for implementation early in the year 2001. But unless there is a greater global investment of resources, we may have an action plan that does not see much action.

So the purpose of our bill is two-fold. First, we must raise awareness that TB is still a problem. I suspect that few Americans realize that the disease persists—not only in other countries, but also right here in the United States. And fewer still realize how easily it can be transmitted.

Second, we must increase the resources available to fight this disease in foreign countries.

This year, USAID will spend about $12 million on fighting tuberculosis abroad. Under the Foreign Operations Appropriations bill, as passed by the Senate, there should be enough funding for USAID to increase that to about $14 million next year.

I wanted to increase that even more, and I offered an amendment to the Foreign Operations bill. My amendment, which was accepted, says that if more money overall is provided for foreign aid programs before the appropriations bill becomes law, a top priority should be to provide more money for the infectious disease control program, especially tuberculosis.

But, Mr. President, I am not sure that will happen, and even if it does, I do not believe it will be enough. So our bill would authorize $60 million for fiscal year 2001—a five-fold increase over current funding levels—so that USAID can expand the work it has begun.

Make no mistake, we cannot do this alone. That is why this legislation calls on USAID to coordinate its efforts with the WHO and other organizations and why the bill adopts detection- and cure-rate goals based on the goals established by WHO. This must be a global effort with contributions and participation from nations around the world. But it is also an opportunity for the United States to provide global leadership.

Mr. President, this bill is supported by the American Lung Association, Results, the Global Health Council, and Princeton Project 55, an organization formed specifically to fight the international TB problem. I ask unanimous consent that the statements of support from these groups be included in the RECORD.

I am pleased to have their support, and I am pleased to have the cosponsorship of my colleagues from Oregon and New Jersey. I hope others will join us in this important bipartisan effort.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

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

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 ''International Tuberculosis Control Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since the development of antibiotics in the 1950s, tuberculosis has been largely controlled in the United States and the Western World.

(2) Due to societal factors, including growing urban decay, inadequate health care systems, persistent poverty, overcrowding, and malnutrition, as well as medical factors, including the HIV/AIDS epidemic and the emergence of multi-drug resistant strains of tuberculosis, tuberculosis has again become a leading and growing cause of adult deaths in the developing world.

(3) According to the World Health Organization—

(A) in 1998, about 1,860,000 people worldwide died of tuberculosis-related illnesses;

(B) one-third of the world's total population is infected with tuberculosis; and

(C) tuberculosis is the world's leading killer of women between 15 and 44 years old and is a leading cause of children becoming orphans.

(4) Because of the ease of transmission of tuberculosis, its international persistence and growth pose a direct public health threat to those nations that had previously largely controlled the disease. This is complicated in the United States by the growth of the homeless population, the rate of incarceration, international travel, immigration, and HIV/AIDS.

(5) With nearly 40 percent of the tuberculosis cases in the United States attributable to foreign-born persons, tuberculosis will never be controlled in the United States until it is controlled abroad.

(6) The means exist to control tuberculosis through screening, diagnosis, treatment, patient compliance, monitoring, and ongoing review of outcomes.

(7) Efforts to control tuberculosis are complicated by several barriers, including—

(A) the labor intensive and lengthy process involved in screening, detecting, and treating the disease;

(B) a lack of funding, trained personnel, and medicine in virtually every nation with a high rate of the disease;

(C) the unique circumstances in each country, which requires the development and implementation of country-specific programs; and

(D) the risk of having a bad tuberculosis program, which is worse than having no tuberculosis program because it would significantly increase the risk of the development of more widespread drug-resistant strains of the disease.

(8) Eliminating the barriers to the international control of tuberculosis through a well-structured, comprehensive, and coordinated worldwide effort would be a significant step in dealing with the increasing public health problem posed by the disease.

SEC. 3. ASSISTANCE FOR TUBERCULOSIS PREVENTION, TREATMENT, CONTROL, AND ELIMINATION.

Section 104(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) is amended by adding at the end the following:

''(4)(A) Congress recognizes the growing international problem of tuberculosis and the impact its continued existence has on those nations that had previously largely controlled the disease. Congress further recognizes that the means exist to control and treat tuberculosis, and that it is therefore a major objective of the foreign assistance program to control the disease. To this end, Congress expects the agency primarily responsible for administering this part—

''(i) to coordinate with the World Health Organization, the Centers for Disease Control, the National Institutes of Health, and other organizations toward the development and implementation of a comprehensive tuberculosis control program; and

''(ii) to set as a goal the detection of at least 70 percent of the cases of infectious tuberculosis, and the cure of at least 85 percent of the cases detected, in those countries in which the agency has established development programs, by December 31, 2010.

''(B) There are authorized to be appropriated to the President, $60,000,000 for fiscal year 2001 to be used to carry out this paragraph. Funds appropriated under this subparagraph are authorized to remain available until expended.''.

AMERICAN THORACIC SOCIETY,
August 4, 1999.

Hon. BARBARA BOXER,
U.S. Senate, Washington, DC.

DEAR SENATOR BOXER: On behalf of the American Lung Association and its medical section, the American Thoracic Society, I want to express our strong support for your legislation, the International Tuberculosis Control Act 1999. This bill will provide needed resources to combat the threat that tuberculosis poses the world and to the United States.

The American Lung Association was founded in 1904 as the National Association for the Study of Prevention of Tuberculosis.

While the American Lung Associations and its medical section, the American Thoracic Society has made steady progress over the past 90 years, much has changed in the area of U.S. tuberculosis control. The two biggest changes have been the development of multi-drug resistant tuberculosis and the growth of foreign-born cases of TB in the U.S.

Multi-drug resistant tuberculosis (MDR–TB) is a form of tuberculosis that is resistant to two or more of the primary drugs used to treat TB. A strain of MDR–TB develops when a case of a drug susceptible TB is improperly treated. MDR–TB is more expensive to treat and more likely to kill. MDR–TB is on the rise, both in the U.S., and throughout the world. Unless we quickly develop and implement an effective global response to TB, deadly strains of MDR–TB will continue to spread.

Tuberculosis will kill almost two million people this year. Eight million people will become sick with the disease. Today nearly 40% of TB cases in the U.S. are in foreign-born individuals. We can't stop TB from entering the country. But through our continued support of global TB programs we can reduce the impact of the disease around the world and at home.

The U.S. Agency for International Development has taken initial steps towards coordinating an international response to the global TB epidemic. Your legislation will provide the U.S. Agency for International Development the resources needed to plan and implement a cooperative global TB control strategy. With direction from Congress and your leadership we are confident that U.S. can lead the way to controlling TB globally.

Sincerely,

FRAN DUMELLE,
Deputy Managing Director.

PRINCETON PROJECT 55 INC.,
TUBERCULOSIS INITIATIVE,
Washington, DC, August 3, 1999.

Senator BARBARA BOXER,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR BOXER, The Princeton Project 55 Tuberculosis Initiative (TBI) would like to express its support for your sponsorship of the ''International Tuberculosis Control Act of 1999,'' aimed at increasing funding for international TB control. At a time when funding for tuberculosis is severely inadequate, it is important that additional monies be allocated to fight the world's second leading infectious disease killer.

The TBI commends your leadership in calling attention to the TB threat and your work to increase funding for the international fight against tuberculosis. In order to control TB within the United States, it is crucial that we control TB internationally.

As you know, although TB is an easily preventable and 100% curable disease, over one third of the world's population is infected with TB and many international TB control programs are poorly managed and underfunded. It has been proven that TB treatment is cost-effective and saves both money and lives. Yet only 16% of TB patients receive the recommended Directly Observed Therapy (DOTS) regimen. The risk of multi-drug resistant TB, a strain of TB that is often incurable, has become more widespread as a result of the poorly organized TB control programs.

Your bill's proposed $60 million for U.S. Agency for International Development (USAID) to support tuberculosis control would expand funding to develop country-specific plans for TB control programs for nations with the highest prevalence of TB. Many of these nations face major barriers to effective TB control programs, including lack of funds, trained personnel, and drug supply. The $60 million would also increase support to develop an integrated global tuberculosis control program in coordination with Centers for Disease Control (CDC), National Institutes of Health (NIH), World Health Organization (WHO), and private voluntary organizations.

The Princeton Project 55 Tuberculosis Initiative has worked tirelessly with you and other health organizations to increase awareness of the need for increased international tuberculosis funding. Your bill aims to control TB internationally now, before the problem is uncontrollable. The bill also brings needed attention to an often forgotten disease.

The TBI congratulates your efforts to fight TB and looks forward to working with you in the future, to ensure the passage of your TB bill in the coming legislative session.

Sincerely,

GORDON DOUGLAS,
Project Manager.
RALPH NADER,
Steering Committee.

GLOBAL HEALTH COUNCIL,
August 4, 1999.

Senator BARBARA BOXER,
112 Hart Office Building,
Washington, DC

DEAR SENATOR BOXER. On behalf of the Global Health Council, a private, not-for-profit membership organization consisting of over 2000 individual and organizational members world-wide, I would like to thank you for your support and leadership on the issue of tuberculosis control. Your bill, the ''International Tuberculosis Control Act of 1999,'' is an important step in the prevention of and fight against tuberculosis.

I would especially like to commend you on your recognition of the increase of tuberculosis internationally and the problem of the development of multiple drug resistant strains of the disease. World wide, more people die of tuberculosis than at any other time in our history—between two to three million deaths per year. Projections indicate that left unchecked, the death toll for this disease could reach as high as 30 million in the next decade.

The problem of Multiple Drug Resistant Tuberculosis—100 times more expensive to treat—is emerging in communities around the world. Inappropriate treatment regimens, self-medication, the proliferation of inferior drugs, and interruptions in patient treatment all give TB the opportunity to become resistant to one or more drugs over times, making the disease more expensive and difficult to cure.

As we move towards a global economy—economic trade policy, improved transportation and tourism, voluntary and forced migration have collectively changed the pattern and spread of infectious diseases. Last year, more than 19,000 people came down with this disease in the U.S.—more than 4,000 in California.

A 1998 General Accounting report highlights the new reality: the world now has tools and the know-how to vastly improve the health of the four billion humans living in poverty in the developing world. It also makes clear that there are enormous benefits to the American people, both in terms of health and of economics that will come from improving the health of others.

Your legislation is another step towards achieving this new reality. It sets achievable goals that will work to control the threat of tuberculosis in our nation and in our world. Thank you again for your commitment to this cause. we look forward to working with you to assure global health for all.

Sincerely,

NILS DAULAIRE, MD, MPH,
President & CEO

RESULTS HAILS SENATOR BOXER'S EFFORTS TO CONTROL TB'S SPREAD: TUBERCULOSIS IS ON THE RISE AROUND THE WORLD—KILLING AS MANY AS 2 MILLION PEOPLE EACH YEAR.

WASHINGTON, D.C.—Senator Boxer (D–CA), along with Senator Smith (R–OR) and Senator Lautenberg (D–NJ) introduced legislation today which would control the growing problem of tuberculosis internationally. The bill calls for the investment of $60 million next year to jump-start tuberculosis control programs in some of the countries of the world with the highest TB rates.

Senator Barbara Boxer, a leading health advocate in Congress, is also a member of the Foreign Relations Committee. Her bill sets out to address the fact that despite the existence of an extremely cost-effective TB treatment (according to the World Bank, an investment of between $20–$100 can save a life), only 16 percent of those with active TB, actually have access to it.

The fact that millions of victims are not being treated for TB, combined with its highly infectious nature, has resulted in two million people dying every year from this disease. TB kills more women than any cause of maternal mortality and is the biggest killer of people with AIDS. In addition, with the rise in global travel and with forty percent of TB cases here in the United States attributable to foreign born persons, tuberculosis will never be eliminated in this country until it is controlled worldwide. Multi drug resistant TB, the result of poor treatment programs, threaten to render this disease incurable unless we act now.

RESULTS Executive Director, Lynn McMullen, praised Boxer for her leadership. ''Thanks to the efforts of Senator Boxer and her colleagues, TB will not be allowed to spread unchecked around the world. Her commitment to controlling this plague will mean millions of lives saved.''

RESULTS is a citizens grassroots advocacy organization which works to end hunger and the worst aspects of poverty.

Mr. SMITH of Oregon. Mr. President, I am pleased to join my colleague Senator BOXER in introducing this legislation to help control a deadly and easily communicable disease—tuberculosis (TB). I, like many of you, thought we had this scourge under control since the development of antibiotics more than 40 years ago.

However, TB is a real problem here and abroad. It is a disease that knows no borders—because of the ease of transmission of TB, its growth abroad poses a real public health threat to nations like the United States that had previously controlled TB.

Our bill will authorize $60 million in FY 2001 to help control this deadly disease. This bill calls for a coordinated effort to wipe out this disease and sets goals for the detection and cure.

The statistics surrounding tuberculosis are terrifying. TB kills almost 2 million people abroad every year. The rate of infection abroad is increasing each year and TB is transmitted as easily as the common cold. Every second someone is infected with TB. Further, TB is the leading killer of women, more than any single cause of maternal

mortality. This has an enormous impact on families and the very social fabric of a society. TB is the leading cause of death among HIV-positive individuals. It accounts for almost one-third of AIDS deaths worldwide.

Many TB cases are easily treatable by a six-month antibiotic regimen. Tragically, this regimen is only used in 15% of TB cases worldwide. An untreated person with active TB will infect 10–15 people per year. TB control programs are underfunded and poorly organized in many countries. Since millions of people travel between the U.S. and other nations daily, we must develop stable country-specific programs that will control this disease.

I believe that our bill is a good strong step towards ending TB here and abroad and I look forward to working with my colleague from California on this legislation. I ask all my colleagues in the Senate to support his important legislation.

Mr. LAUTENBERG. Mr. President, I rise as a proud cosponsor of legislation the Senator from California, Senator BOXER, is introducing today, the ''International Tuberculosis Act of 1999.'' This bill seeks to control the growing international problem of tuberculosis.

Mr. President, we cannot stand idly by while tuberculosis kills more people worldwide than AIDS and malaria combined, and yet still receives substantially less attention and aid dollars.

Although the introduction of antibiotics in the 1950's led to the near eradication of tuberculosis, it still plagues many nations throughout the world. In 1993 the World Health Organization declared tuberculosis to be a public health emergency, with an estimated 1,700 million people, or nearly one third of the world's population, infected with the tubercle bacillus. The World Health Organization estimates that eight million people get TB every year, and an estimated 3 million die from the disease annually.

Mr. President, the registered number of new cases of TB worldwide roughly correlates with economic conditions: the highest incidences are seen in those countries of Africa, Asia, and Latin America with the lowest gross national products. We must now face the realization that without much needed aid, most of the countries with a high burden of TB will not be able to reach the targets for TB control established by the World Health Assembly for the year 2000. In human terms, this means that each year millions of lives could be lost due to a preventable and curable disease.

Thankfully, Mr. President, efforts to combat this terrible disease have been largely successful inside U.S. borders. In my own State of New Jersey, the number of people with active tuberculosis has declined each year for the past six years. But the problem still persists. Each year over 25,000 people in the United States contract TB. The treat of infection here in America still looms large for anyone who travels abroad or comes into contact with those who have recently traveled outside the United States. This disease does not discriminate: People of all ages, all nationalities and all incomes can get tuberculosis.

An airborne disease that can be spread through a simple cough, TB can be carried around the world in a matter of hours on a transcontinental flight. Nearly 40 percent of TB cases in the U.S. are attributable to foreign-born persons. Until TB is eradicated worldwide, no person—no American—will ever be safe from its affliction.

Only small steps have been taken to eradicate TB outside the United States. Medical experts estimate that over $1 billion is necessary to control TB. This money will allow scientists and doctors to take the necessary steps to wipe out this disease, much like the world community has already done with malaria and small pox. The longer we wait, the larger the TB population will be. This translates into higher costs to eradicate this debilitating disease. International organizations note that for every dollar spent on prevention, a nation saves between three and four dollars in treatment.

Mr. President, TB control efforts have received approximately $12 million a year for the last two fiscal years under USAID's Infectious Disease Initiative to create a TB Global Action Plan. However, this is not enough; an increase in funding is critical if tuberculosis is to be vanquished. The U.S. must do its part.

An increase in funding to $60 million for TB would help expedite global action, and give aid officials the necessary resources to develop and implement country specific plans for control programs for nations with a high prevalence of TB. Once a plan is implemented, it is necessary to formulate a systematic program to avoid increases of drug resistant strains of TB.

A plan, coordinated with the World Health Organization, the Centers for Disease Control, the National Institutes of Health and other organizations, will expand and provide a framework for enhanced direction and coordination of worldwide tuberculosis research activities, translate research results into efficient and effective TB control practices which are applicable to all environments, and engage society and government control programs more quickly and widely.

The American Lung Association, American Thoracic Society and International Union Against Tuberculosis and Lung Disease and other renowed organizations support an increase in funding for TB prevention.

Mr. President, a global TB prevention effort makes sense. The benefits outweigh the costs. Given the importance of a global plan to eradicate TB, and its potential in saving lives, I urge the Senate to approve this bill.

Mr. President, tuberculosis is a global problem. We will never control TB in this country until we control it worldwide, since infectious diseases do not stop at the border. I commend the Senator from California for introducing this important and timely legislation to address tuberculosis effectively now. I hope and believe this bill will gain the support of the full Senate.

I yield the floor.

ADDITIONAL COSPONSORS

S. 285

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

S. 343

At the request of Mr. BOND, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 343, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

S. 391

At the request of Mr. KERREY, the names of the Senator from Michigan (Mr. ABRAHAM), and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 391, a bill to provide for payments to children's hospitals that operate graduate medical education programs.

S. 514

At the request of Mr. COCHRAN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 514, a bill to improve the National Writing Project.

S. 622

At the request of Mr. KENNEDY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 622, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 805

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 805, a bill to amend title V of the Social Security Act to provide for the establishment and operation of asthma treatment services for children, and for other purposes.

S. 941

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 941, a bill to amend the Public Health Service Act to provide for a public response to the public health crisis of pain, and for other purposes.

S. 980

At the request of Mr. BAUCUS, the name of the Senator from Oklahoma

(Mr. INHOFE) was added as a cosponsor of S. 980, a bill to promote access to health care services in rural areas.

S. 1072

At the request of Mr. EDWARDS, his name was added as a cosponsor of S. 1072, a bill to make certain technical and other corrections relating to the Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.).

S. 1144

At the request of Mr. VOINOVICH, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Florida (Mr. GRAHAM), and the Senator from Florida (Mr. MACK) were added as cosponsors of S. 1144, a bill to provide increased flexibility in use of highway funding, and for other purposes.

S. 1185

At the request of Mr. ABRAHAM, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1185, a bill to provide small business certain protections from litigation excesses and to limit the product liability of non-manufacturer product sellers.

S. 1214

At the request of Mr. THOMPSON, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 1214, a bill to ensure the liberties of the people by promoting federalism, to protect the reserved powers of the States, to impose accountability for Federal preemption of State and local laws, and for other purposes.

S. 1255

At the request of Mr. ABRAHAM, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1255, a bill to protect consumers and promote electronic commerce by amending certain trademark infringement, dilution, and counterfeiting laws, and for other purposes.

S. 1263

At the request of Mr. JEFFORDS, the names of the Senator from Montana (Mr. BURNS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. HAGEL), the Senator from Oklahoma (Mr. INHOFE), the Senator from Texas (Mrs. HUTCHISON), and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1263, a bill to amend the Balanced Budget Act of 1997 to limit the reductions in medicare payments under the prospective payment system for hospital outpatient department services.

S. 1272

At the request of Mr. NICKLES, the names of the Senator from Indiana (Mr. BAYH) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 1272, a bill to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes.

S. 1310

At the request of Ms. COLLINS, the names of the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 1310, a bill to amend title XVIII of the Social Security Act to modify the interim payment system for home health services, and for other purposes.

S. 1328

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1328, a bill to amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax information by the Secretary of the Treasury to facilitate combined Federal and State employment tax reporting, and for other purposes.

S. 1333

At the request of Mr. WYDEN, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1333, a bill to expand homeownership in the United States.

S. 1440

At the request of Mr. GRAMM, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 1440, a bill to promote economic growth and opportunity by increasing the level of visas available for highly specialized scientists and engineers and by eliminating the earnings penalty on senior citizens who continue to work after reaching retirement age.

S. 1473

At the request of Mr. ROBB, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1473, a bill to amend section 2007 of the Social Security Act to provide grant funding for additional Empowerment Zones, Enterprise Communities, and Strategic Planning Communities, and for other purposes.

SENATE CONCURRENT RESOLUTION 34

At the request of Mr. SPECTER, the names of the Senator from North Dakota (Mr. DORGAN), and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of Senate Concurrent Resolution 34, A concurrent resolution relating to the observence of ''In Memory'' Day.

SENATE RESOLUTION 95

At the request of Mr. THURMOND, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of Senate Resolution 95, a resolution designating August 16, 1999, as ''National Airborne Day.''

SENATE RESOLUTION 108

At the request of Mr. BREAUX, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of Senate Resolution 108, A resolution designating the month of March each year as ''National Colorectal Cancer Awareness Month.''

AMENDMENT NO. 1495

At the request of Mr. BAUCUS the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of amendment No. 1495 intended to be proposed to S. 1233, an original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes.

SENATE CONCURRENT RESOLUTION 50—EXPRESSING THE SENSE OF THE CONGRESS CONCERNING THE CONTINUOUS REPRESSION OF FREEDOM OF EXPRESSION AND ASSEMBLY, AND OF INDIVIDUAL HUMAN RIGHTS, IN IRAN, AS EXEMPLIFIED BY THE RECENT REPRESSION OF THE DEMOCRATIC MOVEMENT OF IRAN

Mr. BROWNBACK (for Mr. LIEBERMAN, Mr. LOTT, Mr. HELMS, Mr. GRAHAM, Mr. MACK, Mr. WELLSTONE, and Mr. WYDEN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 50

Whereas freedom of expression and assembly, individual human rights, and pursuit of democratic ideals have been systematically repressed by the government of Iran;

Whereas in recent months several members of the press and other individuals who peacefully criticized the policies of the Islamic Republic of Iran were assassinated by elements that are now known to have belonged to the Iranian government's security forces;

Whereas this continuous repression of freedom has been once more exemplified by the vicious and unjustifiable assault by the government of Iran and its vigilantes on students who marched peacefully and within the law on July 8, 1999, to protest, on the grounds of democracy, freedom of the press, and individual and civil rights, the closure of a reformist newspaper, Salaam;

Whereas the Iranian government forces and vigilantes killed, wounded, and incarcerated students and destroyed their dormitories, rooms, and belongings;

Whereas the Iranian government now has accused falsely and unjustifiably a number of students and other seekers of democracy and human rights of high crimes, theoretically punishable by death under Iranian law; and

Whereas freedom of expression and assembly are fundamental human rights which are recognized as such under the United Nations Declaration of Human Rights: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SENSE OF CONGRESS REGARDING THE REPRESSION OF THE DEMOCRATIC MOVEMENT OF IRAN.

