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House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, September 6, 2000, at 2 p.m.

Senate

TUESDAY, SEPTEMBER 5, 2000

The Senate met at 12:02 p.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Lord of all life, we praise You that there is no division between the sacred and the secular. You have created all things to praise You and our work to glorify You. Forgive us when we forget that what is said and done here in this Chamber is as sacred as what is done in a sanctuary of a synagogue or in a church. Whatever belongs to You is sacred. This Nation, this Senate, the women and men who serve as Senators, and all of us who work with them and for them belong first and foremost to You. You are our Judge. We are accountable to You. Forgive us when we trade political greatness for petulant gamesmanship, when words are used to criticize others rather than communicate truth about issues, when party spirit is more important than being party to Your Spirit, when winning the election in November becomes more crucial than nonpartisan winning of what's best for our Nation in the votes to be cast in the Senate. Bless the Senators in this busy season. Fill this Chamber with Your sovereign presence, the Senators' minds with Your wisdom, and their hearts with concern for each other. May debate greater expose truth and votes coincide with both conscience and conviction. This is the day You have made; we will rejoice and glorify You in it. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE ENZI, a Senator from the State of Wyoming, led the Pledge of Allegiance as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the majority leader.

Mr. LOTT. I thank the Chair.

SCHEDULE

Mr. LOTT. Mr. President, first, I would like to welcome all of my colleagues and our staff back from the August period when we had time to be with our families and our friends and our constituents. We are inspired by the Chaplain's prayer and ready, I am sure, for a lot of good work. As I have visited with some of my colleagues already, I see that they look mighty rested and ready for a busy legislative period, and I think they are probably going to need to be. We still have to complete action on five appropriations measures, as well as conference reports as they become available.

In addition, there are a number of other legislative matters we hope to finish as we move toward the adjournment period of the Congress. We have some bills we hope to take up freestanding in the Senate, and, of course, we have some conference reports other than appropriations bills on which we will be working. So we have a lot of work we are going to need to consider.

Today, the Senate will have a period of morning business prior to the 12:30 p.m. recess for weekly party conferences and meetings. When the Senate reconvenes at 2:15 p.m., it will begin postcloture debate on the motion to proceed to the China PNTR legislation. Those Senators who wish to make statements are encouraged to notify the bill managers. Hopefully, a lot of Senators who wish to speak on the China trade issue will take advantage of the time today, and we will go to as late as possibly 6 p.m., although we may be prepared to go a little bit earlier than that if our colleagues have made their statements and we can get agreement to do that. But at least at 6 p.m. the Senate will begin consideration of the energy and water appropriations bill with amendments in order.

As a reminder, we will be considering these two bills on a dual track throughout the week with the motion to proceed to the China trade bill being considered during the day and the appropriations bill or bills being considered at night. So votes could still occur if we move toward the time when we could need to have a vote today, but certainly during the day on Tuesday, Wednesday, Thursday, and possibly Friday morning we will be having votes on the appropriations amendments that are offered at night or on China PNTR when amendments become available.

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

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So there will be long days, but we will do our best to keep Senators advised after communicating with the leadership on both sides of the aisle what the schedule will be. I hope we can make good progress and complete this appropriations bill and move to another one later on this week or early next week.

MEASURES PLACED ON CALENDAR—H.R. 728, H.R. 1102, H.R. 1264, H.R. 2348, H.R. 3048, H.R. 3468, H.R. 4033, H.R. 4079, H.R. 4201, H.R. 4923, H.R. 4846, H.R. 4888, H.R. 4700, H.R. 4681, H.J. RES. 72

Mr. LOTT. Mr. President, I understand there are a number of bills at the desk due for their second reading. I ask unanimous consent that the bills be considered read a second time and placed on the calendar en bloc.

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

Mr. LOTT. I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m., with Senators permitted to speak therein for up to 5 minutes each.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from Wyoming.

Mr. THOMAS. I thank the Chair.