(a) CONDEMNATION.—Congress hereby condemns the repressive actions taken by the Iranian government against the democratic movement of Iran.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Iranian government should respect the fundamental principles contained in the Universal Declaration of Human Rights and, thereby, to cease its repression of peaceful dissent and to release unharmed the student leaders and the other pro democracy activists the government continues to detain;

(2) the President of the United States should give clear voice to—

(A) the abhorrence of the American people for the violence used against the Iranian students and pro-democracy activists; and

(B) the solidarity of the United States with the values and objectives that the students and activists have espoused;

(3) the European allies of the United States, who maintain political and economic relations with Iran, should convey their own concerns and objections to the Iranian authorities;

(4) the Secretary of State should urge the Secretary General of the United Nations to exercise his influence with the Iranian government to secure the release of the student leaders and other pro-democracy activists who are now being detained and whose lives are threatened;

(5) the Secretary of State should urge the United Nations High Commissioner for Human Rights to convey her concern for the safety of the Iranian student leaders and other pro-democracy activists to the Iranian government and should assist in securing their prompt release; and

(6) the United States delegate to the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its upcoming meeting, should introduce a resolution calling for the release of the Iranian student leaders and other pro-democracy activists and the termination of repressive actions against the nonviolent and democratic student movement of Iran.

SENATE RESOLUTION 172—TO ESTABLISH A SPECIAL COMMITTEE OF THE SENATE TO ADDRESS THE CULTURAL CRISIS FACING AMERICA

Mr. BROWNBACK (for himself, Mr. MOYNIHAN, Mr. LOTT, Mr. DORGAN, Mr. ALLARD, Mr. CONRAD, Mr. ABRAHAM, Mr. COVERDELL, Mr. SESSIONS, and Mr. CRAIG) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 172

Resolved,

SECTION 1. ESTABLISHMENT OF THE SPECIAL COMMITTEE.

(a) ESTABLISHMENT.—There is established a special committee of the Senate to be known as the Special Committee on American Culture (hereafter in this resolution referred to as the ''special committee'').

(b) PURPOSE.—The purpose of the special committee is—

(1) to study the causes and reasons for social and cultural regression;

(2) to make such findings of fact as are warranted and appropriate, including the impact that such negative cultural trends and developments have on the broader society, particularly in regards to child well-being; and

(3) to explore means of cultural renewal.

No proposed legislation shall be referred to the special committee, and the committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(c) TREATMENT AS STANDING COMMITTEE.—For purposes of paragraphs 1, 2, 7(a) (1) and (2), and 10(a) of rule XXVI and rule XXVII of the Standing Rules of the Senate, and section 202 (i) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.

SEC. 2. MEMBERSHIP AND ORGANIZATION OF THE SPECIAL COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The special committee shall consist of 7 members of the Senate—

(A) 4 of whom shall be appointed by the President pro tempore of the Senate from the majority party of the Senate upon the recommendation of the Majority Leader of the Senate; and

(B) 3 of whom shall be appointed by the President pro tempore of the Senate from the minority party of the Senate upon the recommendation of the Minority Leader of the Senate.

(2) VACANCIES.—Vacancies in the membership of the special committee shall not affect the authority of the remaining members to execute the functions of the special committee and shall be filled in the same manner as original appointments to it are made.

(3) SERVICE.—For the purpose of paragraph 4 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member, chairman, or vice chairman of the special committee shall not be taken into account.

(b) CHAIRMAN.—The chairman of the special committee shall be selected by the Majority Leader of the Senate and the vice chairman of the special committee shall be selected by the Minority Leader of the Senate. The vice chairman shall discharge such responsibilities as the special committee or the chairman may assign.

SEC. 3. AUTHORITY OF SPECIAL COMMITTEE.

(a) IN GENERAL.—For the purposes of this resolution, the special committee is authorized, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel;

(3) to hold hearings;

(4) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate;

(5) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents;

(6) to take depositions and other testimony;

(7) to procure the services of individual consultations or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946; and

(8) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a nonreimbursable basis the services of personnel of any such department or agency.

(b) OATHS FOR WITNESSES.—The chairman of the special committee or any member thereof may administer oaths to witnesses.

(c) SUBPOENAS.—Subpoenas authorized by the special committee may be—

(1) issued over the signature of the chairman after consultation with the vice chairman, or any member of the special committee designated by the chairman after consultation with the vice chairman; and

(2) served by any person designated by the chairman or the member signing the subpoena.

(d) OTHER COMMITTEE STAFF.—The special committee may use, with the prior consent of the chairman of any other Senate committee or the chairman of any subcommittee of any committee of the Senate and on a nonreimburseable basis, the facilities or services of any members of the staff of such other Senate committee whenever the special committee or its chairman, following consultation with the vice chairman, considers that such action is necessary or appropriate to enable the special committee to make the investigation and study provided for in this resolution.

(e) USE OF OFFICE SPACE.—The staff of the special committee may be located in the personal office of a Member of the special committee.

SEC. 4. REPORT AND TERMINATION.

The special committee shall report its findings, together with such recommendations as it deems advisable, to the Senate prior to December 31, 2000.

SEC. 5. FUNDING.

(a) IN GENERAL.—From the date this resolution is agreed to through December 31, 2000, the expenses of the special committee incurred under this resolution—

(1) shall be paid out of the miscellaneous items account of the contingent fund of the Senate;

(2) shall not exceed $500,000, of which amount not to exceed $150,000 shall be available for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)); and

(3) shall include sums in addition to expenses described under paragraph (2), as may be necessary for agency contributions related to compensation of employees of the special committee.

(b) PAYMENT OF EXPENSES.—Payment of expenses of the special committee shall be disbursed upon vouchers approved by the chairman, except that vouchers shall not be required for disbursements of salaries (and related agency contributions) paid at an annual rate.

SENATE RESOLUTION 173—TO AUTHORIZE REPRESENTATION OF THE SENATE COMMITTEE ON ARMED SERVICES IN THE CASE OF PHILIP TINSLEY III V. SENATE COMMITTEE ON ARMED SERVICES

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

S. RES. 173

Whereas, in the case of *Philip Tinsley III* v. *Senate Committee on Armed Services,* Civil Action No. 99–951–A, pending in the United States District Court for the Eastern District of Virginia, the plaintiff has sued the United States Senate Committee on Armed Services;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Senate committees in civil actions. Now, therefore be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate Committee on Armed Services in the case of *Philip Tinsley III* v. *Senate Committee on Armed Services.*

SENATE RESOLUTION 174—TO AUTHORIZE REPRESENTATION OF THE SENATE COMMITTEE ON THE JUDICIARY IN THE CASE OF PHILIP TINSLEY III V. SENATE COMMITTEE ON THE JUDICIARY

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

S. RES. 174

Whereas, in the case of *Philip Tinsley III* v. *Senate Committee on the Judiciary,* Civil Action No. 99–952–A, pending in the United States District Court for the Eastern District of Virginia, the plaintiff has sued the United States Senate Committee on the Judiciary;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of

1978, 2 U.S.C. §§288b(a) and 288c(a)(1), Senate may direct its counsel to defend Senate committees in civil actions. Now, therefore be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate Committee on the Judiciary in the case of *Philip Tinsley III* v. *Senate Committee on the Judiciary*.

AMENDMENTS SUBMITTED

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

ROBERTS (AND OTHERS) AMENDMENT NO. 1509

Mr. ROBERTS (for himself, Mr. GRAMS, Mr. GRASSLEY, Mr. SANTORUM, Mr. CRAIG, Mr. GORTON, Mr. BURNS, Mr. BROWNBACK, and Mr. HAGEL) proposed an amendment to the bill (S. 1233) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes; as follow:

Beginning on page 1, line 3, strike all that follows ''SEC.'' to the end of the amendment and insert the following:

____. EMERGENCY AND MARKET LOSS ASSISTANCE.—(a) CROP LOSS ASSISTANCE.—

(1) IN GENERAL.—In accordance with this subsection, the Secretary of Agriculture (referred to in this section as the ''Secretary'') shall administer a program under which emergency financial assistance is made available to producers on a farm that have incurred crop losses due to disasters (as determined by the Secretary).

(2) LOSSES INCURRED FOR 1999 CROP.—The Secretary shall use not more than $400,000,000 of funds of the Commodity Credit Corporation to make available assistance to producers on a farm that have incurred losses in the 1999 crop due to disasters.

(3) QUALIFYING LOSSES.—With respect to a crop, assistance under this subsection may be made for—

(A) quantity losses;

(B) quality (including aflatoxin) losses; or

(C) severe economic losses due to damaging weather or related condition.

(4) CROPS COVERED.—Assistance under this subsection shall be applicable to losses for all crops (including losses of trees from which a crop is harvested), as determined by the Secretary, due to disasters.

(b) MARKET LOSS ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall use not more than $5,500,000,000 of funds of the Commodity Credit Corporation to provide assistance to owners and producers on a farm that are eligible for payments for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(2) AMOUNT.—The amount of assistance made available to owners and producers on a farm under this subsection shall be proportionate to the amount of the contract payment received by the owners and producers for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

(3) TIME FOR PAYMENT.—The assistance made available under this subsection for an eligible owner or producer shall be provided not later than 45 days after the date of enactment of this Act.

(c) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(1)), the total amount of the payments specified in section 1001(3) of that Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for 1 or more contract commodities and oilseeds during the 1999 crop year may not exceed $150,000.

(d) UPLAND COTTON PRICE COMPETITIVENESS.—

(1) IN GENERAL.—Section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(A) in paragraph (1), by striking ''or cash payments'' and inserting ''or cash payments, at the option of the recipient,'';

(B) by striking ''3 cents per pound'' each place it appears and inserting ''1.25 cents per pound'';

(C) in the first sentence of paragraph (3)(A), by striking ''owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates'' and inserting ''owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton''; and

(D) by striking paragraph (4).

(2) ENSURING THE AVAILABILITY OF UPLAND COTTON.—Section 136(b) of the Agricultural Market Transition Act (7 U.S.C. 7236(b)) is amended—

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

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—The President shall carry out an import quota program during the period ending July 31, 2003, as provided in this subsection.

''(B) PROGRAM REQUIREMENTS.—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

''(C) TIGHT DOMESTIC SUPPLY.—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

''(D) SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.—For the purposes of making estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year.''; and

(B) by adding at the end the following:

''(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 5 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.''.

(e) OILSEED PAYMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall use not less than $500,000,000 of funds of the Commodity Credit Corporation to make payments to producers of the 1999 crop of oilseeds that are eligible to obtain a marketing assistance loan under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).

(2) COMPUTATION.—A payment to producers on a farm under this subsection shall be computed by multiplying—

(A) a payment rate determined by the Secretary; by

(B) the quantity of oilseeds that the producers on the farm are eligible to place under loan under section 131 of that Act.

(3) LIMITATION.—Payments made under this subsection shall be considered to be contract payments for the purposes of section 1001(1) of the Food Security Act of 1985 (7 U.S.C. 1308(1)).

(f) ASSISTANCE TO LIVESTOCK PRODUCERS.—The Secretary shall use $250,000,000 of funds of the Commodity Credit Corporation to provide assistance to livestock producers in a manner determined by the Secretary.

(g) CROP INSURANCE.—The Secretary shall use $400,000,000 of funds of the Commodity Credit Corporation to assist agricultural producers in purchasing additional coverage for the 2000 crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(h) SPECIALTY AND OTHER CROPS.—

(1) IN GENERAL.—The Secretary shall use $300,000,000 of funds of the Commodity Credit Corporation to provide assistance, in a manner determined by the Secretary, to producers of specialty crops and other agricultural commodities that are not eligible for assistance under other provisions of this section.

(2) CONDITION ON PAYMENT OF SALARIES AND EXPENSES.—None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out or enforce section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) through fiscal year 2001, if the Federal budget is determined by the Office of Management and Budget to be in surplus for fiscal year 2000.

(i) EMERGENCY REQUIREMENT.—The entire amount necessary to carry out this section and the amendments made by this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

(____) REQUIREMENT OF CONGRESSIONAL APPROVAL OF ANY UNILATERAL AGRICULTURAL OR MEDICAL SANCTION.—

(1) DEFINITIONS.—In this subsection:

(A) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

(B) AGRICULTURAL PROGRAM.—The term ''agricultural program'' means—

(i) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et. seq.);

(ii) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(iii) any commercial sale of agricultural commodities, including a commercial sale of an agricultural commodity that is prohibited under a unilateral agricultural sanction that is in effect on the date of enactment of this Act; or

(iv) any export financing (including credits or credit guarantees) for agricultural commodities.

(C) JOINT RESOLUTION.—The term ''joint resolution'' means—

(i) in the case of paragraph (2)(A)(ii), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (2)(A)(i) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ___(___)(2)(A)(i) of the _____ Act ___, transmitted on _____.'', with the blank completed with the appropriate date; and

(ii) in the case of paragraph (5)(B), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (5)(A) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ___(___)(5)(A) of the _____ Act ___, transmitted on _____.'', with the blank completed with the appropriate date.

(D) UNILATERAL AGRICULTURAL SANCTION.—The term ''unilateral agricultural sanction'' means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(E) UNILATERAL MEDICAL SANCTION.—The term ''unilateral medical sanction'' means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(2) RESTRICTION.—

(A) NEW SANCTIONS.—Except as provided in paragraphs (3) and (4) and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity for any fiscal year, unless—

(i) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(I) describes the activity proposed to be prohibited, restricted, or conditioned; and

(II) describes the actions by the foreign country or foreign entity that justify the sanction; and

(ii) Congress enacts a joint resolution stating the approval of Congress for the report submitted under clause (i).

(B) EXISTING SANCTIONS.—

(i) IN GENERAL.—Except as provided in clause (ii), with respect to any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act for any fiscal year, the President shall immediately cease to implement such sanction.

(ii) EXEMPTIONS.—Clause (i) shall not apply to a unilateral agricultural sanction or unilateral medical sanction imposed with respect to an agricultural program or activity described in clause (ii) or (iv) of paragraph (1)(B).

(3) EXCEPTIONS.—The President may impose (or continue to impose) a sanction described in paragraph (2) without regard to the procedures required by that paragraph—

(A) against a foreign country or foreign entity with respect to which Congress has enacted a declaration of war that is in effect on or after the date of enactment of this Act; or

(B) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity, medicine, or medical device that is—

(i) controlled on the United States Munitions List;

(ii) an item for which export controls are administered by the Department of Commerce for foreign policy or national security reasons; or

(iii) used to facilitate the development or production of a chemical or biological weapon.

(4) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—This subsection shall not affect the current prohibitions on providing, to the government of any country supporting international terrorism, United States government assistance, including United States foreign assistance, United States export assistance, or any United States credits or credit guarantees.

(5) TERMINATION OF SANCTIONS.—Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in paragraph (2)(A) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(A) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years and the request of the President for approval by Congress of the recommendation; and

(B) Congress enacts a joint resolution stating the approval of Congress for the report submitted under subparagraph (A).

(6) CONGRESSIONAL PRIORITY PROCEDURES.—

(A) REFERRAL OF REPORT.—A report described in paragraph (2)(A)(i) or (5)(A) shall be referred to the appropriate committee or committees of the House of Representatives and to the appropriate committee or committees of the Senate.

(B) REFERRAL OF JOINT RESOLUTION.—

(i) IN GENERAL.—A joint resolution shall be referred to the committees in each House of Congress with jurisdiction.

(ii) REPORTING DATE.—A joint resolution referred to in clause (i) may not be reported before the eighth session day of Congress after the introduction of the joint resolution.

(C) DISCHARGE OF COMMITTEE.—If the committee to which is referred a joint resolution has not reported the joint resolution (or an identical joint resolution) at the end of 30 session days of Congress after the date of introduction of the joint resolution—

(i) the committee shall be discharged from further consideration of the joint resolution; and

(ii) the joint resolution shall be placed on the appropriate calendar of the House concerned.

(D) FLOOR CONSIDERATION.—

(i) MOTION TO PROCEED.—

(I) IN GENERAL.—When the committee to which a joint resolution is referred has reported, or when a committee is discharged under subparagraph (C) from further consideration of, a joint resolution—

(aa) it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any member of the House concerned to move to proceed to the consideration of the joint resolution; and

(bb) all points of order against the joint resolution (and against consideration of the joint resolution) are waived.

(II) PRIVILEGE.—The motion to proceed to the consideration of the joint resolution—

(aa) shall be highly privileged in the House of Representatives and privileged in the Senate; and

(bb) not debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—The motion to proceed to the consideration of the joint resolution shall not be subject to—

(aa) amendment;

(bb) a motion to postpone; or

(cc) a motion to proceed to the consideration of other business.

(IV) MOTION TO RECONSIDER NOT IN ORDER.—A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(V) BUSINESS UNTIL DISPOSITION.—If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the House concerned until disposed of.

(ii) LIMITATIONS ON DEBATE.—

(I) IN GENERAL.—Debate on the joint resolution, and on all debatable motions and appeals in connection with the joint resolution, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution.

(II) FURTHER DEBATE LIMITATIONS.—A motion to limit debate shall be in order and shall not be debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—An amendment to, a motion to postpone, a motion to proceed to the consideration of other business, a motion to recommit the joint resolution, or a motion to reconsider the vote by which the joint resolution is agreed to or disagreed to shall not be in order.

(iii) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the House concerned, the vote on final passage of the joint resolution shall occur.

(iv) RULINGS OF THE CHAIR ON PROCEDURE.—An appeal from a decision of the Chair relating to the application of the rules of the Senate or House of Representatives, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(E) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, the following procedures shall apply:

(i) NO COMMITTEE REFERRAL.—The joint resolution of the other House shall not be referred to a committee.

(ii) FLOOR PROCEDURE.—With respect to a joint resolution of the House receiving the joint resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on final passage shall be on the joint resolution of the other House.

(iii) DISPOSITION OF JOINT RESOLUTIONS OF RECEIVING HOUSE.—On disposition of the joint resolution received from the other House, it

shall no longer be in order to consider the joint resolution originated in the receiving House.

(F) PROCEDURES AFTER ACTION BY BOTH THE HOUSE AND SENATE.—If a House receives a joint resolution from the other House after the receiving House has disposed of a joint resolution originated in that House, the action of the receiving House with regard to the disposition of the joint resolution originated in that House shall be deemed to be the action of the receiving House with regard to the joint resolution originated in the other House.

(G) RULEMAKING POWER.—This paragraph is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such this paragraph—

(I) is deemed to be a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution; and

(II) supersedes other rules only to the extent that this paragraph is inconsistent with those rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as the rules relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(7) EFFECTIVE DATE.—This subsection takes effect 180 days after the date of enactment of this Act.

McCAIN (AND GREGG) AMENDMENT NO. 1510

Mr. MCCAIN (for himself and Mr. GREGG) proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

At the appropriate place, insert the following:

SEC. 7___. SUGAR PROGRAM.—(a) IN GENERAL.—None of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272), other than subsection (f).

(b) MARKETING ASSESSMENT.—Notwithstanding any other provision of this Act, funds appropriated or otherwise made available by this Act or any other Act shall be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out and enforce section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) through fiscal year 2001.

LEVIN AMENDMENT NO. 1511

(Ordered to lie on the table.)

Mr. LEVIN submitted an amendment intended to be proposed by him to the bill, S. 1233, supra; as follows:

On page 13, line 13, strike ''$54,276,000'' and insert ''$55,166,000''.

On page 13, line 14, before the semicolon, insert the following: '', of which not less than $445,000 shall be used to make a special grant to the State of Michigan to carry out sustainable agriculture research, and of which not less than $445,000 shall be used to make a special grant to the State of Michigan to carry out a research program on improved fruit practices''.

On page 13, line 16, strike ''$119,300,000'' and insert ''$118,410,000''.

SPECTER AMENDMENT NO. 1512

Mr. SPECTER proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

At the appropriate place, insert the following:

SEC. 7___. DAIRY COMPACTS; FEDERAL MILK MARKETING ORDERS.—(a) NORTHEAST INTERSTATE DAIRY COMPACT.—Section 147 of the Agricultural Market Transition Act (7 U.S.C. 7256) is amended—

(1) in the matter preceding paragraph (1), by striking ''Massachusetts, New Hampshire,'' and inserting ''Maryland, Massachusetts, New Hampshire, New Jersey, New York,'';

(2) by striking paragraphs (1) and (7);

(3) in paragraph (3), by striking ''concurrent'' and all that follows through ''section 143'' and inserting ''on December 31, 2002'';

(4) in paragraph (4), by striking ''Delaware, New Jersey, New York, Pennsylvania, Maryland, and Virginia'' and inserting ''Delaware, Ohio, and Pennsylvania'';

(5) in paragraph (5), by striking ''for the cost'' and all that follows through ''Secretary'' and inserting ''for the increased cost of any purchases of milk and milk products by the Corporation that result from the operation of the Compact price regulation during the fiscal year, as determined by the Secretary (in consultation with the Commission) using notice and comment procedures provided in section 553 of title 5, United States Code'';

(6) by redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively; and

(7) by adding at the end the following:

''(6) COMPENSATION OF SPECIAL MILK PROGRAM.—Before the end of each fiscal year in which a Compact price regulation is in effect, the Northeast Interstate Dairy Compact Commission shall compensate the Secretary for the increased costs of any milk and milk products provided under the special milk program authorized under section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772) that results from the operation of the Compact price regulation during the fiscal year, as determined by the Secretary (in consultation with the Commission) using notice and comment procedures provided in section 553 of title 5, United States Code.''.

(b) SOUTHERN DAIRY COMPACT.—

(1) IN GENERAL.—Congress consents to the Southern Dairy Compact entered into among the States of Alabama, Arkansas, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia as specified in section 201(b) of Senate Joint Resolution 22 of the 106th Congress, as placed on the calendar of the Senate, subject to the following conditions:

(A) LIMITATION OF MANUFACTURING PRICE REGULATION.—The Southern Dairy Compact Commission may not regulate Class II, Class III, or Class III–A milk used for manufacturing purposes or any other milk, other than Class I, or fluid milk, as defined by a Federal milk marketing order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (referred to in this paragraph as a ''Federal milk marketing order'') unless Congress has first consented to and approved such authority by a law enacted after the date of enactment of this joint resolution.

(B) DURATION.—Consent for the Southern Dairy Compact shall terminate on December 31, 2002.

(C) ADDITIONAL STATES.—The States of Florida, Georgia, Missouri, Oklahoma, Kansas, and Texas are the only additional States that may join the Southern Dairy Compact, individually or otherwise.

(D) COMPENSATION OF COMMODITY CREDIT CORPORATION.—Before the end of each fiscal year in which a Compact price regulation is in effect, the Southern Dairy Compact Commission shall compensate the Commodity Credit Corporation for the increased costs of any purchases of milk and milk products by the Corporation that results from the operation of the Compact price regulation during the fiscal year, as determined by the Secretary of Agriculture (in consultation with the Commission) using notice and comment procedures provided in section 553 of title 5, United States Code.

(E) COMPENSATION OF SPECIAL MILK PROGRAM.—Before the end of each fiscal year in which a Compact price regulation is in effect, the Southern Dairy Compact Commission shall compensate the Secretary of Agriculture for the increased costs of any milk and milk products provided under the special milk program authorized under section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772) that results from the operation of the Compact price regulation during the fiscal year, as determined by the Secretary (in consultation with the Commission) using notice and comment procedures provided in section 553 of title 5, United States Code.

(F) MILK MARKETING ORDER ADMINISTRATOR.—At the request of the Southern Dairy Compact Commission, the Administrator of the applicable Federal milk marketing order shall provide technical assistance to the Compact Commission and be compensated for that assistance.

(2) RESERVATION OF RIGHTS.—The right to alter, amend, or repeal this paragraph is reserved.

(c) FEDERAL MILK MARKETING ORDERS.—

(1) IN GENERAL.—Section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253) is amended by adding at the end the following:

''(e) FLUID OR CLASS I MILK.—

''(1) DELAY IN IMPLEMENTATION.—The Secretary shall not implement the amendments to Federal milk marketing orders required by subsection (a)(1) before the date that is 90 days after the date of enactment of this subsection.

''(2) OPTION 1A.—Effective on the date that is 90 days after the date of enactment of this subsection, the Secretary shall price fluid or Class I milk under the orders using the Class I price differentials identified as Option 1A 'Location-Specific Differentials Analysis' in the proposed rule published in the Federal Register on January 30, 1998 (63 Fed. Reg. 4802, 4809), except that the Secretary shall include the corrections and modifications to the Class I differentials made by the Secretary through April 2, 1999.

''(f) NECESSITY OF USING FORMAL RULEMAKING TO DEVELOP PRICING METHODS FOR CLASS III AND CLASS IV MILK; MODIFIED MANUFACTURING ALLOWANCE FOR CHEESE.—

''(1) FINDINGS.—Congress finds that the Class III and Class IV pricing formulas included in the final decision for the consolidation and reform of Federal milk marketing orders, as published in the Federal Register on April 2, 1999 (64 Fed. Reg. 16025)—

''(A) do not adequately reflect public comment on the original proposed rule published in the Federal Register on January 30, 1998 (63 Fed. Reg. 4802); and

''(B) are sufficiently different from the proposed rule and any comments submitted with regard to the proposed rule that further emergency rulemaking is merited.

''(2) FORMAL RULEMAKING.—

''(A) REQUIRED.—The Secretary shall conduct rulemaking, on the record after an opportunity for an agency hearing, to reconsider the Class III and Class IV pricing formulas included in the final decision referred to in paragraph (1).

''(B) IMPLEMENTATION.—A final decision on the formula shall be implemented not earlier than the date that is 90 days after the date of enactment of this subsection.

''(C) EFFECT OF COURT ORDER.—

''(i) PURPOSE.—The purpose of the actions authorized by this paragraph is to ensure the timely publication and implementation of new pricing formulas for Class III and Class IV milk.

''(ii) EFFECT.—If the Secretary is enjoined or otherwise restrained by a court order from implementing the final decision under subparagraph (B), the length of time for which that injunction or other restraining order is effective shall be added to the time limitations specified in subparagraph (B), thereby extending those time limitations by a period of time equal to the period of time for which the injunction or other restraining order is effective.

''(3) FAILURE TO TIMELY COMPLETE RULEMAKING.—

''(A) IN GENERAL.—If the Secretary fails to implement new Class III and Class IV pricing formulas within the time period required under paragraph (2)(B) (plus any additional period provided under paragraph (2)(C)), the Secretary may not assess or collect assessments from milk producers or handlers under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, for marketing order administration and services provided under that section after the end of that period until the pricing formulas are implemented.

''(B) SERVICES.—The Secretary—

''(i) may not reduce the level of services provided under that section on account of the prohibition against assessment; and

''(ii) shall cover the cost of marketing order administration and services through funds available for the Agricultural Marketing Service of the Department.

''(4) EFFECT ON IMPLEMENTATION SCHEDULE.—Subject to paragraph (5), the requirement for additional rulemaking under paragraph (2) does not modify or delay the time period for implementation of the final decision referred to in paragraph (1) as part of Federal milk marketing orders, as that time period is required under section 738 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–30).

''(5) MODIFIED MANUFACTURING ALLOWANCE FOR CHEESE.—Pending the implementation of new pricing formulas for Class III and Class IV milk as required by paragraph (2), the Secretary shall modify the formula used for determining Class III prices, as contained in the final decision referred to in paragraph (1), to replace the manufacturing allowance of 17.02 cents per pound of cheese each place it appears in that formula with an amount equal to 14.7 cents per pound of cheese.''.

(2) CONFORMING AMENDMENTS.—Section 738 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–30), is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and

(C) in subsection (a) (as so redesignated)—

(i) by striking ''subsection (a)(2) of such section'' and inserting ''section 143(a)(2) of the Agricultural Market Transition Act (7 U.S.C. 7253(a)(2))''; and

(ii) by striking ''final rule referred to in subsection (a)'' and by inserting ''final rule to implement the amendments to Federal milk marketing orders required by section 143(a)(1) of that Act''.

(d) MILK PRICE SUPPORT PROGRAM.—

(1) IN GENERAL.—Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended—

(A) in subsection (b)(4), by striking ''calendar year 1999'' and inserting ''each of calendar years 1999 and 2000''; and

(B) in subsection (h), by striking ''1999'' each place it appears and inserting ''2000''.

(2) CONFORMING AMENDMENT.—Section 142(e) of the Agricultural Market Transition Act (7 U.S.C. 7252(e)) is amended by striking ''2000'' and inserting ''2001''.

(e) EFFECTIVE DATE.—This section and the amendments made by this section take effect on the earlier of—

(1) the date of enactment of this Act; or

(2) October 1, 1999.

COCHRAN AMENDMENT NO. 1513

Mr. COCHRAN proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

Beginning on page 1, line 3, strike all that follows ''SEC.'' to the end of the amendment and insert the following:

___. EMERGENCY AND MARKET LOSS ASSISTANCE.—(a) MARKET LOSS ASSISTANCE.—

(1) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the ''Secretary'') shall use not more than $5,544,453,000 of funds of the Commodity Credit Corporation to provide assistance to owners and producers on a farm that are eligible for payments for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(2) AMOUNT.—The amount of assistance made available to owners and producers on a farm under this subsection shall be proportionate to the amount of the contract payment received by the owners and producers for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

(3) TIME FOR PAYMENT.—The assistance made available under this subsection for an eligible owner or producer shall be provided not later than 45 days after the date of enactment of this Act.

(b) SPECIALTY CROPS.—

(1) ASSISTANCE TO CERTAIN PRODUCERS.—The Secretary shall use not more than $50,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers of fruits and vegetables in a manner determined by the Secretary.

(2) PAYMENTS TO CERTAIN PRODUCERS.—

(A) IN GENERAL.—The Secretary shall use such amounts as are necessary to provide payments to producers of quota peanuts or additional peanuts to partially compensate the producers for continuing low commodity prices, and increasing costs of production, for the 1999 crop year.

(B) AMOUNT.—The amount of a payment made to producers on a farm of quota peanuts or additional peanuts under subparagraph (A) shall be equal to the product obtained by multiplying—

(i) the quantity of quota peanuts or additional peanuts produced or considered produced by the producers under section 155 of the Agricultural Market Transition Act (7 U.S.C. 7271); by

(ii) an amount equal to 5 percent of the loan rate established for quota peanuts or additional peanuts, respectively, under section 155 of that Act.

(3) CONDITION ON PAYMENT OF SALARIES AND EXPENSES.—None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out or enforce section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) through fiscal year 2001, if the Federal budget is determined by the Office of Management and Budget to be in surplus for fiscal year 2000.

(c) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(1)), the total amount of the payments specified in section 1001(3) of that Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for 1 or more contract commodities and oilseeds during the 1999 crop year may not exceed $150,000.

(d) UPLAND COTTON PRICE COMPETITIVENESS.—

(1) IN GENERAL.—Section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(A) in paragraph (1), by striking ''or cash payments'' and inserting ''or cash payments, at the option of the recipient,'';

(B) by striking ''3 cents per pound'' each place it appears and inserting ''1.25 cents per pound'';

(C) in the first sentence of paragraph (3)(A), by striking ''owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates'' and inserting ''owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton''; and

(D) by striking paragraph (4).

(2) ENSURING THE AVAILABILITY OF UPLAND COTTON.—Section 136(b) of the Agricultural Market Transition Act (7 U.S.C. 7236(b)) is amended—

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

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—The President shall carry out an import quota program during the period ending July 31, 2003, as provided in this subsection.

''(B) PROGRAM REQUIREMENTS.—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

''(C) TIGHT DOMESTIC SUPPLY.—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

''(D) SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.—For the purposes of making

estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year.''; and

(B) by adding at the end the following:

''(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 5 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.''.

(3) REMOVAL OF SUSPENSION OF MARKETING CERTIFICATE AUTHORITY.—Section 171(b)(1) of the Agricultural Market Transition Act (7 U.S.C. 7301(b)(1)) is amended—

(A) by striking subparagraph (G); and

(B) by redesignating subparagraphs (H) through (L) as subparagraphs (G) through (K), respectively.

(4) REDEMPTION OF MARKETING CERTIFICATES.—Section 115 of the Agricultural Act of 1949 (7 U.S.C. 1445k) is amended—

(A) in subsection (a)—

(i) by striking ''rice (other than negotiable marketing certificates for upland cotton or rice)'' and inserting ''rice, including the issuance of negotiable marketing certificates for upland cotton or rice'';

(ii) in paragraph (1), by striking ''and'' at the end;

(iii) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(3) redeem negotiable marketing certificates for cash under such terms and conditions as are established by the Secretary.''; and

(B) in the second sentence of subsection (c), by striking ''export enhancement program or the marketing promotion program established under the Agricultural Trade Act of 1978'' and inserting ''market access program or the export enhancement program established under sections 203 and 301 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623, 5651)''.

(e) OILSEED PAYMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall use not less than $475,000,000 of funds of the Commodity Credit Corporation to make payments to producers of the 1999 crop of oilseeds that are eligible to obtain a marketing assistance loan under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).

(2) COMPUTATION.—A payment to producers on a farm under this subsection shall be computed by multiplying—

(A) a payment rate determined by the Secretary; by

(B) the quantity of oilseeds that the producers on the farm are eligible to place under loan under section 131 of that Act.

(3) LIMITATION.—Payments made under this subsection shall be considered to be contract payments for the purposes of section 1001(1) of the Food Security Act of 1985 (7 U.S.C. 1308(1)).

(f) ASSISTANCE TO LIVESTOCK AND DAIRY PRODUCERS.—The Secretary shall use $325,000,000 of funds of the Commodity Credit Corporation to provide assistance to livestock and dairy producers in a manner determined by the Secretary.

(g) TOBACCO.—The Secretary shall use $328,000,000 of funds of the Commodity Credit Corporation to make distributions to tobacco growers in accordance with the formulas established under the National Tobacco Grower Settlement Trust.

(h) SENSE OF CONGRESS REGARDING FAST-TRACK AUTHORITY AND FUTURE WORLD TRADE ORGANIZATION NEGOTIATIONS.—It is the sense of Congress that—

(1) the President should make a formal request for appropriate fast-track authority for future United States trade negotiations;

(2) regarding future World Trade Organization negotiations—

(A) rules for trade in agricultural commodities should be strengthened and trade-distorting import and export practices should be eliminated or substantially reduced;

(B) the rules of the World Trade Organization should be strengthened regarding the practices or policies of a foreign government that unreasonably—

(i) restrict market access for products of new technologies, including products of biotechnology; or

(ii) delay or preclude implementation of a report of a dispute panel of the World Trade Organization; and

(C) negotiations within the World Trade Organization should be structured so as to provide the maximum leverage possible to ensure the successful conclusion of negotiations on agricultural products;

(3) the President should—

(A) conduct a comprehensive evaluation of all existing export and food aid programs, including—

(i) the export credit guarantee program established under section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622);

(ii) the market access program established under section 203 of that Act (7 U.S.C. 5623);

(iii) the export enhancement program established under section 301 of that Act (7 U.S.C. 5651);

(iv) the foreign market development cooperator program established under section 702 of that Act (7 U.S.C. 5722); and

(v) programs established under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.); and

(B) transmit to Congress—

(i) the results of the evaluation under subparagraph (A); and

(ii) recommendations on maximizing the effectiveness of the programs described in subparagraph (A); and

(4) the Secretary should carry out a purchase and donation or concessional sales initiative in each of fiscal years 1999 and 2000 to promote the export of additional quantities of soybeans, beef, pork, poultry, and products of such commodities (including soybean meal, soybean oil, textured vegetable protein, and soy protein concentrates and isolates) using programs established under—

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

(B) section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(C) titles I and II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701 et seq.); and

(D) the Food for Progress Act of 1985 (7 U.S.C. 1736o).

(i) EMERGENCY REQUIREMENT.—The entire amount necessary to carry out this section and the amendments made by this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

DORGAN (AND OTHERS) AMENDMENT NO. 1514

Mr. DORGAN (for himself, Mr. HARKIN, Mr. DASCHLE, Mr. KERREY, Mr. JOHNSON, Mr. CONRAD, Mr. BAUCUS, Mr. DURBIN, Mr. WELLSTONE, Ms. LINCOLN, Mr. SARBANES, and Ms. MIKULSKI) proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

Beginning on page 1, line 3, strike all that follows ''SEC.'' to the end of the amendment and insert the following:

____. EMERGENCY AND INCOME LOSS ASSISTANCE.—(a) ADDITIONAL CROP LOSS ASSISTANCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), in addition to amounts that have been made available to carry out section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277) under other law, the Secretary of Agriculture (referred to in this section as the 'Secretary') shall use not more than $756,000,000 of funds of the Commodity Credit Corporation to provide crop loss assistance in accordance with that section in a manner that, to the maximum extent practicable—

(A) fully compensates agricultural producers for crop losses in accordance with that section (including regulations promulgated to carry out that section); and

(B) provides equitable treatment under that section for agricultural producers described in subsections (b) and (c) of that section.

(2) CROP INSURANCE.—Of the total amount made available under paragraph (1), the Secretary shall use not less than $400,000,000 to assist agricultural producers in purchasing additional coverage for the 2000 crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(b) INCOME LOSS ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall use not more than $6,273,000,000 of funds of the Commodity Credit Corporation to provide (on an equitable basis among producers, as determined by the Secretary) supplemental loan deficiency payments to producers on a farm that are eligible for marketing assistance loans for the 1999 crop of a commodity under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).

(2) PAYMENT LIMITATION.—The total amount of the payments that a person may receive under paragraph (1) during any crop year may not exceed $40,000.

(3) PRODUCERS WITHOUT PRODUCTION.—The payments made available under this subsection shall be provided (on an equitable basis among producers, according to actual production history, as determined by the Secretary) to producers with failed acreage, or acreage on which planting was prevented, due to circumstances beyond the control of the producers.

(4) TIME FOR PAYMENT.—The assistance made available under this subsection for an eligible owner or producer shall be provided as soon as practicable after the date of enactment of this Act by providing advance payments that are based on expected production and by taking such measures as are determined appropriate by the Secretary.

(5) DAIRY PRODUCERS.—

(A) IN GENERAL.—Of the total amount made available under paragraph (1), $300,000,000 shall be available to provide assistance to dairy producers in a manner determined by the Secretary.

(B) FEDERAL MILK MARKETING ORDERS.—Payments made under this subsection shall not affect any decision with respect to rulemaking activities under section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253).

(6) PEANUTS.—

(A) IN GENERAL.—Of the total amount made available under paragraph (1), the Secretary shall use not to exceed $45,000,000 to provide payments to producers of quota peanuts or additional peanuts to partially compensate the producers for the loss of markets for the 1998 crop of peanuts.

(B) AMOUNT.—The amount of a payment made to producers on a farm of quota peanuts or additional peanuts under subparagraph (A) shall be equal to the product obtained by multiplying—

(i) the quantity of quota peanuts or additional peanuts produced or considered produced by the producers under section 155 of the Agricultural Market Transition Act (7 U.S.C. 7271); by

(ii) an amount equal to 5 percent of the loan rate established for quota peanuts or additional peanuts, respectively, under section 155 of that Act.

(7) TOBACCO GROWER ASSISTANCE.—The Secretary shall provide $328,000,000 to be distributed to tobacco growers according to the formulas established pursuant to the National Tobacco Grower Settlement Trust.

(c) FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32).—

(1) IN GENERAL.—For an additional amount for the fund maintained for funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), there is appropriated, out of any money in the Treasury not otherwise appropriated, $500,000,000.

(2) SET-ASIDE FOR CERTAIN LIVESTOCK PRODUCERS.—Of the funds made available by paragraph (1), the Secretary shall use not more than $200,000,000 to provide assistance to livestock producers—

(A) the operations of which are located in counties with respect to which during 1999 a natural disaster was declared for losses due to excessive heat or drought by the Secretary, or a major disaster or emergency was declared for losses due to excessive heat or drought by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(B) that experienced livestock losses as a result of the declared disaster or emergency.

(3) WAIVER OF COMMODITY LIMITATION.—In providing assistance under this subsection, the Secretary may waive the limitation established under the second sentence of the second paragraph of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), on the amount of funds that may be devoted to any 1 agricultural commodity or product.

(d) EMERGENCY LIVESTOCK ASSISTANCE.—For an additional amount to provide emergency livestock assistance, there is appropriated, out of any money in the Treasury not otherwise appropriated, $150,000,000.

(e) COMMODITY PURCHASES AND HUMANITARIAN DONATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall use not less than $778,000,000 of funds of the Commodity Credit Corporation for the purchase and distribution of agricultural commodities, under applicable food aid authorities, including—

(A) section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b));

(B) the Food for Progress Act of 1985 (7 U.S.C. 1736o); and

(C) the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.).

(2) LEAST DEVELOPED COUNTRIES.—Not less than 40 percent of the commodities distributed pursuant to this subsection shall be made available to least developed countries, as determined by the Secretary.

(3) LOCAL CURRENCIES.—To the maximum extent practicable, local currencies generated from the sale of commodities under this subsection shall be used for development purposes that foster United States agricultural exports.

(f) UPLAND COTTON PRICE COMPETITIVENESS.—

(1) IN GENERAL.—Section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(A) in paragraph (1), by inserting ''(in the case of each of the 1999–2000, 2000–2001, and 2001–2002 marketing years for upland cotton, at the option of the recipient)'' after ''or cash payments'';

(B) by inserting ''(or, in the case of each of the 1999–2000, 2000–2001, and 2001–2002 marketing years for upland cotton, 1.25 cents per pound)'' after ''3 cents per pound'' each place it appears;

(C) in paragraph (3), by striking subparagraph (A) and inserting the following:

''(A) REDEMPTION, MARKETING, OR EXCHANGE.—

''(i) IN GENERAL.—The Secretary shall establish procedures for redeeming marketing certificates for cash or marketing or exchange of the certificates for—

''(I) except as provided in subclause (II), agricultural commodities owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates; or

''(II) in the case of each of the 1999–2000, 2000–2001, and 2001–2002 marketing years for upland cotton, agricultural commodities owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton.

''(ii) PRICE RESTRICTIONS.—Any price restrictions that would otherwise apply to the disposition of agricultural commodities by the Commodity Credit Corporation shall not apply to the redemption of certificates under this subparagraph.''; and

(D) in paragraph (4), by inserting before the period at the end the following: '', except that this paragraph shall not apply to each of fiscal years 2000, 2001, and 2002''.

(2) ENSURING THE AVAILABILITY OF UPLAND COTTON.—Section 136(b) of the Agricultural Market Transition Act (7 U.S.C. 7236(b)) is amended—

(A) in paragraph (1), by striking ''The'' and inserting ''Except as provided in paragraph (7), the''; and

(B) by adding at the end the following:

''(7) 1999–2000, 2000–2001, AND 2001–2002 MARKETING YEARS.—

''(A) IN GENERAL.—In the case of each of the 1999–2000, 2000–2001, and 2001–2002 marketing years for upland cotton, the President shall carry out an import quota program as provided in this paragraph.

''(B) PROGRAM REQUIREMENTS.—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

''(C) TIGHT DOMESTIC SUPPLY.—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

''(D) SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.—For the purposes of making estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year.

''(E) LIMITATION.—The quantity of cotton entered into the United States during any marketing year described in subparagraph (A) under the special import quota established under this paragraph may not exceed the equivalent of 5 weeks' consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.''.

(3) REMOVAL OF SUSPENSION OF MARKETING CERTIFICATE AUTHORITY.—Section 171(b)(1)(G) of the Agricultural Market Transition Act (7 U.S.C. 7301(b)(1)(G)) is amended by inserting before the period at the end the following: '', except that this subparagraph shall not apply to each of the 1999–2000, 2000–2001, and 2001–2002 marketing years for upland cotton''.

(4) REDEMPTION OF MARKETING CERTIFICATES.—Section 115 of the Agricultural Act of 1949 (7 U.S.C. 1445k) is amended—

(A) in subsection (a)—

(i) by striking ''rice (other than negotiable marketing certificates for upland cotton or rice)'' and inserting ''rice, including the issuance of negotiable marketing certificates for upland cotton or rice'';

(ii) in paragraph (1), by striking ''and'' at the end;

(iii) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(3) redeem negotiable marketing certificates for cash under such terms and conditions as are established by the Secretary.''; and

(B) in the second sentence of subsection (c), by striking ''export enhancement program or the marketing promotion program established under the Agricultural Trade Act of 1978'' and inserting ''market access program or the export enhancement program established under sections 203 and 301 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623, 5651)''.

(g) FARM SERVICE AGENCY.—For an additional amount for the Farm Service Agency, there is appropriated, out of any money in the Treasury not otherwise appropriated, $140,000,000, of which—

(1) $40,000,000 shall be used for salaries and expenses of the Farm Service Agency; and

(2) $100,000,000 shall be used for direct or guaranteed farm ownership, operating, or emergency loans under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.),

(h) STATE MEDIATION GRANTS.—For an additional amount for grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5102(b)), there is appropriated, out of any money in the Treasury not otherwise appropriated, $2,000,000.

(i) DISASTER RESERVE.—

(1) IN GENERAL.—For the disaster reserve established under section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a), there is appropriated, out of any money in the Treasury not otherwise appropriated, $500,000,000.

(2) CROP AND LIVESTOCK CASH INDEMNITY PAYMENTS.—Notwithstanding any other provision of law, the Secretary may use the amount made available under this subsection to carry out a program to provide crop or livestock cash indemnity payments to agricultural producers for the purpose of remedying losses caused by damaging weather or related condition resulting from a natural or major disaster or emergency.

(3) COMMERCIAL FISHERIES FAILURE.—Notwithstanding any other provision of law, the Secretary shall provide $15,000,000 of the amount made available under this section to the Department of Commerce to provide emergency disaster assistance to persons or entities that have incurred losses from a commercial fishery failure described in section 308(b)(1) of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107(b)) with respect to a Northeast multispecies fishery.

(j) FLOODED LAND RESERVE PROGRAM.—For an additional amount to carry out a flooded land reserve program in a manner that is consistent with section 1124 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277), there is appropriated, out of any money in the Treasury not otherwise appropriated, $150,000,000.

(l) GRAIN INSPECTION, PACKERS, AND STOCKYARDS ADMINISTRATION.—For an additional amount for the Grain Inspection, Packers, and Stockyards Administration to support rapid response teams to enforce the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), there is appropriated, out of any money in the Treasury not otherwise appropriated, $1,000,000.

(m) WATERSHED AND FLOOD PREVENTION OPERATIONS.—For an additional amount for watershed and flood prevention operations to repair damage to waterways and watersheds resulting from natural disasters, there is appropriated, out of any money in the Treasury not otherwise appropriated, $60,000,000.

(n) EMERGENCY CONSERVATION PROGRAM.—For an additional amount for the emergency conservation program authorized under sections 401, 402, and 404 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201, 2202, 2204) for expenses resulting from natural disasters, there is appropriated, out of any money in the Treasury not otherwise appropriated, $30,000,000.

(o) ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.—

(1) IN GENERAL.—For an additional amount for the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.), there is appropriated, out of any money in the Treasury not otherwise appropriated, $52,000,000.

(2) LIVESTOCK NUTRIENT MANAGEMENT PLANS.—The Secretary shall provide a priority in the use of funds made available under paragraph (1) to implementing livestock nutrient management plans.

(q) FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.—For an additional amount for the foreign market development cooperator program established under section 702 of the Agricultural Trade Act of 1978 (7 U.S.C. 5722), there is appropriated, out of any money in the Treasury not otherwise appropriated, $10,000,000.

(r) RURAL ECONOMIC ASSISTANCE.—For an additional amount for rural economic assistance, there is appropriated, out of any money in the Treasury not otherwise appropriated, $150,000,000, of which—

(1) $100,000,000 shall be used for rural economic development, with the highest priority given to the most economically disadvantaged rural communities; and

(2) $50,000,000 shall be used to establish and carry out a program of revolving loans for the support of farmer-owned cooperatives.

(s) MANDATORY PRICE REPORTING.—For an additional amount to carry out a program of mandatory price reporting for livestock and livestock products, on enactment of a law establishing the program, there is appropriated, out of any money in the Treasury not otherwise appropriated, $4,000,000.

(t) LABELING OF IMPORTED MEAT AND MEAT FOOD PRODUCTS.—

(1) DEFINITIONS.—Section 1 of the Federal Meat Inspection Act (21 U.S.C. 601) is amended by adding at the end the following:

''(w) BEEF.—The term 'beef' means meat produced from cattle (including veal).

''(x) IMPORTED BEEF.—The term 'imported beef' means beef that is not United States beef, whether or not the beef is graded with a quality grade issued by the Secretary.

''(y) IMPORTED LAMB.—The term 'imported lamb' means lamb that is not United States lamb, whether or not the lamb is graded with a quality grade issued by the Secretary.

''(z) IMPORTED PORK.—The term 'imported pork' means pork that is not United States pork.

''(aa) LAMB.—The term 'lamb' means meat, other than mutton, produced from sheep.

''(bb) PORK.—The term 'pork' means meat produced from hogs.

''(cc) UNITED STATES BEEF.—

''(1) IN GENERAL.—The term 'United States beef' means beef produced from cattle slaughtered in the United States.

''(2) EXCLUSION.—The term 'United States beef' does not include beef produced from cattle imported into the United States in sealed trucks for slaughter.

''(dd) UNITED STATES LAMB.—

''(1) IN GENERAL.—The term 'United States lamb' means lamb produced from sheep slaughtered in the United States.

''(2) EXCLUSION.—The term 'United States lamb' does not include lamb produced from sheep imported into the United States in sealed trucks for slaughter.

''(ee) UNITED STATES PORK.—

''(1) IN GENERAL.—The term 'United States pork' means pork produced from hogs slaughtered in the United States.

''(2) EXCLUSION.—The term 'United States pork' does not include pork produced from hogs imported into the United States in sealed trucks for slaughter.''.

(2) MISBRANDING.—Section 1(n) of the Federal Meat Inspection Act (21 U.S.C. 601(n)) is amended—

(A) in paragraph (11), by striking ''or'' at the end;

(B) in paragraph (12), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(13)(A) if it is imported beef, imported lamb, or imported pork offered for retail sale as muscle cuts of beef, lamb, or pork and does not bear a label that identifies its country of origin;

''(B) if it is United States beef, United States lamb, or United States pork offered for retail sale as muscle cuts of beef, lamb, or pork, and does not bear a label that identifies its country of origin; or

''(C) if it is United States or imported ground beef, ground lamb, or ground pork and is not accompanied by labeling that identifies it as United States beef, United States lamb, United States pork, imported beef, imported lamb, imported pork, or other designation that identifies the content of United States beef, imported beef, United States lamb, imported lamb, United States pork, and imported pork contained in the product, as determined by the Secretary.''.

(3) LABELING.—Section 7 of the Federal Meat Inspection Act (21 U.S.C. 607) is amended by adding at the end the following:

''(g) MANDATORY LABELING.—The Secretary shall provide by regulation that the following offered for retail sale bear a label that identifies its country of origin:

''(1) Muscle cuts of United States beef, United States lamb, United States pork, imported beef, imported lamb, and imported pork.

''(2) Ground beef, ground lamb, and ground pork.

''(h) AUDIT VERIFICATION SYSTEM FOR UNITED STATES AND IMPORTED MUSCLE CUTS OF BEEF, LAMB, AND PORK AND GROUND BEEF, LAMB, AND PORK.—The Secretary may require by regulation that any person that prepares, stores, handles, or distributes muscle cuts of United States beef, imported beef, United States lamb, imported lamb, United States pork, imported pork, ground beef, ground lamb, or ground pork for retail sale maintain a verifiable recordkeeping audit trail that will permit the Secretary to ensure compliance with the regulations promulgated under subsection (g).''.

(4) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate final regulations to carry out the amendments made by this subsection.

(5) FUNDING.—For an additional amount to carry out this subsection and the amendments made by this subsection, there is appropriated, out of any money in the Treasury not otherwise appropriated, $8,000,000.

(6) EFFECTIVE DATE.—The amendments made by this subsection take effect 60 days after the date on which final regulations are promulgated under paragraph (4).

(u) INDICATION OF COUNTRY OF ORIGIN OF PERISHABLE AGRICULTURAL COMMODITIES.—

(1) DEFINITIONS.—In this section:

(A) FOOD SERVICE ESTABLISHMENT.—The term ''food service establishment'' means a restaurant, cafeteria, lunch room, food stand, saloon, tavern, bar, lounge, or other similar facility operated as an enterprise engaged in the business of selling food to the public.

(B) PERISHABLE AGRICULTURAL COMMODITY; RETAILER.—The terms ''perishable agricultural commodity'' and ''retailer'' have the meanings given the terms in section 1(b) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a(b)).

(2) NOTICE OF COUNTRY OF ORIGIN REQUIRED.—Except as provided in paragraph (3), a retailer of a perishable agricultural commodity shall inform consumers, at the final point of sale of the perishable agricultural commodity to consumers, of the country of origin of the perishable agricultural commodity.

(3) EXEMPTION FOR FOOD SERVICE ESTABLISHMENTS.—Paragraph (2) shall not apply to a perishable agricultural commodity if the perishable agricultural commodity is—

(A) prepared or served in a food service establishment; and

(B)(i) offered for sale or sold at the food service establishment in normal retail quantities; or

(ii) served to consumers at the food service establishment.

(4) METHOD OF NOTIFICATION.—

(A) IN GENERAL.—The information required by paragraph (2) may be provided to consumers by means of a label, stamp, mark, placard, or other clear and visible sign on the perishable agricultural commodity or on the package, display, holding unit, or bin containing the commodity at the final point of sale to consumers.

(B) LABELED COMMODITIES.—If the perishable agricultural commodity is already individually labeled regarding country of origin by the packer, importer, or another person, the retailer shall not be required to provide

any additional information to comply with this subsection.

(5) VIOLATIONS.—If a retailer fails to indicate the country of origin of a perishable agricultural commodity as required by paragraph (2), the Secretary may assess a civil penalty on the retailer in an amount not to exceed—

(A) $1,000 for the first day on which the violation occurs; and

(B) $250 for each day on which the same violation continues.

(6) DEPOSIT OF FUNDS.—Amounts collected under paragraph (5) shall be deposited in the Treasury of the United States as miscellaneous receipts.

(7) APPLICATION OF SUBSECTION.—This section shall apply with respect to a perishable agricultural commodity after the end of the 6-month period beginning on the date of the enactment of this Act.

(v) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(1)), the total amount of the payments specified in section 1001(3) of that Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for 1 or more contract commodities and oilseeds during the 1999 crop year may not exceed $150,000.

(w) SUSPENSION OF SUGAR ASSESSMENTS.—Section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) is amended—

(1) in paragraph (1), by inserting ''except as provided in paragraph (6),'' after ''years,'';

(2) in paragraph (2), by inserting ''except as provided in paragraph (6),'' after ''years,''; and

(3) by adding at the end the following:

''(6) SUSPENSION OF ASSESSMENTS.—Effective beginning with fiscal year 2000, no assessments shall be required under this subsection during any fiscal year that immediately follows a fiscal year during which the Federal budget was determined to be in surplus, based on the most recent estimates available from the Office of Management and Budget as of the last day of the fiscal year.''.

(x) FARMERS MARKET PROGRAM.—For an additional amount for the Farmers Market Program in the Supplemental Nutrition Program for Women, Infants, and Children, there is appropriated, out of any money in the Treasury not otherwise appropriated, $10,000,000.

(y) EMERGENCY REQUIREMENT.—The entire amount necessary to carry out this section and the amendments made by this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

(z) AVAILABILITY.—The amount necessary to carry out this section and the amendments made by this section shall be available upon enactment of this Act for the remainder of fiscal year 1999 and for fiscal year 2000, and shall remain available until expended.

THOMAS (AND OTHERS) AMENDMENT NO. 1515

Mr. THOMAS (for himself, Mr. BURNS, Mr. ALLARD, Mr. ROBERTS, Mr. ENZI, Mr. CRAIG, Mr. HAGEL, and Mr. DASCHLE) submitted an amendment intended to be proposed by them to the bill, S. 1233, supra; as follows:

On page 13, line 16, strike ''$119,300,000'' and insert ''$119,050,000''.

On page 14, line 19, strike ''$13,666,000'' and insert ''$13,916,000''

On page 14, line 22, before the period at the end, insert the following: '', of which not less than $250,000 shall be provided to carry out market analysis programs at the Livestock Marketing Information Center in Lakewood, Colorado''.

ASHCROFT (AND OTHERS) AMENDMENT NO. 1516

Mr. ASHCROFT (for himself, Mr. HAGEL, Mr. BAUCUS, Mr. ROBERTS, Mr. KERREY, Mr. DODD, Mr. BROWNBACK, Mr. GRAMS, Mr. WARNER, Mr. LEAHY, Mr. CRAIG, Mr. FITZGERALD, Mr. DORGAN, Mr. SESSIONS, Mrs. LINCOLN, Ms. LANDRIEU, Mr. HARKIN, Mr. CHAFEE, and Mr. INHOFE) proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

At the appropriate place, insert the following:

(___) REQUIREMENT OF CONGRESSIONAL APPROVAL OF ANY UNILATERAL AGRICULTURAL OR MEDICAL SANCTION.—

(1) DEFINITIONS.—In this subsection:

(A) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

(B) AGRICULTURAL PROGRAM.—The term ''agricultural program'' means—

(i) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et. seq.);

(ii) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(iii) any commercial sale of agricultural commodities, including a commercial sale of an agricultural commodity that is prohibited under a unilateral agricultural sanction that is in effect on the date of enactment of this Act; or

(iv) any export financing (including credits or credit guarantees) for agricultural commodities.

(C) JOINT RESOLUTION.—The term ''joint resolution'' means—

(i) in the case of paragraph (2)(A)(ii), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (2)(A)(i) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ___(___)(2)(A)(i) of the _____ Act ___, transmitted on _____.'', with the blank completed with the appropriate date; and

(ii) in the case of paragraph (5)(B), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (5)(A) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ___(___)(5)(A) of the _____ Act ___, transmitted on _____.'', with the blank completed with the appropriate date.

(D) UNILATERAL AGRICULTURAL SANCTION.—The term ''unilateral agricultural sanction'' means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(E) UNILATERAL MEDICAL SANCTION.—The term ''unilateral medical sanction'' means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(2) RESTRICTION.—

(A) NEW SANCTIONS.—Except as provided in paragraphs (3) and (4) and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity for any fiscal year, unless—

(i) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(I) describes the activity proposed to be prohibited, restricted, or conditioned; and

(II) describes the actions by the foreign country or foreign entity that justify the sanction; and

(ii) Congress enacts a joint resolution stating the approval of Congress for the report submitted under clause (i).

(B) EXISTING SANCTIONS.—

(i) IN GENERAL.—Except as provided in clause (ii), with respect to any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act for any fiscal year, the President shall immediately cease to implement such sanction.

(ii) EXEMPTIONS.—Clause (i) shall not apply to a unilateral agricultural sanction or unilateral medical sanction imposed with respect to an agricultural program or activity described in clause (ii) or (iv) of paragraph (1)(B).

(3) EXCEPTIONS.—The President may impose (or continue to impose) a sanction described in paragraph (2) without regard to the procedures required by that paragraph—

(A) against a foreign country or foreign entity with respect to which Congress has enacted a declaration of war that is in effect on or after the date of enactment of this Act; or

(B) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity, medicine, or medical device that is—

(i) controlled on the United States Munitions List;

(ii) an item for which export controls are administered by the Department of Commerce for foreign policy or national security reasons; or

(iii) used to facilitate the development or production of a chemical or biological weapon.

(4) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—This subsection shall not affect the current prohibitions on providing, to the government of any country supporting international terrorism, United States government assistance, including United States foreign assistance, United States export assistance, or any United States credits or credit guarantees.

(5) TERMINATION OF SANCTIONS.—Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in paragraph (2)(A) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(A) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years and the request of the President for approval by Congress of the recommendation; and

(B) Congress enacts a joint resolution stating the approval of Congress for the report submitted under subparagraph (A).

(6) CONGRESSIONAL PRIORITY PROCEDURES.—

(A) REFERRAL OF REPORT.—A report described in paragraph (2)(A)(i) or (5)(A) shall be referred to the appropriate committee or committees of the House of Representatives and to the appropriate committee or committees of the Senate.

(B) REFERRAL OF JOINT RESOLUTION.—

(i) IN GENERAL.—A joint resolution shall be referred to the committees in each House of Congress with jurisdiction.

(ii) REPORTING DATE.—A joint resolution referred to in clause (i) may not be reported before the eighth session day of Congress after the introduction of the joint resolution.

(C) DISCHARGE OF COMMITTEE.—If the committee to which is referred a joint resolution has not reported the joint resolution (or an identical joint resolution) at the end of 30 session days of Congress after the date of introduction of the joint resolution—

(i) the committee shall be discharged from further consideration of the joint resolution; and

(ii) the joint resolution shall be placed on the appropriate calendar of the House concerned.

(D) FLOOR CONSIDERATION.—

(i) MOTION TO PROCEED.—

(I) IN GENERAL.—When the committee to which a joint resolution is referred has reported, or when a committee is discharged under subparagraph (C) from further consideration of, a joint resolution—

(aa) it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any member of the House concerned to move to proceed to the consideration of the joint resolution; and

(bb) all points of order against the joint resolution (and against consideration of the joint resolution) are waived.

(II) PRIVILEGE.—The motion to proceed to the consideration of the joint resolution—

(aa) shall be highly privileged in the House of Representatives and privileged in the Senate; and

(bb) not debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—The motion to proceed to the consideration of the joint resolution shall not be subject to—

(aa) amendment;

(bb) a motion to postpone; or

(cc) a motion to proceed to the consideration of other business.

(IV) MOTION TO RECONSIDER NOT IN ORDER.—A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(V) BUSINESS UNTIL DISPOSITION.—If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the House concerned until disposed of.

(ii) LIMITATIONS ON DEBATE.—

(I) IN GENERAL.—Debate on the joint resolution, and on all debatable motions and appeals in connection with the joint resolution, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution.

(II) FURTHER DEBATE LIMITATIONS.—A motion to limit debate shall be in order and shall not be debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—An amendment to, a motion to postpone, a motion to proceed to the consideration of other business, a motion to recommit the joint resolution, or a motion to reconsider the vote by which the joint resolution is agreed to or disagreed to shall not be in order.

(iii) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the House concerned, the vote on final passage of the joint resolution shall occur.

(iv) RULINGS OF THE CHAIR ON PROCEDURE.—An appeal from a decision of the Chair relating to the application of the rules of the Senate or House of Representatives, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(E) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, the following procedures shall apply:

(i) NO COMMITTEE REFERRAL.—The joint resolution of the other House shall not be referred to a committee.

(ii) FLOOR PROCEDURE.—With respect to a joint resolution of the House receiving the joint resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on final passage shall be on the joint resolution of the other House.

(iii) DISPOSITION OF JOINT RESOLUTIONS OF RECEIVING HOUSE.—On disposition of the joint resolution received from the other House, it shall no longer be in order to consider the joint resolution originated in the receiving House.

(F) PROCEDURES AFTER ACTION BY BOTH THE HOUSE AND SENATE.—If a House receives a joint resolution from the other House after the receiving House has disposed of a joint resolution originated in that House, the action of the receiving House with regard to the disposition of the joint resolution originated in that House shall be deemed to be the action of the receiving House with regard to the joint resolution originated in the other House.

(G) RULEMAKING POWER.—This paragraph is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such this paragraph—

(I) is deemed to be a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution; and

(II) supersedes other rules only to the extent that this paragraph is inconsistent with those rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as the rules relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(7) EFFECTIVE DATE.—This subsection takes effect 180 days after the date of enactment of this Act.

CONRAD AMENDMENT NO. 1517

Mr. CONRAD proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act the following shall be the only Emergency Assistance provisions provided in this bill:

____. EMERGENCY AND MARKET LOSS ASSISTANCE.—(a) MARKET LOSS ASSISTANCE.—

(1) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the ''Secretary'') shall use not more than $5,544,453,000 of funds of the Commodity Credit Corporation to provide assistance to owners and producers on a farm that are eligible for payments for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(2) AMOUNT.—The amount of assistance made available to owners and producers on a farm under this subsection shall be proportionate to the amount of the contract payment received by the owners and producers for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

(3) TIME FOR PAYMENT.—The assistance made available under this subsection for an eligible owner or producer shall be provided not later than 45 days after the date of enactment of this Act.

(4) DAIRY PRODUCERS.—

(A) IN GENERAL.—Of the total amount made available under paragraph (1), $200,000,000 shall be available to provide assistance to dairy producers in a manner determined by the Secretary.

(B) FEDERAL MILK MARKETING ORDERS.—Payments made under this subsection shall not affect any decision with respect to rulemaking activities under section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253).

(b) OILSEED PAYMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall use not less than $500,000,000 of funds of the Commodity Credit Corporation to make payments to producers of the 1999 crop of oilseeds that are eligible to obtain a marketing assistance loan under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).

(2) COMPUTATION.—A payment to producers on a farm under this subsection shall be computed by multiplying—

(A) a payment rate determined by the Secretary; by

(B) the quantity of oilseeds that the producers on the farm are eligible to place under loan under section 131 of that Act.

(3) LIMITATION.—Payments made under this subsection shall be considered to be contract payments for the purposes of section 1001(1) of the Food Security Act of 1985 (7 U.S.C. 1308(1)).

(c) UPLAND COTTON PRICE COMPETITIVENESS.—

(1) IN GENERAL.—Section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(A) in paragraph (1), by striking ''or cash payments'' and inserting ''or cash payments, at the option of the recipient,'';

(B) by striking ''3 cents per pound'' each place it appears and inserting ''1.25 cents per pound'';

(C) in the first sentence of paragraph (3)(A), by striking ''owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates'' and inserting ''owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the

purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton''; and

(D) by striking paragraph (4).

(2) ENSURING THE AVAILABILITY OF UPLAND COTTON.—Section 136(b) of the Agricultural Market Transition Act (7 U.S.C. 7236(b)) is amended—

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

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—The President shall carry out an import quota program during the period ending July 31, 2003, as provided in this subsection.

''(B) PROGRAM REQUIREMENTS.—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

''(C) TIGHT DOMESTIC SUPPLY.—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

''(D) SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.—For the purposes of making estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year.''; and

(B) by adding at the end the following:

''(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 5 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.''.

(d) FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32).—

(1) IN GENERAL.—For an additional amount for the fund maintained for funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), there is appropriated, out of any money in the Treasury not otherwise appropriated, $300,000,000.

(2) SET-ASIDE FOR CERTAIN LIVESTOCK PRODUCERS.—Of the funds made available by paragraph (1), the Secretary shall use not more than $100,000,000 to provide assistance to livestock producers—

(A) the operations of which are located in counties with respect to which during 1999 a natural disaster was declared for losses due to excessive heat or drought by the Secretary, or a major disaster or emergency was declared for losses due to excessive heat or drought by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(B) that experienced livestock losses as a result of the declared disaster or emergency.

(3) WAIVER OF COMMODITY LIMITATION.—In providing assistance under this subsection, the Secretary may waive the limitation established under the second sentence of the second paragraph of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), on the amount of funds that may be devoted to any 1 agricultural commodity or product.

(e) ADDITIONAL CROP LOSS ASSISTANCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), in addition to amounts that have been made available to carry out section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277) under other law, the Secretary shall use not more than $492,000,000 of funds of the Commodity Credit Corporation to provide crop loss assistance in accordance with that section in a manner that, to the maximum extent practicable—

(A) fully compensates agricultural producers for crop losses in accordance with that section (including regulations promulgated to carry out that section); and

(B) provides equitable treatment under that section for agricultural producers described in subsections (b) and (c) of that section.

(2) CROP INSURANCE.—Of the total amount made available under paragraph (1), the Secretary shall use not less than $400,000,000 to assist agricultural producers in purchasing additional coverage for the 2000 crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(3) COMPENSATION FOR DENIAL OF CROP LOSS ASSISTANCE BASED ON TAXPAYER IDENTIFICATION NUMBERS.—The Secretary shall use not more than $70,000,000 of funds of the Commodity Credit Corporation to make payments to producers on a farm that were denied crop loss assistance under section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277), as the result of a change in the taxpayer identification numbers of the producers if the Secretary determines that the change was not made to create an advantage for the producers in the crop insurance program through lower premiums or higher actual production histories.

(f) SPECIALTY CROPS.—The Secretary shall use not more than $300,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers of fruits, vegetables, and peanuts in a manner determined by the Secretary.

(g) INCOME LOSSES FOR 1999.—

(1) IN GENERAL.—The Secretary shall use not more than $500,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers that have suffered income losses related to 1999 crops caused by damaging weather or related condition resulting from a natural or major disaster or emergency.

(2) FLOODED LAND RESERVE PROGRAM.—Of the funds made available by paragraph (1), the Secretary shall use $250,000,000 to carry out a flooded land reserve program in a manner that is consistent with section 1124 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277).

(h) EMERGENCY LIVESTOCK ASSISTANCE.—

(1) IN GENERAL.—For an additional amount to provide emergency livestock assistance, there is appropriated, out of any money in the Treasury not otherwise appropriated, $250,000,000.

(2) SET-ASIDE FOR CERTAIN LIVESTOCK PRODUCERS.—Of the funds made available by paragraph (1), the Secretary shall use not more than $100,000,000 to provide assistance to livestock producers—

(A) the operations of which are located in counties with respect to which during 1999 a natural disaster was declared for losses due to excessive heat or drought by the Secretary, or a major disaster or emergency was declared for losses due to excessive heat or drought by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(B) that experienced livestock losses as a result of the declared disaster or emergency.

(i) RURAL ECONOMIC ASSISTANCE.—For an additional amount for rural economic assistance, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000, of which—

(1) $70,000,000 shall be used for rural economic development, with the highest priority given to the most economically disadvantaged rural communities; and

(2) $30,000,000 shall be used to establish and carry out a program of revolving loans for the support of farmer-owned cooperatives.

(j) SUGAR.—

(1) CONDITION ON PAYMENT OF SALARIES AND EXPENSES.—None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out or enforce section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) through fiscal year 2001, if the Federal budget is determined by the Office of Management and Budget to be in surplus for fiscal year 2000.

(2) TECHNICAL CORRECTION TO CONTINUE THE NO-COST OPERATION OF THE SUGAR PROGRAM.—Section 902(a) of the Food Security Act of 1985 (7 U.S.C. 1446g note; Public Law 99–198) is amended by striking ''section 206 of the Agricultural Act of 1949'' and inserting ''section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272)''.

(k) STATE MEDIATION GRANTS.—For an additional amount for grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5102(b)), there is appropriated, out of any money in the Treasury not otherwise appropriated, $2,000,000.

(l) MANDATORY PRICE REPORTING.—For an additional amount to carry out a program of mandatory price reporting for livestock and livestock products, on enactment of a law establishing the program, there is appropriated, out of any money in the Treasury not otherwise appropriated, $4,000,000.

(m) GRAIN INSPECTION, PACKERS, AND STOCKYARDS ADMINISTRATION.—For an additional amount for the Grain Inspection, Packers, and Stockyards Administration to support rapid response teams to enforce the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), there is appropriated, out of any money in the Treasury not otherwise appropriated, $1,000,000.

(n) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(1)), the total amount of the payments specified in section 1001(3) of that Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for 1 or more contract commodities and oilseeds during the 1999 crop year may not exceed $150,000.

(o) REQUIREMENT OF CONGRESSIONAL APPROVAL OF ANY UNILATERAL AGRICULTURAL OR MEDICAL SANCTION.—

(1) DEFINITIONS.—In this subsection:

(A) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

(B) AGRICULTURAL PROGRAM.—The term ''agricultural program'' means—

(i) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et. seq.);

(ii) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(iii) any commercial sale of agricultural commodities, including a commercial sale of an agricultural commodity that is prohibited under a unilateral agricultural sanction that is in effect on the date of enactment of this Act; or

(iv) any export financing (including credits or credit guarantees) for agricultural commodities.

(C) JOINT RESOLUTION.—The term ''joint resolution'' means—

(i) in the case of paragraph (2)(A)(ii), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (2)(A)(i) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ___(o)(2)(A)(i) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000, transmitted on _____.'', with the blank completed with the appropriate date; and

(ii) in the case of paragraph (5)(B), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (5)(A) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ___(o)(5)(A) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000, transmitted on _____.'', with the blank completed with the appropriate date.

(D) UNILATERAL AGRICULTURAL SANCTION.—The term ''unilateral agricultural sanction'' means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(E) UNILATERAL MEDICAL SANCTION.—The term ''unilateral medical sanction'' means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(2) RESTRICTION.—

(A) NEW SANCTIONS.—Except as provided in paragraphs (3) and (4) and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity for any fiscal year, unless—

(i) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(I) describes the activity proposed to be prohibited, restricted, or conditioned; and

(II) describes the actions by the foreign country or foreign entity that justify the sanction; and

(ii) Congress enacts a joint resolution stating the approval of Congress for the report submitted under clause (i).

(B) EXISTING SANCTIONS.—

(i) IN GENERAL.—Except as provided in clause (ii), with respect to any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act for any fiscal year, the President shall immediately cease to implement such sanction.

(ii) EXEMPTIONS.—Clause (i) shall not apply to a unilateral agricultural sanction or unilateral medical sanction imposed with respect to an agricultural program or activity described in clause (ii) or (iv) of paragraph (1)(B).

(3) EXCEPTIONS.—The President may impose (or continue to impose) a sanction described in paragraph (2) without regard to the procedures required by that paragraph—

(A) against a foreign country or foreign entity with respect to which Congress has enacted a declaration of war that is in effect on or after the date of enactment of this Act; or

(B) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity, medicine, or medical device that is—

(i) controlled on the United States Munitions List;

(ii) an item for which export controls are administered by the Department of Commerce for foreign policy or national security reasons; or

(iii) used to facilitate the development or production of a chemical or biological weapon.

(4) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—This subsection shall not affect the current prohibitions on providing, to the government of any country supporting international terrorism, United States government assistance, including United States foreign assistance, United States export assistance, or any United States credits or credit guarantees.

(5) TERMINATION OF SANCTIONS.—Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in paragraph (2)(A) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(A) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years and the request of the President for approval by Congress of the recommendation; and

(B) Congress enacts a joint resolution stating the approval of Congress for the report submitted under subparagraph (A).

(6) CONGRESSIONAL PRIORITY PROCEDURES.—

(A) REFERRAL OF REPORT.—A report described in paragraph (2)(A)(i) or (5)(A) shall be referred to the appropriate committee or committees of the House of Representatives and to the appropriate committee or committees of the Senate.

(B) REFERRAL OF JOINT RESOLUTION.—

(i) IN GENERAL.—A joint resolution shall be referred to the committees in each House of Congress with jurisdiction.

(ii) REPORTING DATE.—A joint resolution referred to in clause (i) may not be reported before the eighth session day of Congress after the introduction of the joint resolution.

(C) DISCHARGE OF COMMITTEE.—If the committee to which is referred a joint resolution has not reported the joint resolution (or an identical joint resolution) at the end of 30 session days of Congress after the date of introduction of the joint resolution—

(i) the committee shall be discharged from further consideration of the joint resolution; and

(ii) the joint resolution shall be placed on the appropriate calendar of the House concerned.

(D) FLOOR CONSIDERATION.—

(i) MOTION TO PROCEED.—

(I) IN GENERAL.—When the committee to which a joint resolution is referred has reported, or when a committee is discharged under subparagraph (C) from further consideration of, a joint resolution—

(aa) it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any member of the House concerned to move to proceed to the consideration of the joint resolution; and

(bb) all points of order against the joint resolution (and against consideration of the joint resolution) are waived.

(II) PRIVILEGE.—The motion to proceed to the consideration of the joint resolution—

(aa) shall be highly privileged in the House of Representatives and privileged in the Senate; and

(bb) not debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—The motion to proceed to the consideration of the joint resolution shall not be subject to—

(aa) amendment;

(bb) a motion to postpone; or

(cc) a motion to proceed to the consideration of other business.

(IV) MOTION TO RECONSIDER NOT IN ORDER.—A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(V) BUSINESS UNTIL DISPOSITION.—If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the House concerned until disposed of.

(ii) LIMITATIONS ON DEBATE.—

(I) IN GENERAL.—Debate on the joint resolution, and on all debatable motions and appeals in connection with the joint resolution, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution.

(II) FURTHER DEBATE LIMITATIONS.—A motion to limit debate shall be in order and shall not be debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—An amendment to, a motion to postpone, a motion to proceed to the consideration of other business, a motion to recommit the joint resolution, or a motion to reconsider the vote by which the joint resolution is agreed to or disagreed to shall not be in order.

(iii) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the House concerned, the vote on final passage of the joint resolution shall occur.

(iv) RULINGS OF THE CHAIR ON PROCEDURE.—An appeal from a decision of the Chair relating to the application of the rules of the Senate or House of Representatives, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(E) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, the following procedures shall apply:

(i) NO COMMITTEE REFERRAL.—The joint resolution of the other House shall not be referred to a committee.

(ii) FLOOR PROCEDURE.—With respect to a joint resolution of the House receiving the joint resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on final passage shall be on the joint resolution of the other House.

(iii) DISPOSITION OF JOINT RESOLUTIONS OF RECEIVING HOUSE.—On disposition of the joint resolution received from the other House, it shall no longer be in order to consider the joint resolution originated in the receiving House.

(F) PROCEDURES AFTER ACTION BY BOTH THE HOUSE AND SENATE.—If a House receives a joint resolution from the other House after the receiving House has disposed of a joint resolution originated in that House, the action of the receiving House with regard to the disposition of the joint resolution originated in that House shall be deemed to be the action of the receiving House with regard to the joint resolution originated in the other House.

(G) RULEMAKING POWER.—This paragraph is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such this paragraph—

(I) is deemed to be a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution; and

(II) supersedes other rules only to the extent that this paragraph is inconsistent with those rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as the rules relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(7) EFFECTIVE DATE.—This subsection takes effect 180 days after the date of enactment of this Act.

(p) TOBACCO GROWER ASSISTANCE.—The Secretary shall provide $328,000,000 to be distributed to tobacco growers according to the formulas established pursuant to the National Tobacco Grower Settlement Trust.

(q) EMERGENCY REQUIREMENT.—The entire amount necessary to carry out this section and the amendments made by this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

(r) AVAILABILITY.—The amount necessary to carry out this section and the amendments made by this section shall become available on the date of enactment of this Act for the remainder of fiscal year 1999 and for fiscal year 2000, and shall remain available until expended.

TORRICELLI AMENDMENT NO. 1518

(Ordered to lie on the table.)

Mr. TORRICELLI submitted an amendment intended to be proposed by him to the bill, S. 1233, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . Nothing in this Act shall be construed as authorizing commercial exports or other transactions with Iraq, Iran, Libya, Sudan, Cuba, North Korea, and Syria, countries that on June 1, 1999, were determined by the Secretary of State to have been a country the government of which had repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

EDWARDS AMENDMENT NO. 1519

(Ordered to lie on the table.)

Mr. EDWARDS submitted an amendment intended to be proposed by him to the bill, S. 1233, supra; as follows:

On page 13, line 19, strike '$54,276,000' and insert '$54,476,000'.

On page 14, line 22, strike '$474,377,000' and insert '$474,577,000'.

On page 9, line 8, strike '$65,419,000' and insert '$65,219,000'.

BROWNBACK AMENDMENT NO. 1520

(Ordered to lie on the table.)

Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill, S. 1233, supra; as follows:

'At the appropriate place add the following: Notwithstanding any other provisions of this Act, the section dealing with the use of funds from the Commodity Credit Corporation for tobacco farmers shall be null and void and of no effect'.

BOXER (AND OTHERS) AMENDMENT NO. 1521

Mrs. BOXER (for herself, Mr. FITZGERALD, Mr. DURBIN, Mr. HARKIN, Mr. GRASSLEY, Mr. WELLSTONE, and Mr. CRAPO) proposed an amendment to the bill, S. 1233, supra; as follows:

CHAFEE AMENDMENT NO. 1522

Mr. CHAFEE proposed an amendment to amendment No. 1521 proposed by Mrs. BOXER to the bill, S. 1233, supra; as follows:

Strike all after the first word, and insert the following: ''. It is the sense of the Senate that the Committee on Environment and Public Works should review the findings of the EPA Blue Ribbon Panel on MTBE and other relevant scientific studies, hold comprehensive hearings, and report to the senate at the earliest possible date any legislation necessary to address the recommendations of the Blue Ribbon Panel.''

At the appropriate place, add the following:

SEC. . (a) FINDINGS.—Congress finds that—

(1) The Clean Air Act requires that federal reformulated gasoline contain oxygen as a means of achieving air quality benefits.

(2) While both renewable ethanol and MTBE may be used to meet this Clean Air Act requirement, MTBE is in substantially greater use than ethanol.

(3) MTBE is classified as a possible human carcinogen, and when leaked into water causes water to take on the taste and smell of turpentine, rendering it undrinkable.

(4) MTBE leaking from underground fuel storage tanks, recreational watercraft and abandoned automobiles has led to growing detections of MTBE in drinking water, and has contaminated groundwater and drinking water throughout the United States.

(5) Approximately five to ten percent of drinking water supplies in areas using reformulated gasoline now show detectable levels of MTBE.

(6) MTBE poses a more pervasive threat to drinking water than the other harmful constituents of gasoline because MTBE is more soluble, more mobile and slower to degrade than those other constituents.

(7) Renewable ethanol provides air quality and energy security benefits without raising drinking water concerns.

(8) A substantial increase in renewable ethanol production would enhance the energy security of the United States by reducing dependence upon foreign oil.

(9) A substantial increase in renewable ethanol production would help alleviate the financial crisis facing farmers.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should—

(1) phase out MTBE in order to address the threats MTBE poses to public health and the environment;

(2) promote renewable ethanol to replace MTBE as a means of enhancing energy security and supporting the farm economy;

(3) provide assistance to state and local governments to treat drinking water supplies contaminated with MTBE;

(4) provide assistance to state and local governments to protect lakes and reservoirs from MTBE contamination.

THURMOND AMENDMENT NO. 1523

Mr. THURMOND proposed an amendment to the bill, S. 1233, supra; as follows:

On page 51, line 13, before the period, insert the following: '', or alcoholic beverages, including wine''.

ABRAHAM AMENDMENTS NOS. 1524–1525

Mr. COCHRAN (for Mr. ABRAHAM) proposed two amendments to the bill, S. 1233, supra as follows:

AMENDMENT NO. 1524

On page 13, line 13, strike ''$54,276,000'' and insert ''$54,476,000''. On page 13, line 16, strike ''$119,300,000'' and insert ''$119,100,000''.

AMENDMENT NO. 1525

On page 68, line 5, before the period insert the following: '', or the Food and Drug Administration Detroit, Michigan District Office Laboratory; or to reduce the Detroit Michigan Food and Drug Administration District Office below the operating and full-time equivalent staffing level of July 31, 1999; or to change the Detroit District Office to a station, residence post or similarly modified office; or to reassign residence posts assigned to the Detroit District Office''.

BINGAMAN (AND OTHERS) AMENDMENT NO. 1526

Mr. KOHL (for Mr. BINGAMAN (for himself and Mr. DOMENICI, Mr. LEAHY, Mr. CAMPBELL, Mr. DASCHLE, Mr. BENNETT, Mr. INOUYE, Mrs. FEINSTEIN, and Mr. DORGAN)) proposed an amendment to the bill, S. 1233, supra as follows:

On page 35, line 20, after the semi-colon, insert the following: ''not to exceed $12,000,000 shall be for water and waste disposal systems to benefit Federally Recognized Native American Tribes, including grants pursuant to section 306C of such Act, provided that the Federally Recognized Native American Tribe is not eligible for any other rural utilities programs set aside under the Rural Community Advancement Program;''.

BOND AMENDMENT NO. 1527

Mr. COCHRAN (for Mr. BOND) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7 . CONTRACTS FOR PROCUREMENT OF FOOD FOR PEACE COMMODITIES.—(a) DEFINITIONS.—In this section:

(1) HUBZONE SOLE SOURCE CONTRACT.—The term ''HUBZone sole source contract'' means a sole source contract authorized by section 31 of the Small Business Act (15 U.S.C. 657a).

(2) HUBZONE PRICE EVALUATION PREFERENCE.—The term ''HUBZone price evaluation preference'' means a price evaluation preference authorized by section 31 of the Small Business Act (15 U.S.C. 657a).

(3) QUALIFIED HUBZONE SMALL BUSINESS CONCERN.—The term ''qualified HUBZone small business concern'' has the meaning given the term in section 3(p) of the Small Business Act (15 U.S.C. 632(p)).

(4) COVERED PROCUREMENT.—The term ''covered procurement'' means a contract for the procurement or processing of a commodity furnished under title II or III of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.), section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Food for Progress Act of 1985 (7 U.S.C. 1736o), or any other commodity procurement or acquisition by the Commodity Credit Corporation under any other law.

(b) PROHIBITION OF USE OF FUNDS.—None of the funds made available by this Act may be used to award a HUBZone sole source contract or a contract awarded through full and open competition in combination with a HUBZone price evaluation preference to any qualified HUBZone small business concern in any covered procurement if performance of the contract by the business concern would exceed the production capacity of the business concern or would require the business concern to subcontract to any other company or enterprise for the purchase of the commodity being procured through the covered procurement.

BURNS AMENDMENT NO. 1528

Mr. COCHRAN (for Mr. BURNS) proposed an amendment to the bill, S. 1233, supra as follows:

On Page 76, after Line 6 insert the following:

SEC. . It is the Sense of the Senate that the Secretary of Agriculture shall exercise reasonable treatment of producers in order to avoid harmful consequences regarding the inadvertent planting of dry beans on contract acres, up to and including the 1999 crop year.

BYRD AMENDMENT NO. 1529

Mr. KOHL (for Mr. BYRD) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 11, strike ''$29,676,000'' and insert ''$30,676,000''.

On page 13, line 13, before the semicolon, insert the following: '', of which $1,000,000 shall be made available to West Virginia State College in Institute, West Virginia, which for fiscal year 2000 and thereafter shall be designated as an eligible institution under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222)''.

On page 13, line 16, strike ''$119,100,000'' and insert ''$117,100,000''.

On page 14, line 22, strike ''$474,377,000'' and insert ''$473,377,000''.

On page 16, line 16, strike ''$25,843,000'' and insert ''$26,843,000, of which $1,000,000 shall be made available to West Virginia State College in Institute, West Virginia, which for fiscal year 2000 and thereafter shall be designated as an eligible institution under section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221)''.

On page 16, line 23, strike ''$421,620,000'' and insert ''$422,620,000''.

CLELAND (AND COVERDELL) AMENDMENT NO. 1530

Mr. KOHL (for Mr. CLELAND (for himself and Mr. COVERDELL)) proposed an amendment to the bill, S. 1233, supra as follows:

At the end of the bill, insert the following:

SEC. ___. REDESIGNATION OF NATIONAL SCHOOL LUNCH ACT AS RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT.—(a) IN GENERAL.—The first section of the National School Lunch Act (42 U.S.C. 1751 note) is amended by striking ''National School Lunch Act'' and inserting ''Richard B. Russell National School Lunch Act''.

(b) CONFORMING AMENDMENTS.—The following provisions of law are amended by striking ''National School Lunch Act'' each place it appears and inserting ''Richard B. Russell National School Lunch Act'':

(1) Sections 3 and 13(3)(A) of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237).

(2) Section 404 of the Agricultural Act of 1949 (7 U.S.C. 1424).

(3) Section 201(a) of the Act entitled ''An Act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes'', approved September 21, 1959 (7 U.S.C. 1431c(a); 73 Stat. 610).

(4) Section 211(a) of the Agricultural Trade Suspension Adjustment Act of 1980 (7 U.S.C. 4004(a)).

(5) Section 245A(h)(4)(A) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(4)(A)).

(6) Sections 403(c)(2)(C), 422(b)(3), 423(d)(3), 741(a)(1), and 742 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(c)(2)(C), 1632(b)(3), 1183a note, 42 U.S.C. 1751 note, 8 U.S.C. 1615; Public Law 104–193).

(7) Section 2243(b) of title 10, United States Code.

(8) Sections 404B(g)(1)(A), 404D(c)(2), and 404F(a)(2) of the Higher Education Act of 1965 (20 U.S.C. 1070a–22(g)(1)(A), 1070a–24(c)(2), 1070a–26(a)(2); Public Law 105–244).

(9) Section 231(d)(3)(A)(i) of the Carl D. Perkins Vocational Education Act (20 U.S.C. 2341(d)(3)(A)(i)).

(10) Section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)).

(11) Section 1397E(d)(4)(A)(iv)(II) of the Internal Revenue Code of 1986.

(12) Sections 254(b)(2)(B) and 263(a)(2)(C) of the Job Training Partnership Act (29 U.S.C. 1633(b)(2)(B), 1643(a)(2)(C)).

(13) Section 3803(c)(2)(C)(xiii) of title 31, United States Code.

(14) Section 602(d)(9)(A) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 474(d)(9)(A)).

(15) Sections 2(4), 3(1), and 301 of the Healthy Meals for Healthy Americans Act of 1994 (42 U.S.C. 1751 note; Public Law 103–448).

(16) Sections 3, 4, 7, 10, 13, 16(b), 17, and 19(d) of the Child Nutrition Act of 1966 (42 U.S.C. 1772, 1773, 1776, 1779, 1782, 1785(b), 1786, 1788(d)).

(17) Section 658O(b)(3) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m(b)(3)).

(18) Subsection (b) of the first section of Public Law 87–688 (48 U.S.C. 1666(b)).

(19) Section 10405(a)(2)(H) of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101–239; 103 Stat. 2489).

COCHRAN (AND KOHL) AMENDMENT NO. 1531

Mr. COCHRAN (for himself and Mr. KOHL) proposed an amendment to the bill, S. 1233, supra as follows:

On page 33, line 15 after the period, insert the following: '': *Provided further*, That of the funds available for Emergency Watershed Protection activities, $5,000,000 shall be available for Mississippi and Wisconsin for financial and technical assistance for pilot rehabilitation projects of small, upstream dams built under the Watershed and Flood Prevention Act (16 U.S.C. 1001 et seq., Section 13 of the Act of December 22, 1994) Public Law 78–534; 58 Stat. 905, and the pilot watershed program authorized under the heading 'FLOOD PREVENTION' of the Department of Agriculture Appropriation Act, 1954, (Public Law 156; 67 Stat. 214)''.

COCHRAN AMENDMENTS NOS. 1532–1533

Mr. COCHRAN proposed two amendments to the bill, S. 1233, supra as follows:

AMENDMENT NO. 1532

On page 41, line 6, insert the following before the period: '': *Provided further*, That none of the funds appropriated under this paragraph shall be available unless the Department of Agriculture proposes a revised regulation to allow leaders charged a fee to be up to 3% on guaranteed business and industry loans''.

AMENDMENT NO. 1533

On page 42, line 7, insert the following before the period: '': *Provided*, That at least twenty-five percent of the total amount appropriated shall be made available to cooperatives or associations of cooperatives that assist small minority producers''.

DOMENICI AMENDMENT NO. 1534

Mr. COCHRAN (for Mr. DOMENICI) proposed an amendment to the bill, S. 1233, supra as follows:

At the appropriate place in the bill, add the following new section:

SEC. . Public Law 105–199 (112 Stat. 641) is amended in section 3(b)(1)(G) by striking ''persons'' and inserting in lieu thereof ''governors, who may be represented on the Commission by their respective designees,''.

DURBIN (AND KENNEDY) AMENDMENT NO. 1535

Mr. KOHL (for Mr. DURBIN (for himself and Mr. KENNEDY)) proposed an amendment to the bill, S. 1233, supra as follows:

On page 55, line 5, strike the semicolon and insert the following: '', of which $1,000,000 shall be for premarket review, enforcement and oversight activities related to users and manufacturers of all reprocessed medical devices as authorized by the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.), and of which no less than $55,500,000 and 522 full-time equivalent positions shall be for premarket application review activities to meet statutory review times;''.

DURBIN AMENDMENT NO. 1536

Mr. KOHL (for Mr. DURBIN) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7. SENSE OF THE SENATE CONCERNING ACTION PLAN ON FOOD SECURITY.

It is the sense of the Senate that the President should include in the fiscal year 2001 budget request funding to implement the United States Action Plan on Food Security.

GORTON AMENDMENT NO. 1537

Mr. COCHRAN (for Mr. GORTON) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7 . FINANCIAL HARDSHIPS FACING APPLE FARMERS.—The Farm Service Agency—

(1) In view of the financial hardship facing United States apple farmers as a result of a loss of markets and excessive imports of apple juice concentrate, shall review all programs that assist apple growers in time of need;

(2) in view of the increased operating costs associated with tree fruit production, shall review the limits currently set on operating loan programs used by apple growers to determine whether the current limits are insufficient to cover those costs; and

(3) shall report to Congress in findings not later than January 1, 2000.

GRAHAM AND (MACK) AMENDMENT NO. 1538

Mr. KOHL (for Mr. GRAHAM (for himself and Mr. MACK)) proposed an amendment to the bill, S. 1233, supra as follows:

On page 18, line 12, strike ''$437,445,000'' and insert ''$439,445,000''.

On page 18, line 19, after the colon, insert the following: ''*Provided further,* That, of the amounts made available under this heading, not less than $24,970,000 shall be used for fruit fly exclusion and detection (including at least $6,000,000 for fruit fly exclusion and detection in the state of Florida):''.

On page 20, line 16, strike ''$7,200,000'' and insert ''$5,200,000''.

KERREY AMENDMENT NO. 1539

Mr. KOHL (for Mr. KERREY) proposed an amendment to the bill, S. 1233, supra as follows:

On page 36 of S. 1233, line 3 after the word ''systems:'' insert the following: ''*Provided further,* That of the total amount appropriated, not to exceed $1,500,000 shall be available to the Grassroots project:''.

LEVIN AMENDMENT NO. 1540

Mr. KOHL (for Mr. LEVIN) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 13, strike ''$54,476,000'' and insert ''$54,951,000''.

On page 13, line 16, strike ''$117,100,000'' and insert ''$116,625,000''.

LINCOLN AMENDMENT NO. 1541

Mr. KOHL (for Mrs. LINCOLN) proposed an amendment to the bill, S. 1233, supra as follows:

SEC. . Section 889 of the Federal Agriculture Improvement and Reform Act of 1996 is amended—

(1) in the heading, by inserting ''HARRY K. DUPREE'' before ''STUTTGART'';

(2) in subsection (b)(1)—

(A) in the heading, by inserting ''HARRY K. DUPREE'' before ''STUTTGART''; and

(B) in subparagraphs (A) and (B), by inserting ''Harry K. Dupree'' before ''Struttgart National Aquaculture Research Center'' each place it appears.

MACK (AND GRAHAM) AMENDMENT NO. 1542

Mr. COCHRAN (for Mr. MACK (for himself and Mr. GRAHAM)) proposed an amendment to the bill, S. 1233, supra as follows:

On Page 13, Line 16, strike ''$116,625,000 and insert ''$116,325,000''.

On Page 14, Line 19, strike ''$13,666,000 and insert ''$13,966,000''.

MCCONNELL AMENDMENT NO. 1543

Mr. COCHRAN (for Mr. MCCONNELL) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. TOBACCO LEASING AND INFORMATION.—(a) CROSS-COUNTY LEASING.—Section 319(l) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e(l)) is amended in the second sentence by inserting '', Kentucky,'' after ''Tennessee''.

(b) TOBACCO PRODUCTION AND MARKETING INFORMATION.—Part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) is amended by adding at the end the following:

''SEC. 320D. TOBACCO PRODUCTION AND MARKETING INFORMATION.

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may, subject to subsection (b), release marketing information submitted by persons relating to the production and marketing of tobacco to State trusts or similar organizations engaged in the distribution of national trust funds to tobacco producers and other persons with interests associated with the production of tobacco, as determined by the Secretary.

''(b) LIMITATIONS.—

''(1) IN GENERAL.—Information may be released under subsection (a) only to the extent that—

''(A) the release is in the interest of tobacco producers, as determined by the Secretary; and

''(B) the information is released to a State trust or other organization that is created to, or charged with, distributing funds to tobacco producers or other parties with an interest in tobacco production or tobacco farms under a national or State trust or settlement.

''(2) EXEMPTION FROM RELEASE.—The Secretary shall, to the maximum extent practicable, in advance of making a release of information under subsection (a), allow, by announcement, a period of at least 15 days for persons whose consent would otherwise be required by law to effectuate the release, to elect to be exempt from the release.

''(c) ASSISTANCE.—

''(1) IN GENERAL.—In making a release under subsection (a), the Secretary may provide such other assistance with respect to information released under subsection (a) as will facilitate the interest of producers in receiving the funds that are the subject of a trust described in subsection (a).

''(2) FUNDS.—The Secretary shall use amounts made available for salaries and expenses of the Department to carry out paragraph (1).

''(d) RECORDS.—

''(1) IN GENERAL.—A person that obtains information described in subsection (a) shall maintain records that are consistent with the purposes of the release and shall not use the records for any purpose not authorized under this section.

''(2) PENALTY.—A person that knowingly violates this subsection shall be fined not more than $10,000, imprisoned not more than 1 year, or both.

''(e) APPLICATION.—This section shall not apply to—

''(1) records submitted by cigarette manufacturers with respect to the production of cigarettes;

''(2) records that were submitted as expected purchase intentions in connection with the establishment of national tobacco quotas; or

''(3) records that aggregate the purchases of particular buyers.''.

NICKLES AMENDMENT NO. 1544

Mr. COCHRAN (for Mr. NICKLES) proposed an amendment to the bill, S. 1233, supra as follows:

On page 70, strike lines 3 through 10, and insert in lieu thereof:

''SEC. 739. None of the funds appropriated or otherwise made available by this Act may be used to declare excess or surplus all or part of the lands and facilities owned by the federal government and administered by the Secretary of Agriculture at Fort Reno, Oklahoma, or to transfer or convey such lands or facilities, without the specific authorization of Congress.''.

REID AMENDMENT NO. 1545

Mr. KOHL (for Mr. REID) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 16, strike the figure ''$116,325,000'' and insert in lieu thereof the figure ''$115,825,000'' and on page 13, line 13, strike the figure ''$54,951,000'' and insert in lieu thereof the figure ''$55,451,000.

SESSIONS AMENDMENT NO. 1546

Mr. COCHRAN (for Mr. SESSIONS) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 13, increase the dollar amount by $750,000; and

On page 13, line 16, decrease the dollar amount by $750,000.

SMITH AMENDMENT NO. 1547

Mr. COCHRAN (for Mr. SMITH of New Hampshire) proposed an amendment to the bill, S. 1233, supra as follows:

At the end of the bill, add the following:

''SEC. . That notwithstanding section 306(a)(7) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(7)), the city of Berlin, New Hampshire, shall be eligible during fiscal year 2000 for a rural utilities grant or loan under the Rural Community Advancement Program.''.

SMITH AMENDMENT NO. 1548

Mr. COCHRAN (for Mr. SMITH of Oregon) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. CRANBERRY MARKETING ORDERS.—(a) PAID ADVERTISING FOR CRANBERRIES AND CRANBERRY PRODUCTS.—Section 8c(6)(I) of the Agricultural Adjustment Act (7 U.S.C. 608c(6)(I)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the first proviso—

(1) by striking ''or Florida grown strawberries'' and inserting '', Florida grown strawberries, or cranberries''; and

(2) by striking ''and Florida Indian River grapefruit'' and inserting ''Florida Indian River grapefruit, and cranberries''.

(b) COLLECTION OF CRANBERRY INVENTORY DATA.—Section 8d of the Agricultural Adjustment Act (7 U.S.C. 608d), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

''(3) COLLECTION OF CRANBERRY INVENTORY DATA.—

''(A) IN GENERAL.—If an order is in effect with respect to cranberries, the Secretary of Agriculture may require persons engaged in the handling or importation of cranberries or cranberry products (including producer-handlers, second handlers, processors, brokers, and importers) to provide such information as the Secretary considers necessary to effectuate the declared policy of this title, including information on acquisitions, inventories, and dispositions of cranberries and cranberry products.

''(B) DELEGATION TO COMMITTEE.—The Secretary may delegate the authority to carry out subparagraph (A) to any committee that is responsible for administering an order covering cranberries.

''(C) CONFIDENTIALITY.—Paragraph (2) shall apply to information provided under this paragraph.

''(D) VIOLATIONS.—Any person that violates this paragraph shall be subject to the penalties provided under section 8c(14).''.

STEVENS AMENDMENTS NOS. 1549–1550

Mr. COCHRAN (for Mr. STEVENS) proposed two amendments to the bill, S. 1233, supra as follows:

AMENDMENT NO. 1549

On page 76, line 6, please add the following:

''Beginning in fiscal year 2001 and thereafter:

''SEC. . The Food Stamp Act (P.L. 95–113, section 16(a)) is amended by inserting after the phrase 'Indian reservation under section 11(d) of this Act' the following new phrase: 'or in a Native village within the State of Alaska identified in section 11(b) of Public Law 92–203, as amended.' ''

AMENDMENT NO. 1550

At the appropriate place insert the following new section:

''SEC. . It is the Sense of the Senate that the Secretary of Agriculture shall periodically review the Food Packages listed at 7. CFR 246.10(c) (1996) and consider including additional nutritious food for women, infants and children.''

STEVENS (AND OTHERS) AMENDMENT NO. 1551

Mr. COCHRAN (for Mr. STEVENS (for himself, Mr. INOUYE, and Mr. AKAKA)) proposed an amendment to the bill, S. 1233, supra as follows:

Amend Title VII—GENERAL PROVISIONS by inserting a new section as follows:

''SEC. . EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

''(a) EDUCATION GRANTS PROGRAM FOR ALASKA NATIVE SERVING INSTITUTIONS.—(1) GRANT AUTHORITY.—The Secretary of Agriculture may make competitive grants (or grants without regard to any requirement for competition) to Alaska Native serving institutions for the purpose of promoting and strengthening the ability of Alaska Native serving institutions to carry out education, applied research, and related community development programs.

(2) USE OF GRANT FUNDS.—Grants made under this section shall be used—

(A) to support the activities of consortia of Alaska Native serving institutions to enhance educational equity for under represented students:

(B) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional national, or international educational needs in the food and agriculture sciences:

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level including by village elders and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Alaska Native serving institutions, or between Alaska Native serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to make grants under this subsection $10,000,000 in fiscal years 2001 through 2006.

''(b) EDUCATION GRANTS PROGRAM FOR NATIVE HAWAIIAN SERVING INSTITUTIONS.—(1) GRANT AUTHORITY.—The Secretary of Agriculture may make competitive grants (or grants without regard to any requirement for competition) to Native Hawaiian serving institutions for the purpose of promoting and strengthening the ability of Native Hawaiian serving institutions to carry out education, applied research, and related community development programs.

(2) USE OF GRANT FUNDS.—Grants made under this section shall be used—

(A) to support the activities of consortia of Native Hawaiian serving institutions to enhance educational equity for under represented students:

(B) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified state, regional, national, or international educational needs in the food and agriculture sciences:

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Native Hawaiian serving institutions, or between Native Hawaiian serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to make grants under this subsection $10,000,000 for each of fiscal years 2001 through 2006.

STEVENS AMENDMENT NO. 1552

Mr. COCHRAN (for Mr. STEVENS) proposed an amendment to the bill, S. 1233, supra as follows:

At the appropriate place in the bill insert the following new section:

''SEC. . SMITH-LEVER ACT ALLOCATIONS IN STATES WITH CONGRESSIONALLY-AUTHORIZED COST OF LIVING ADJUSTMENTS.

Beginning is fiscal year 2001 and thereafter, a state in which federal employees receive a special allowance because of the high cost of living or conditions of environment which differ substantially from conditions in other parts of the country as provided under section 1 of title IV of Public Law 102–141 (105 Stat. 861) shall receive an allotment of no less than $2,000,000 under the Smith Lever Act of 1914, as amended (7 U.S.C. 343).''

STEVENS (AND OTHERS) AMENDMENT N0. 1553

Mr. COCHRAN (for Mr. STEVENS (for himself, Mr. MURKOWSKI, Mr. INOUYE, and Mr. AKAKA)) proposed an amendment to the bill, S. 1233, supra as follows:

At the appropriate place in the bill insert the following new section:

''SEC. . HATCH ACT ALLOCATIONS IN STATES WITH CONGRESSIONALLY-AUTHORIZED COST OF LIVING ADJUSTMENTS.''

Beginning in fiscal year 2001 and thereafter, a state in which federal employees receive a special allowance because of the high cost of living or conditions of environment which differ substantially from conditions in other parts of the country as provided under section 1 of title IV of Public Law 102–141 (105 Stat. 861) shall receive an allotment of no less than $2,000,000 under 7 U.S.C. 361c(c).''

THOMAS (AND OTHERS) AMENDMENT NO. 1554

Mr. COCHRAN (for Mr. THOMAS (for himself, Mr. BURNS, Mr. ALLARD, Mr. ROBERTS, Mr. ENZI, Mr. CRAIG, Mr. HAGEL, and Mr. DASCHLE)) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 16, strike ''$115,075,000 and insert ''$114,825,000''.

On page 14, line 19, strike ''$13,966,000'' and insert ''$14,216,000''

On page 14, line 22, before the period at the end, insert the following: '', of which not less than $250,000 shall be provided to carry out market analysis programs at the Livestock Marketing Information Center in Lakewood, Colorado''.

WELLSTONE AMENDMENT NO. 1555

Mr. KOHL (for Mr. WELLSTONE) proposed an amendment to the bill, S. 1233, supra as follows:

On page 9, line 9, strike ''$2,000,000'' and insert ''$2,500,000''.

On page 9, line 12, after ''tions:'', insert the following: '': *Provided further,* That not more than $500,000 of the amount transferred under the preceding proviso shall be available to conduct, not later than 180 days after the date of enactment of this Act, a study based on all available administrative data and on-site inspections conducted by the Secretary of Agriculture of local food stamp offices in each State, of (1) reasons for the decline in participation in the food stamp program, and (2) any problems that households with eligible children have experienced in obtaining food stamps, and to report the results of the study to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate:''.

EDWARDS AMENDMENT NO. 1556

Mr. KOHL (for Mr. EDWARDS) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 19, strike ''$56,201,000'' and insert ''$56,401,000''.

On page 13, strike on line 13, strike ''$114,825,000'' and insert ''$114,625,000''.

HUTCHISON AMENDMENT NO. 1557

Mr. COCHRAN (for Mrs. HUTCHISON) proposed an amendment to the bill, S. 1233, supra as follows:

At the appropriate place insert the following:

SEC. . It is the sense of the Senate that the Food and Drug Administration, to the maximum extent possible, when conducting an Import Food Survey under the President's Food Safety Initiative, ensure timely testing of produce imports by conducting survey tests at the USDA or FDA laboratory closest to the port of entry. If testing results are not provided within twenty-four hours of collection.

BRYAN (AND REID) AMENDMENT NO. 1558

Mr. KOHL (for Mr. BRYAN (for himself and Mr. REID)) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. DEREGULATION OF PRODUCER MILK PRICES IN CLARK COUNTY, NEVADA.—Effective October 1, 1999, section 8c(11) of the Agricultural Adjustment Act (7 U.S.C. 608c(11)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

''(D) PRODUCER MILK PRICES IN CLARK COUNTY, NEVADA.—The price of milk received by producers located in Clark County, Nevada—

''(i) shall not be subject to any order issued under this section or any other regulation by the Secretary; and

''(ii) shall solely be regulated by the State of Nevada and the Nevada State Dairy Commission.''.

BAUCUS AMENDMENT NO. 1559

Mr. KOHL (for Mr. BAUCUS) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. . The Senate finds that—

(1) agricultural producers in the United States compete effectively when world markets are not distorted by government intervention;

(2) the elimination of barriers to competition in world markets for agricultural commodities is in the interest of producers and consumers in the United States;

(3) the United States must provide leadership on the opening of the agricultural markets in upcoming multilateral World Trade Organization negotiations;

(4) countries that import agricultural commodities are more likely to liberalize practices if they are confident that their trading partners will not curtail the availability of agricultural commodities on world markets for foreign policy purposes; and

(5) a multilateral commitment to use the open market, rather than government intervention, to guarantee food security would advance the interests of the farm community of the United States.

(b) It is the sense of the Senate that members of the World Trade Organization should undertake multilateral negotiations to eliminate policies and programs that distort world markets for agricultural commodities.

KOHL AMENDMENT NO. 1560

Mr. KOHL proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 13, strike ''56,401,000'' and insert in lieu thereof ''56,901,000''.

On page 13, line 16, strike ''114,625,000'' and insert in lieu thereof ''114,125,000''.

HARKIN (AND OTHERS) AMENDMENT NO. 1561

Mr. KOHL (for Mr. HARKIN (for himself, Mr. DASCHLE, and Mr. WELLSTONE)) proposed an amendment to the bill, S. 1233, supra as follows:

Amend page 22, line 26 by increasing the dollar figure by $2,000,000.

Amend page 9, line 8 by reducing the dollar figure by $2,000,000.

Amend page 9, line 15 by striking the line and inserting in lieu thereof the following: ''2225); *Provided further*, That university research shall be reduced below the fiscal year 1999 level by $2,000,000.''

LEGISLATION TO ESTABLISH A NATIONAL CEMETERY FOR VETERANS IN THE ATLANTA, GEORGIA, METROPOLITAN AREA

SPECTER (AND ROCKEFELLER) AMENDMENT NO. 1562

Mr. COCHRAN (for Mr. SPECTER (for himself and Mr. ROCKEFELLER)) proposed an amendment to the bill (S. 695) to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in Atlanta, Georgia, metropolitan area; as follows:

On page 3, between lines 9 and 10, insert the following:

(4) A national cemetery in the Detroit, Michigan, metropolitan area to serve the needs of veterans and their families.

(5) A national cemetery in the Sacramento, California, metropolitan area to serve the needs of veterans and their families.

On page 4, strike lines 3 and 4 and insert the following:

Florida, metropolitan area;

(4) in the case of the national cemetery to be established under paragraph (4) of that subsection, appropriate officials of the State of Michigan and appropriate officials of local governments in the Detroit, Michigan, metropolitan area;

(5) in the case of the national cemetery to be established under paragraph (5) of that subsection, appropriate officials of the State of California and appropriate officials of local governments in the Sacramento, California, metropolitan area; and

(6) appropriate officials of the United States, in—

On page 4, after line 15, add the following:

SEC. 2. USE OF FLAT GRAVE MARKERS.

(a) AUTHORITY TO USE FLAT GRAVE MARKERS AT SANTA FE NATIONAL CEMETERY.—Notwithstanding section 2404(c)(2) of title 38, United States Code, the Secretary of Veterans Affairs may provide for flat grave markers at the Santa Fe National Cemetery, New Mexico.

(b) REPORT COMPARING USE OF FLAT GRAVE MARKERS AND UPRIGHT GRAVE MARKERS.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report assessing the advantages and disadvantages of the use by the National Cemetery Administration of flat grave markers and upright grave markers.

(2) The report under paragraph (1) shall set forth the advantages and disadvantages of the use of each type of grave marker referred to in that paragraph, and shall include criteria to be utilizing in determining whether to prefer the use of one such type of grave marker over the other.

In the amendment to the title, strike ''in the Atlanta, Georgia, metropolitan area'' and all that follows through ''metropolitan area'' and insert the following: ''in various locations in the United States, and for other purposes''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Wednesday August 4, 1999. The purpose of this meeting will be discuss the farm crisis.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, August 4, 1999, at 2.:15 p.m. on fraud against seniors.

The PRESIDING OFFICER. Without objection, it is ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. COCHRAN. Mr. President. I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to meet to mark up S. 1090, the Superfund Program Completion Act of 1999, Wednesday, August 4, 9:00 a.m., Hearing Room (SD–406).

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

COMMITTEE ON FOREIGN RELATIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, August 4, 1999 at 10:30 a.m. to hold a hearing.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, August 4, 1999 at 9:30 a.m to conduct a hearing on S. 299, to elevate the Director of the Indian Health Service to an Assistant Secretary for Indian Health within the Department of Health and Human Services; and S. 406, a bill to allow tribes to bill directly for Medicaid and Medicare; To be followed by a business meeting, to consider pending legislation. The hearing/business meeting will be held in room 485, Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it so ordered

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for a hearing re Department of Justice Nominations, during the session of the Senate on Wednesday, August 4, 1999, at 8:30 a.m., in SD628.

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

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for a hearing re Pipeline Drugs: Proposed Remedies for Relief in S. 1172, during the session of the Senate on Wednesday, August 4, 1999, at 10:00 a.m., in SD628.

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

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for a hearing re Annual Refugee Consultation during the session of the Senate on Wednesday, August 4, 1999, at 2:00 p.m., in SD628.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, August 4, 1999, at 9:15 a.m., to receive testimony on committee funding resolutions.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, August 4, 1999, at 2:00 p.m. to hold a closed hearing on intelligence matters.

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

SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Special Committee on the Year 2000 Technology Problem be permitted to meet on August 4, 1999, at 9:30 a.m., or the purpose of conducting a hearing.

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

SUBCOMMITTEE ON INTERNATIONAL ECONOMIC POLICY, EXPORT AND TRADE PROMOTION AND THE SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on International Economic Policy, Export and Trade Promotion and the Subcommittee on East Asian and Pacific Affairs be authorized to meet during the session of the Senate on Wednesday, August 4, 1999, at 2:30 p.m., to hold a joint hearing.

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

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, August 4, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:15 p.m. The purpose of this oversight hearing is to review the performance management process under the requirements of the Government Performance and Results Act by the National Park Service.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING AND THE DISTRICT OF COLUMBIA

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Governmental Affairs Committee Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia be permitted to meet on Wednesday, August 4, 1999, at 10:30 a.m., for a hearing on Overlap and Duplication in the Federal Food Safety System.

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

ADDITIONAL STATEMENTS

OCCUPATIONAL AND ENVIRONMENTAL HEALTH AND SAFETY WEEK

• Mr. SARBANES. Mr. President, during the week of August 30–September 3 we will celebrate Occupational and Environmental Health and Safety Week. As a strong and vigorous supporter of Federal initiatives to strengthen our safety and environmental laws and protect our workers and citizens, I am pleased to take this opportunity to draw my colleagues' attention to this important occasion and to take a few moments to reflect on and bring greater awareness of workplace and community health and safety issues to the public.

Occupational and Environmental Health and Safety Week is sponsored by the American Industrial Hygiene Association. This is the first annual celebration of this event and the goal is to highlight workplace and community health issues. This year's theme, ''Protecting Your Future . . . Today,'' shows the far-reaching nature of occupational and environmental safety's impact on the public.

One of the major issues concerning workplace safety is Ergonomics. Ergonomics is the science of fitting the job to the worker. It is the solution to a host of physical problems brought about by over-exertion or repetitive stress. More than 650,000 Americans suffer serious injuries and illnesses due to work-related musculoskeletal disorders each year, accounting for more than 34 percent of all lost-workday injuries and illnesses, and costing employers $15–20 billion annually in direct workers' compensation costs.

There is sound scientific evidence linking musculoskeletal disorders (MSDs) to work. Last summer, the National Academy of Sciences (NAS) found ''compelling evidence'' that workplace modifications can reduce the risk of injury. A 1997 review of 600 studies by the National Institute of Occupational Safety and Health drew similar conclusions. For the average worker, the back takes the brunt of the injuries. About 4 out of 10 injuries involve strains and sprains, most of them back-related. The Department of Labor recently reported that injuries and illnesses for construction laborers, carpenters, welders and cutters increased by a total of 8,000 cases. Additionally, truck drivers suffer more than their share of injuries, including approximately 145,000 work-related injuries or illnesses each year.

Although many injuries occur in the workplace, our concern does not end there. OEHS Week's second important emphasis is safety in the community and home. Protecting and improving our environment, our parks and wildlife refuges, and natural resources have been among my highest priorities since I was first elected to the Congress. I have fought for, and helped enact, every major piece of legislation to enhance environmental quality—the Clean Water Act, the Clean Air Act, the Endangered Species Act, and Superfund, to name a few. OEHS Week is designed to heighten awareness about several vital community health concerns including carbon monoxide poisoning, indoor air quality, and noise exposure.

In my view, a clean environment is a legacy we leave for future generations. After all, our natural resources—our farmlands and forests, water, air, and our wildlife—are the foundation of our country's present and future well-being and quality of life. We are making progress in the effort to clean up the Chesapeake Bay—our nation's largest and most productive estuary. But much more work needs to be done to revitalize this national treasure and I have introduced legislation to amend the Federal Water Pollution Act to assist in the restoration of the Chesapeake Bay. Additionally, I have introduced a bill to implement pilot projects in Maryland, Virginia, and North Carolina to address problems associated with toxic microorganisms in tidal and non-tidal wetlands and waters.

As we approach over 100 years of celebrating Labor Day, it is appropriate that we focus our attention on the safety of workers while in a workplace environment and on their safety and environmental concerns while away from the job site. This 1st annual Occupational and Environmental Health and Safety Week truly represents a

spotlight on the total quality of life of working Americans.●

25TH ANNIVERSARY OF THE VERMONT HOUSING FINANCE AGENCY

● Mr. JEFFORDS. Mr. President, I am honored to congratulate the Vermont Housing Finance Agency on its 25th Anniversary of providing Vermonters with access to safe, decent and affordable housing.

In 1974, the Vermont Housing Finance Agency, VHFA, was established to ensure that Vermonters of a variety of different backgrounds have access to affordable housing. Over many years of finding innovative ways to finance and stimulate the preservation and development of affordable housing, VHFA has multiplied the number of home ownership opportunities in Vermont many times over. This dedication to aggressively and compassionately provide affordable housing opportunities ensures that today's neediest Vermont families need not go without shelter.

As a Senator one of my highest priorities is to help secure for Vermont's low and moderate income families a home they can afford. We all know that having a home is a critical foundation to achieving success. Every year VHFA helps Vermonters build this foundation by making financing possible for thousands of Vermonters to purchase hundreds of dwellings. Over the years, VHFA has worked with private lenders, real estate professionals, builders, developers and nonprofit organizations throughout the state to get the job done. This dynamic approach to home financing has brought about dozens of healthy and safe Vermont communities where residents thrive and communities grow. The professionalism, reliability, and accomplishments of the staff at VHFA are unsurpassed.

I commend the Vermont Housing Finance Agency for its outstanding contribution and dedication to improving the quality of life for so many Vermonters. VHFA has my sincerest thanks and unending respect for its 25 years of commitment to Vermont and her people. I am both proud and honored to represent such an accomplished group of individuals in Washington as they are a national model for how to provide affordable, quality housing opportunities for those in need. As they celebrate their 25th anniversary at the end of this month in Vermont, the VHFA staff, past and present, should be proud that their leadership and continued perseverance will help ensure that every Vermonter has a place to call home.●

TRIBUTE TO THE EMTER FAMILY

● Mr. DORGAN. Mr. President, I rise today to take note of the superb performances given yesterday by the Emter family of Glen Ullin, North Dakota, on the Capitol lawn and later at the Kennedy Center. The Emters were here in Washington as part of the Millennium Series being sponsored by the Kennedy Center. When the Kennedy Center asked me to make a recommendation of a group from North Dakota that might exhibit some of the cultural heritage of my state, the Emter family was a natural and immediate choice.

One obvious reason was their outstanding musical accomplishment. The Emters are button accordionists. Mr. President, the button accordion is a unique instrument, brought to America by settlers from Austria at the turn of the 20th century. Button accordions have been in this country for nearly 100 years, and have helped make polka one of America's most loved traditional dances. In North Dakota even today you'd be hard pressed to find a wedding reception or barn dance where a polka wasn't played and the entire room doesn't pour onto the dance floor. Accordion music may not have the popular following that it did before the advent of rock and roll, but its lyrical and nostalgic flavor still tugs at the heartstrings of this Senator and many other folks of my generation who grew up watching our parents polka the night away across the American Legion Hall dance floor, at Ted Strand's barn or at Hardmeyer Hall.

The Emter Family—parents Renae and Roger (who met at a polka dance), 18 year old son Adam, and three daughters Angelina, 16; Alida, 15; and Abigail, 13—has performed all over North America, from county fairs, church functions and Oktoberfests to national television and radio appearances. They have taken top honors at a number of international button accordion competitions. They are truly accomplished.

I have to tell you though, Mr. President, that it isn't just for their musical achievement that the Emter Family deserves our recognition and honor today. That's because this is a great family. Their presence on stage tells you this, the way they interact with one another and everyone around them tells you this, the message in their music tell you this. They are good people that exemplify the steadfast, positive attitude of the vast majority of rural America's families. They live in Glen Ullin, in southwestern North Dakota, a part of the state that has seen one of the most significant decrease in population. Times are desperate for many families in this region of my state, along with rural areas in most of our farm states. These people have every reason in the world to lose faith, to have negative attitudes, to let frustration get the best of them and give up. None of us could fault them for that. But, Mr. President, most of these families don't despair. They look forward, they continue to work incredibly hard, they still pack the American Legion Hall to dance the polka once and awhile. The Emters are a symbol of hope in these areas of our country, Mr. President, and I want to thank them for sharing that hope with us yesterday through their music and their presence in Washington.●

JIM BATTIN COURTHOUSE

● Mr. BURNS. Mr. President, today I rise to pay tribute to one of Montana's greatest citizens, the Honorable James F. Battin, Sr. Jim Battin was born in Wichita, Kansas, and at the age of four, moved to Billings, Montana, where he was raised. After graduating from high school, he served for three years in the U.S. Navy during World War II, spending most of that time in the Pacific theater. Following the war, Jim returned home to continue his education, graduating first from Eastern Montana College in Billings and later receiving his J.D. from George Washington University. He continued his career in public service as a city attorney in Billings, and in 1958, he was elected to the Montana state legislature. Only two years later, he successfully ran for a seat in the U.S. House of Representatives, where he was quickly assigned seats on the House Committee on Committees, as well as Ways and Means, two very prestigious seats for a freshman member of Congress. Jim later served on the House Foreign Relations and Judiciary Committees, and was ultimately elected five times by the people of his district, which then covered the eastern half of the state of Montana. During his congressional career, which lasted from 1961 to 1969, Congressman Battin played an instrumental role in a good deal of legislation, including the bill which created Montana's Bob Marshall Wilderness Area, at the time the largest wildlife area in the United States. Jim also served as one of two U.S. Congressional Representatives to the Inter-Governmental Committee on European Migration, which met in Geneva. This group helped individuals who were expelled from behind the Iron Curtain to re-establish businesses in other countries, or to find work in other occupations. In 1968, Congressman Battin was President Nixon's representative to the Platform Committee at the Republican National Committee, and shortly thereafter, in early 1969, he became President Nixon's first judicial appointment. He served as a U.S. district judge for the district of Montana for 27 years, becoming its Chief Judge in 1978. During his time on the bench, Judge Battin issued key rulings affecting the lives of Montana citizens, among them his ruling which preserved access to the Bighorn River for people throughout the state, and his creation of the precedent for the now universally accepted six-man federal jury in civil cases. A dedicated and hard working man, James F. Battin Sr. remained on the bench until his passing in the autumn of 1996.

It was with these facts in mind, Mr. President, that led to my support of H.R. 158, a bill which would designate the United States courthouse located at 316 North 26th Street in Billings,

Montana, as the ''James F. Battin United States Courthouse''. Congress passed H.R. 158 earlier this year, and it was signed into law by the President on April 5th, 1999, as Public Law 106–11. I believe that the renaming of this courthouse, which Judge Battin presided over for so long, is the most fitting tribute that the United States Congress and the people of Montana can pay to this great man, whose outstanding career in public service spanned over 40 years. Come next Monday, when this building is officially rechristened with its new name, I think all of us should take a moment to tip our hats in thanks to Judge Battin for a job well-done. Mr. President, I yield the floor.●

TRIBUTE TO ROBERT TOBIAS

● Mr. ROBB. Mr. President, I rise to pay tribute to Robert Tobias, a man who has shown untiring commitment to the concerns of Federal employees. Recently I had the opportunity to attend one of the receptions in his honor hosted by the many Federal employees he has represented and led so effectively.

Mr. Tobias, who is retiring after four terms as president of the National Treasury Employees Union, NTEU, has proven his dedication to the fair treatment, professional development and quality of life for Federal workers time and time again. During his 31 years of service, the organization has grown to the point that it now represents over 155,000 men and women who serve our Federal Government. For the past 16 years, Mr. Tobias led the NTEU, spearheading initiatives to ensure fair workplace policies for Federal workers and pursuing effective labor-management policies for more efficient service from Federal agencies. But perhaps most importantly, he's championed family friendly policies to help our outstanding Federal workers continue to meet demands and increase productivity. These innovations include implementing alternative work schedules and negotiating child care facilities for busy Federal families.

Because of his outstanding reputation, he's won many awards and appointments, most notably his appointment to the National Partnership Council and the Commission to Restructure the IRS among them. Under his leadership, he's ensured that Federal employees are included in the many decisions to help Federal agencies run more efficiently and that they are publicly recognized for all the hard work they perform.

Robert Tobias leaves an indelible mark on the Federal workplace by the hard work he has done on behalf of NTEU—indeed, the nation—and we are indebted to him for his service. I wish him continued success as he moves on to teaching and writing, knowing we can still rely on his voice and experience when it comes to the critical needs of Federal employees.●

RECOGNITION OF THE FEDERAL WAY SCHOOL DISTRICT'S INTERNET ACADEMY

● Mr. GORTON. Mr. President, when I began my Innovation in Education Award Program earlier this year, I endeavored to find and recognize programs, schools, and individuals whose work in improving education deserves recognition. The Federal Way School District's Internet Academy is just such a program and one which I am proud to present with my Innovation in Education Award.

The Internet Academy is the brain child of recently departed Superintendent Tom Vander Ark, who is widely credited with injecting new life into the Federal Way District. The Academy has a standards-based curriculum that provides a comprehensive course of study designed to meet state guidelines and instructional objectives. What is innovative, however, is the way in which the Academy engages students under the continuous guidance of state accredited teachers. The Academy offers a full range of courses for school credit, via the Internet, for grades K–12. The program was created only 3 years ago as a pilot K–8 program and has expanded significantly since then. In June of 1998 it had 65 enrollees—by June of 1999 it had expanded to over 800.

As our society's use of technology has increased, it is important that our public education system keep abreast of such transformation and provide opportunities using technology to encourage student learning. By offering an interactive curriculum that is accessible 24 hours a day, 365 days a year, the district's Academy is ensuring that students are given maximum opportunity to access a good education.

Today's best instructional technologies can enhance the learning environment by eliminating the time and space boundaries present with the traditional classroom. This alternative learning environment also allows for an increasingly active role for families in the education of our children. It is a common-sense proposition that increased parental involvement promotes a richer educational process. This aspect of learning is especially critical for home-schoolers in search of instruction for specific topics or seeking to tap into the resources of the public education system.

The parent of one home-schooled child noted: ''Home-school can be really challenging sometimes. It is great to have a resource like the Internet Academy for my son.''

Meanwhile, a 10th grade student said: ''I like the Internet Academy because I can work at my own pace. The on-line curriculum gives me a better understanding than what I can get in a classroom with 30 other students. The approach allows me to explore areas that interest me while completing the course work.''

I have heard from many educators that they sometimes struggle to maintain the interest and energy of their students. The Federal Way School District, through its Internet Academy, has shown that creative means to keep students engaged in today's multimedia environment are not only possible but, can be highly successful.

Our economy, powered in large part by a strong hi-tech sector, has achieved an impressive record of growth in recent months and it stands to reason that creatively injecting hi-tech tools into our education system can have equally rewarding results. I applaud the Federal Way School District's vision in establishing the Internet Academy, I endorse their efforts to ensure that students are given every possible opportunity to access and learn from our public education system. I hope my colleagues will join in my recognizing the Internet Academy's innovative work.●

TRIBUTE TO PAT THOMAS

● Mr. JEFFORDS. Mr. President, I rise today to pay tribute to an outstanding Vermonter, Patricia Thomas, formerly the President and Chief Executive Officer of the Visiting Nurse Association (VNA) of Chittenden and Grand Isle Counties. Pat's commitment to improving the health status of Vermonters serves as a model to us all. She is, and will remain, a stunning example of how one person can positively affect so many.

Pat has served Vermont in a variety of capacities. As a teacher and college administrator, as a government official and director of Vermont's largest United Way, and on various boards and commissions, Pat always strived to improve the quality of life here in Vermont. Most recently, she served the people of Vermont at the helm of our State's largest VNA. It is this role that I wish to elaborate upon today before the U.S. Senate.

Throughout Pat's 7-year tenure at the VNA, her leadership was instrumental in sustaining Vermont's unique, nonprofit home health care system, while maintaining its high-quality, cost-effective service. Ironically, when this nationally renowned system was severely challenged by an unintended consequence of the Balanced Budget Act of 1997, Pat's advocacy easily convinced me and other lawmakers that corrective action was essential. With such an impressive track record and with so many Vermonters relying on her agency's care, it was an easy argument to both make and adopt. Certainly, being a key member of my Health Care Advisory Board, there have been numerous occasions when I have relied on Pat's wise counsel, but none was more critical than during the last year's debate. Vermonters were fortunate to have such an advocate and leader in Pat Thomas.

In addition to being an effective advocate on the Federal level, Pat led her VNA through a dynamic and critical

time in its history. During Pat's tenure, her agency more than doubled in size, successfully completed a massive capital campaign, purchased and renovated its current headquarters, and significantly diversified its services. Vermont Respite House, home psychiatric care, specialized home therapies, home infusion, palliative care and wellness programs were all added to the plethora of VNA services on Pat's watch. Other major services include their Adult Day and Hospice Programs and Maternal Child Health Services. Pat knew that these changes were necessary if her agency was to adequately reflect and meet the evolving needs of Vermonters. Her vision and leadership helped her agency do exactly that, with resounding success.

Vermont has much to be grateful for when it comes to Pat's steadfast commitment to improving the quality of life in our small state. Although her tenure at the VNA has ended, we will forever remain the beneficiaries of her expertise, vision and leadership on those issues she has been so ably, and passionately committed to. In her own words, ''our house is in order and the agency is incredibly sound, despite an ever changing and challenging health care environment''. Vermont has Pat Thomas to thank for this. We wish her well.●

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations en bloc: Executive Calendar Nos. 173, 175, 176, 191, 195, 198, 199, 210, 211, 215, 217, 218, 219, and 220. I further ask unanimous consent that the nominations be confirmed en bloc, the motion to reconsider be laid upon the table, any statements relating to the nominations appear at this point in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

Mr. KOHL. I ask unanimous consent that the requests be modified to delete 215, 217, 218, and 219.

Mr. COCHRAN. Mr. President, I am constrained to object at the request of the majority leader. I suggest we pass this item and try to resolve it later.

Mr. KOHL. I object.

The PRESIDING OFFICER. The objection is heard.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. COCHRAN. Mr. President, as in executive session, I ask unanimous consent that at 9:30 tomorrow morning the Senate proceed to executive session to consider Executive Calendar Nos. 135 and 140, en bloc. I further ask consent that there be 30 minutes equally divided in the usual form for debate. I also ask consent that following the expiration or the yielding back of time, the Senate proceed to vote on the nominations en bloc. I further ask consent that immediately following that vote, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

Mr. COCHRAN. I ask unanimous consent that it be in order to ask for the yeas and nays on the nominations at this time.

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

Mr. COCHRAN. I now ask for the yeas and nays

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AUTHORIZATION OF SENATE REPRESENTATION

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate now proceed en bloc to the immediate consideration of S. Res. 173 and S. Res. 174, submitted earlier by Senators LOTT and DASCHLE.

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

The legislative clerk read as follows:

A resolution (S. Res. 173) to authorize representation of the Senate Committee on Armed Services in the case of Philip Tinsley, III v. Senate Committee on Armed Services.

A resolution (S. Res. 174) to authorize representation on the Senate Committee on the Judiciary in the case of Philip Tinsely III v. Senate Committee on the Judiciary.

There being no objection, the Senate proceeded to consider the resolutions.

Mr. LOTT. Mr. President, an individual has filed two pro se civil actions in the United States District Court for the Eastern District of Virginia against two Senate Committees. In the first suit, against the Senate Committee on Armed Services, the plaintiff alleges that he was wrongfully denied a commission in the Navy and documentation of a prior honorable discharge from the Army Reserve. He has sued the Armed Services Committee because, in his view, the Committee failed to take sufficient steps to rectify these errors after he brought them to the Committee's attention.

The second complaint alleges that the Judiciary Committee failed to take appropriate action when the plaintiff, in correspondence with the Committee, accused a federal judge and state and federal law enforcement officers of malfeasance.

These resolutions authorize the Senate Legal Counsel to represent the Committees in these suits to move for their dismissal.

Mr. COCHRAN. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table, any statements relating to the resolutions appear in the RECORD, with the preceding all occurring en bloc.

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

The resolution (S. Res. 173) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 173

Whereas, in the case of *Philip Tinsley III* v, *Senate Committee on Armed Services,* Civil Action No. 99–951–A, pending in the United States District Court for the Eastern District of Virginia, the plaintiff has been used the United States Senate Committee on Armed Services;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Senate committees in civil actions. Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate Committee on Armed Services in the case of *Philip Tinsley III* v. *Senate Committee on Armed Services.*

The resolution (S. Res. 174) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 174

Whereas, in the case of *Philip Tinsley III* v. *Senate Committee on the Judiciary,* Civil Action No. 99–952–A, pending in the United States District Court for the Eastern District of Virginia, the plaintiff has sued the United States Senate Committee on the Judiciary;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Senate committees in civil actions: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate Committee on the Judiciary in the case of *Philip Tinsely III* v. *Senate Committee on the Judiciary.*

RELIEF OF GLOBAL EXPLORATION AND DEVELOPMENT CORPORATION, KERR-MCGEE CORPORATION, AND KERR-MCGEE CHEMICAL, LLC

Mr. BENNETT. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S.606) of the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation), and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives.

Resolved, That the bill from the Senate (S. 606) entitled ''An Act for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation), and for other purposes'', do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SATISFACTION OF CLAIMS AGAINST THE UNITED STATES.

(a) PAYMENT OF CLAIMS.—The Secretary of the Treasury shall pay, out of money not otherwise appropriated—

(1) to the Global Exploration and Development Corporation, a Florida corporation incorporated in Delaware, $9,500,000;

(2) to Kerr-McGee Corporation, an Oklahoma corporation incorporated in Delaware, $10,000,000; and

(3) to Kerr-McGee Chemical, LLC, a limited liability company organized under the laws of Delaware, $0.

(b) CONDITION OF PAYMENT.—

(1) GLOBAL EXPLORATION AND DEVELOPMENT CORPORATION.—The payment authorized by subsection (a)(1) is in settlement and compromise of all claims of Global Exploration and Development Corporation, as described in the recommendations of the United States Court of Federal Claims set forth in 36 Fed. Cl. 776.

(2) KERR-MCGEE CORPORATION AND KERR-MCGEE CHEMICAL, LLC.—The payment authorized by subsections (a)(2) and (a)(3) are in settlement and compromise of all claims of Kerr-McGee Corporation and Kerr-McGee Chemical, LLC, as described in the recommendations of the United States Court of Federal Claims set forth in 36 Fed. Cl. 776.

(c) LIMITATION ON FEES.—Not more than 15 percent of the sums authorized to be paid by subsection (a) shall be paid to or received by any agent or attorney for services rendered in connection with the recovery of such sums. Any person violating this subsection shall be fined not more than $1,000.

SEC. 2. CRIMINAL PROHIBITION ON THE DISTRIBUTION OF CERTAIN INFORMATION RELATING TO EXPLOSIVES, DESTRUCTIVE DEVICES, AND WEAPONS OF MASS DESTRUCTION.

(a) UNLAWFUL CONDUCT.—Section 842 of title 18, United States Code, is amended by adding at the end the following:

''(p) DISTRIBUTION OF INFORMATION RELATING TO EXPLOSIVES, DESTRUCTIVE DEVICES, AND WEAPONS OF MASS DESTRUCTION.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'destructive device' has the same meaning as in section 921(a)(4);

''(B) the term 'explosive' has the same meaning as in section 844(j); and

''(C) the term 'weapon of mass destruction' has the same meaning as in section 2332a(c)(2).

''(2) PROHIBITION.—It shall be unlawful for any person—

''(A) to teach or demonstrate the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute by any means information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, with the intent that the teaching, demonstration, or information be used for, or in furtherance of, an activity that constitutes a Federal crime of violence; or

''(B) to teach or demonstrate to any person the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute to any person, by any means, information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, knowing that such person intends to use the teaching, demonstration, or information for, or in furtherance of, an activity that constitutes a Federal crime of violence.''.

(b) PENALTIES.—Section 844 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''person who violates any of subsections'' and inserting the following: ''person who—

''(1) violates any of subsections'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(2) violates subsection (p)(2) of section 842, shall be fined under this title, imprisoned not more than 20 years, or both.''; and

(2) in subsection (j), by inserting ''and section 842(p)'' after ''this section''.

SEC. 3. SETTLEMENT OF CLAIMS OF MENOMINEE INDIAN TRIBE OF WISCONSIN.

(a) PAYMENT.—The Secretary of the Treasury shall pay to the Menominee Indian Tribe of Wisconsin, out of any funds in the Treasury of the United States not otherwise appropriated, $32,052,547 for damages sustained by the Menominee Indian Tribe of Wisconsin by reason of—

(1) the enactment and implementation of the Act entitled ''An Act to provide for a per capita distribution of Menominee tribal funds and authorize the withdrawal of the Menominee Tribe from Federal jurisdiction'', approved June 17, 1954 (68 Stat. 250 et seq., chapter 303); and

(2) the mismanagement by the United States of assets of the Menominee Indian Tribe held in trust by the United States before April 30, 1961, the effective date of termination of Federal supervision of the Menominee Indian Tribe of Wisconsin.

(b) EFFECT OF PAYMENT.—Payment of the amount referred to in subsection (a) shall be in full satisfaction of any claims that the Menominee Indian Tribe of Wisconsin may have against the United States with respect to the damages referred to in that subsection.

(c) REQUIREMENTS FOR PAYMENT.—The payment to the Menominee Indian Tribe of Wisconsin under subsection (a) shall—

(1) have the status of a judgment of the United States Court of Federal Claims for the purposes of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1401 et seq.); and

(2) be made in accordance with the requirements of that Act on the condition that, of the amounts remaining after payment of attorney fees and litigation expenses—

(A) at least 30 percent shall be distributed on a per capita basis; and

(B) the balance shall be set aside and programmed to serve tribal needs, including funding for—

(i) educational, economic development, and health care programs; and

(ii) such other programs as the circumstances of the Menominee Indian Tribe of Wisconsin may justify.

(d) LIMITATION ON FEES.—Not more than 15 percent of the sums authorized to be paid by subsection (a) shall be paid to or received by any agent or attorney for services rendered in connection with the recovery of such sums. Any person violating this subsection shall be fined not more than $1,000.

Mr. COCHRAN. I ask unanimous consent the Senate concur in the amendment of the House.

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

Mr. KOHL. Mr. President, I am pleased that the Senate today approved legislation that gives a Congressional ''stamp of approval'' to a settlement that the Menominee Indian Tribe of Wisconsin has long awaited. In my opinion, in the opinion of the U.S. Court of Claims that approved this settlement last year, and in the opinion of Wisconsin leaders like Governor Tommy Thompson and former Congressman Melvin Laird, this is a settlement that is long overdue.

As part of S. 606, the Menominee Tribal Fairness Act is the final step in a ''Legislative Reference'' that settles a 45-year-old case between the Tribe and the Federal Government once and for all. In the 1950s, the Bureau of Indian Affairs mismanaged the Tribe's assets such as their forests and mills, leaving them ill-prepared to be self-sufficient. However, in the 1960s, Congress terminated the Tribe's federal trust status, and the Tribe plunged into years of service impoverishment and community turmoil.

Then in the 1970s, the Government recognized its mistake in these actions and restored the Menominee Tribe's federal trust status. Clearly, though, the decades of damage could threaten the Tribe for generations to come, so the Tribe went to court seeking compensation for the devastation it had endured.

After winning at trial court, this case was dismissed on technical grounds at the appellate court in 1984. The Tribe then came to Congress for help, and we passed a ''Legislative Reference'' asking the Courts to decide the merits of this case and determine what, if any, compensation was due. Before this case again headed to trial, the Department of Justice settled with the Tribe, agreeing to a sum of $32,052,547. The U.S. Court of Claims endorsed this settlement last summer. Now, as the final step in this process, Congress has approved the payment of this settlement—and from the Treasury Department's already existing ''judgment fund,'' not through a new appropriation—to finally resolve this case after 45 years.

This decades-old case is a perfect example of how the ''Legislative Reference'' procedure should be used: the court examines claims against the United States based on negligence or fault, or based on less than fair and honorable dealings, regardless of ''technical'' defenses that the United States may otherwise assert, especially the statute of limitations.

In other words, this procedure is to be used for precisely the types of circumstances surrounding the Menominee Tribe. The tribe and its members suffered grievous economic loss through legislative termination of its rights and from BIA mismanagement of its resources. Indeed, the Federal governments' actions brought the Menominee Tribe to the brink of economic, social, and cultural disaster. Although the Tribe was restored to Federal recognition and tribal status by action of the Congress, the Tribe and its members have yet to be compensated for the damages they suffered. But thanks to the Senate's actions today, that will change.

I thank my colleagues for supporting this vitally important ''Legislative Reference'' that will bring closure, once and for all, to a settlement that is long overdue. I especially want to thank our House sponsor, MARK GREEN, as well as Congressman SENSENBRENNER, Congressman MCCOLLUM, and Senator NICKLES, for all their hard work.

ESTABLISHMENT OF NATIONAL CEMETERY FOR VETERANS IN ATLANTA, GEORGIA

Mr. COCHRAN. Mr. President, I ask unanimous consent the Senate now proceed to consideration of Calendar No. 221, S. 695.

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

The legislative clerk read as follows:

A bill (S. 695) to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Atlanta, Georgia metropolitan area.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. ESTABLISHMENT OF NATIONAL CEMETERIES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, the following:

(1) A national cemetery in the Atlanta, Georgia, metropolitan area to serve the needs of veterans and their families.

(2) A national cemetery in Southwestern Pennsylvania to serve the needs of veterans and their families.

(3) A national cemetery in the Miami, Florida, metropolitan area to serve the needs of veterans and their families.

(b) CONSULTATION IN SELECTION OF SITES.—Before selecting the sites for the national cemeteries to be established under subsection (a), the Secretary shall consult with—

(1) in the case of the national cemetery to be established under paragraph (1) of that subsection, appropriate officials of the State of Georgia and appropriate officials of local governments in the Atlanta, Georgia, metropolitan area;

(2) in the case of the national cemetery to be established under paragraph (2) of that subsection, appropriate officials of the State of Pennsylvania and appropriate officials of local governments in Southwestern Pennsylvania;

(3) in the case of the national cemetery to be established under paragraph (3) of that subsection, appropriate officials of the State of Florida and appropriate officials of local governments in the Miami, Florida, metropolitan area; and

(4) appropriate officials of the United States, including the Administrator of General Services, with respect to land belonging to the United States that would be suitable as a location for the establishment of each such national cemetery.

(c) REPORT.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemeteries under subsection (a). The report shall set forth a schedule for the establishment of each such cemetery and an estimate of the costs associated with the establishment of each such cemetery.

AMENDMENT NO. 1562

(Purpose: To require the establishment of a national cemetery in the Detroit, Michigan, metropolitan area and in the Sacramento, California, metropolitan area, to authorize the use of flat grave markers at Santa Fe National Cemetery, New Mexico, and for other purposes)

Mr. COCHRAN. Mr. President, Senators SPECTER and ROCKEFELLER have an amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. SPECTER, for himself, and Mr. ROCKEFELLER, proposes an amendment numbered 1562.

The amendment is as follows:

On page 3, between lines 9 and 10, insert the following:

(4) A national cemetery in the Detroit, Michigan, metropolitan area to serve the needs of veterans and their families.

(5) A national cemetery in the Sacramento, California, metropolitan area to serve the needs of veterans and their families.

On page 4, strike lines 3 and 4 and insert the following:

Florida, metropolitan area;

(4) in the case of the national cemetery to be established under paragraph (4) of that subsection, appropriate officials of the State of Michigan and appropriate officials of local governments in the Detroit, Michigan, metropolitan area;

(5) in the case of the national cemetery to be established under paragraph (5) of that subsection, appropriate officials of the State of California and appropriate officials of local governments in the Sacramento, California, metropolitan area; and

(6) appropriate officials of the United States, in-

On page 4, after line 15, add the following:

SEC. 2. USE OF FLAT GRAVE MARKERS.

(a) AUTHORITY TO USE FLAT GRAVE MARKERS AT SANTA FE NATIONAL CEMETERY.—Notwithstanding section 2404(c)(2) of title 38, United States Code, the Secretary of Veterans Affairs may provide for flat grave markers at the Santa Fe National Cemetery, New Mexico.

(b) REPORT COMPARING USE OF FLAT GRAVE MARKERS AND UPRIGHT GRAVE MARKERS.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report assessing the advantages and disadvantages of the use by the National Cemetery Administration of flat grave markers and upright grave markers.

(2) The report under paragraph (1) shall set forth the advantages and disadvantages of the use of each type of grave marker referred to in that paragraph, and shall include criteria to be utilizing in determining whether to prefer the use of one such type of grave marker over the other.

In the amendment to the title, strike ''in the Atlanta, Georgia, metropolitan area'' and all that follows through ''metropolitan area'' and insert the following: ''in various locations in the United States, and for other purposes''.

Mr. COCHRAN. I ask unanimous consent the amendment be agreed to, the committee amendment be agreed to, the bill be read a third time and passed, the title amendment be agreed to, 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 amendment (No. 1562) was agreed to.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 695), as amended, was read the third time and passed, as follows:

S. 695

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

SECTION 1. ESTABLISHMENT OF NATIONAL CEMETERIES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, the following:

(1) A national cemetery in the Atlanta, Georgia, metropolitan area to serve the needs of veterans and their families.

(2) A national cemetery in Southwestern Pennsylvania to serve the needs of veterans and their families.

(3) A national cemetery in the Miami, Florida, metropolitan area to serve the needs of veterans and their families.

(4) A national cemetery in the Detroit, Michigan, metropolitan area to serve the needs of veterans and their families.

(5) A national cemetery in the Sacramento, California, metropolitan area to serve the needs of veterans and their families.

(b) CONSULTATION IN SELECTION OF SITES.—Before selecting the sites for the national cemeteries to be established under subsection (a), the Secretary shall consult with—

(1) in the case of the national cemetery to be established under paragraph (1) of that subsection, appropriate officials of the State of Georgia and appropriate officials of local governments in the Atlanta, Georgia, metropolitan area;

(2) in the case of the national cemetery to be established under paragraph (2) of that subsection, appropriate officials of the State of Pennsylvania and appropriate officials of local governments in Southwestern Pennsylvania;

(3) in the case of the national cemetery to be established under paragraph (3) of that subsection, appropriate officials of the State of Florida and appropriate officials of local governments in the Miami, Florida, metropolitan area;

(4) in the case of the national cemetery to be established under paragraph (4) of that subsection, appropriate officials of the State of Michigan and appropriate officials of local governments in the Detroit, Michigan, metropolitan area;

(5) in the case of the national cemetery to be established under paragraph (5) of that subsection, appropriate officials of the State of California and appropriate officials of local governments in the Sacramento, California, metropolitan area; and

(6) appropriate officials of the United States, including the Administrator of General Services, with respect to land belonging to the United States that would be suitable as a location for the establishment of each such national cemetery.

(c) REPORT.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemeteries under subsection (a). The report shall set forth a schedule for the establishment of each such cemetery and an estimate of the costs associated with the establishment of each such cemetery.

SEC. 2. USE OF FLAT GRAVE MARKERS.

(a) AUTHORITY TO USE FLAT GRAVE MARKERS AT SANTA FE NATIONAL CEMETERY.—Notwithstanding section 2404(c)(2) of title 38, United States Code, the Secretary of Veterans Affairs may provide for flat grave markers at the Santa Fe National Cemetery, New Mexico.

(b) REPORT COMPARING USE OF FLAT GRAVE MARKERS AND UPRIGHT GRAVE MARKERS.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees

on Veterans' Affairs of the Senate and the House of Representatives a report assessing the advantages and disadvantages of the use by the National Cemetery Administration of flat grave markers and upright grave markers.

(2) The report under paragraph (1) shall set forth the advantages and disadvantages of the use of each type of grave marker referred to in that paragraph, and shall include criteria to be utilizing in determining whether to prefer the use of one such type of grave marker over the other.

The title was amended so as to read: ''A bill to require the Secretary of Veterans Affairs to establish a national cemetery for veterans.''

Mr. DOMENICI. Mr. President, it is with great pleasure that I rise today to talk about the Senate passage of a bill I introduced that will extend the useful life of the Santa Fe National Cemetery in New Mexico. I also want to thank Senator SPECTER for his assistance that helped to make passage of this bill possible.

The men and women who have served in the United States Armed Forces have made immeasurable sacrifices for the principles of freedom and liberty that make this Nation unique throughout civilization. The service of veterans has been vital to the history of the Nation, and the sacrifices made by veterans and their families should not be forgotten.

These veterans at the very least deserve every opportunity to be buried at a National Cemetery of their choosing. Unfortunately, projections show the Santa Fe National Cemetery will run out of space to provide casketed burials for our veterans at the conclusion of 2000. However, with Senate passage of this bill we have taken an important step to ensure the continued viability of the Santa Fe National Cemetery.

I believe all New Mexicans can be proud of the Santa Fe National Cemetery that has grown from 39/100 of an acre to its current 77 acres. The cemetery first opened in 1868 and within several years was designated a National Cemetery in April of 1875.

Men and women who have fought in all of our nation's wars hold an honored spot within the hallowed ground of the cemetery. Today the Santa Fe National Cemetery contains almost 27,000 graves that are mostly marked by upright headstones.

The Senate's action today brings us another step closer to ensuring the Santa Fe National Cemetery will not be forced to close. The bill passed today allows the Secretary of Veterans Affairs to provide for the use of flat grave markers that will extend the useful life of the cemetery until 2008.

While I wish the practice of utilizing headstones could continue indefinitely if a veteran chose, my wishes are outweighed by my desire to extend the useful life of the cemetery. I would note that my desire is shared by the New Mexico Chapter of the American Legion, the Albuquerque Chapter of the Retired Officers' Association, and the New Mexico Chapter of the VFW who have all endorsed the use of flat grave markers.

Finally, this is not without precedent because exceptions to the law have been granted on six prior occasions with the most recent action occurring in 1994 when Congress authorized the Secretary of Veterans Affairs to provide for the flat grave markers at the Willamette National Cemetery in Oregon.

Mr. President, I again want to thank Senator SPECTER for his assistance and state how pleased I am with the Senate passage of this important bill.

NOMINATIONS

Executive nominations received by the Senate August 4, 1999:

EXPORT-IMPORT BANK OF THE UNITED STATES

DAN HERMAN RENBERG, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2003, VICE JULIE D. BELAGA, TERM EXPIRED.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

DAVID M. BROWN, 7509
ELWOOD W. HOPKINS, 1416
MARTIN R. STAHL, 1598
DAVID A. TAFT, 9815

To be commander

TOBIAS J. BACANER, 5671
ALICA K. BARTLETT, 9082
KEITH F. BATTS, 9713
RICHARD M. BERGER, 6692
JOHN L. BERLOT, 1877
GREGORY BLACKMAN, 3170
LEWIS E. BROWN, 6680
JACQUELYN L. CALBERT, 6988
ARDEN CHAN, 5763
CYRIL CHAVIS, 2784
JIMMIE N. COLLINS, 4711
LOUIS A. DAMIANO, 8040
DOUGLAS C. DELLINGER, 0010
JEROME V. DILLON, 2094
JONATHAN E. DOMINGUEZ, 7440
BRETT R. FINK, 2983
ALAN P. GEGENHEIMER, 9505
MARJORIE B. GWYNN, 4177
LEROY T. JACKSON, 4658
RICHARD A. JENSEN, 8212
JOHN S. KELLOGG, 3592
HAROLD LAROCHE, 7198
RICHARD W. LOTH, 5967
DENNIS E. MAYER, 7395
ROBERT P. MCCLANAHAN, JR., 9373
KENNETH E. MILEY, 6539
EDUARDO MORALES, 8999
TODD J. MORRIS, 1729
GREGORY F. PAINE, 5493
MICHAEL A. PELINI, 4938
LORING I. PERRY, 5486
MICHAEL M. QUIGLEY, 7615
TERRANCE R. REEVES, 3746
PAUL V. ROCERETO, 2918
PAULA J. SEXTON, 0349
JOHN B. SHAPIRA, 5750
STEVEN J. SHERIS, 2259
JOSEPH B. SLAKEY, 5509
JAMES T. STASIAK, 4499
MICHAEL R. TORRICELLI, 4427
ROBERT VALE, 2581

To be lieutenant commander

BILLY M. APPLETON, 9239
LEE A. AXTELL, 2588
BRUCE M. BICKNELL, 7587
JAMES A. BISHOP, 7621
MARC R. BOISVERT, 0857
JAMES A. BURCH, 2933
CHRISTINE Y. BUZIAK, 0443
ROBERT A. CALLISON, 5870
JOSEPH P. CARLOS, 0442
EDWIN M. CARROLL, 8162
PHILIP S. CHAPMAN, 6759
CARLA S. CHERRY, 6469
JOHN D. CHERRY, 5741
PHILIP B. CREIDER, 3102
PAUL B. CUNNINGHAM, 2843
WILLIAM F. DAVIS, 7303
CHRISTOPHER H. DELLOS, 8874
JOHN D. DENTON, 5143
CONSTANCE A. DORN, 0387
DOUGLAS H. DOUGHTY, JR., 3135
GREGORY D. DUNNE, 9199
TIMOTHY R. EICHLER, 0431
BRYAN K. FINCH, 0720
PHILIP A. FOLLO, 4354
TEHRAN FRAZIER, 8719
MICHAEL J. FRIEL, 8371
HARRY L. GANTEAUME, 4815
JEFFREY W. GILLETTE, 9264
BRICE A. GOODWIN, 0867
GRANT R. HIGHLAND, 5527
ANDREW J. HILL, JR., 4316
JASON V. HOFFMAN, 6380
MICHAEL S. HOGG, 3110
DONNA A. HULSE, 0625
SCOTT L. JOHNSTON, 0591
RONALD KAWCZYNSKI, 3387
ANGELA M. KEITH, 2211
TIMOTHY J. KOESTER, 5961
RONALD G. LEAVER, 3720
GUY M. LEE, 6897
LARRY B. LESLIE, 9219
STEVEN W. LIGLER, 2528
LARRY L. LOOMIS, 2830
MARK W. LOPEZ, 5438
KAREN L. LOTTRIDGE, 6400
ANDREW D. MCIRVIN, 5410
MICHAEL A. MIKSTAY, 7749
RANDALL B. MILLER, 3064
JAMES L. MINTA, 6319
REY R. MOLINA, 4307
ISRAEL NARVAEZ, 3624
ANDREW D. NELKO, 1653
EDWARD C. NORTON, JR., 2207
SCOTT E. ORGAN, 6696
VIVIANNA F. PALOMO, 2571
ANTHONY V. POTTS, 8234
ZITO D. PRINCE, 1535
DAREN L. PURNELL, 9178
JOHN A. RALPH, 5770
KATHLEEN A. RAMSEY, 4214
SHERIDAN A. RENOUF, 6607
JEFFREY S. SCHMIDT, 8779
THOMAS G. SEIDENWAND, 3790
WESLEY B. SLOAT, 9975
JOHN A. SWANSON, 9101
KATHY TRAPPJACKSON, 8362
STEVEN P. UNGER, 6316
DAVID W. WARNER, 8752
JACK H. WATERS, 7276
BENJAMIN M. WEBB, 7426
DALE C. WHITE, 8144
ANDREW R. WILLIAMS, 6791
DIANE M. WILSON, 6189
PATRICIA A. WIRTH, 3328
PAUL W. WITT, 1739