LEGISLATIVE DIRECTION

Mr. THOMAS. Mr. President, I appreciate the opportunity to have a discussion as to where we are going in these remaining, I guess, less than 20 days we have before us. Certainly, we have a great deal to do, as the leader has pointed out. We have 13 appropriations bills and just 2 that have been passed. So we have the responsibility, probably first of all, to deal with that to keep the Government moving forward in doing the kinds of things we must do to ensure that programs in place now are funded.

There are a number of other things, of course, that will be talked about, a number of issues each of us, I suppose, have heard a great deal about when we were in our States. I come from a State in which nearly half the land belongs to the Federal Government. So you can imagine a good many of the things I heard about, and I am sure my partner in the Chair heard about, have to do with the public lands issue, the idea of access, multiple use.

We, of course, have had the great unfortunate experience during this time of lots of forest fires, which, of course, have been very destructive. We need to take a long look at that, starting, of course, in commending the people who have worked so hard and risked so much to be able to control those fires and have done the very best job that could be done.

On the other hand, we have to take a look at the policy that has to do with the control and the management of resources, in this case particularly the management of forests. I submit to you there does need to be management; unless we want nature's way of reducing forests by fire, then we have to do it in some other ways that can be used. So I do hope we will have an opportunity there, of course, to not only take a look at the necessary funding that will be required in order to give the utmost protection to those activities, but also to seek to avoid this kind of repetition in the future.

We will be talking, of course, about normal trade relations with the People's Republic of China and additionally, shortly thereafter, WTO entry for Taiwan. I hope both of those things can happen, and happen shortly. We have postponed this activity for a very long time.

I think most people understand that if we are going to move forward in today's world, we are going to have to move forward to seek to make some changes in mainland China. The best way to do that is to have some rules laid out for them to be part of a world organization, such as the WTO, and begin to move forward to increase the number of changes that have, indeed, been made there.

I think that is very important. It is very important for our economy, but probably more so, it is important for the kinds of things we would like to have take place in China with regard to human rights, with regard to economic freedom, which are things we want to have happen today. So we will be moving forward certainly on that.

We will have an opportunity to take another look at tax reductions for the taxpayers of this country in a couple of areas that seem to me to be largely based on fairness. For example, the marriage penalty, it is really very difficult to understand how we can be opposed to making that fair. Two people who are single, if you combine their incomes, are at a certain level, but if they were married, with the same level of income, they would pay more income taxes. That does not seem to be right. Fairness ought to be one of the areas vital to taxation.

The same could be applied to the estate tax. As I suggested, our State of Wyoming has lots of small businesses, lots of farm and ranch families who have spent their lives—as did their predecessors—developing these kinds of assets. Under present law, when those assets are subject to the death tax, we find they have to sell those lands in order to make it work out.

Mr. President, I sense that you are about ready to rap the gavel, as you should. I just end by saying I hope we can address ourselves to the issues that are out there and not put ourselves off creating issues rather than resolving them. It seems to me that is our challenge. We have the opportunity to do that in the next several weeks.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota.

ISSUES BEFORE THE 106TH CONGRESS

Mr. DORGAN. Mr. President, my colleague, the Senator from Wyoming, said we have a lot to do. He is certainly correct, we have a lot to do in about a 5-week sprint to the end of this 106th Congress.

I think all of us aspired to come to this Chamber because we want to get things done for the American people. We want this country to be successful and to grow and prosper. We want to address real problems.

My hope is that we can find ways, between the political aisles, where Republicans and Democrats can agree that there are things that need to be done in this country and that we can do them together. I think that would be a refreshing thing for the American people to see.

In the final 5 or 6 weeks of this Congress, we could probably take some advice from the Robert Frost poem, ''Stopping By Woods On A Snowy Evening,'' where Robert Frost says:

> The woods are lovely, dark, and deep,
> But I have promises to keep,
> And miles to go before I sleep,
> And miles to go before I sleep.

We have miles to go before we put this 106th Congress to bed.

What are these issues that we must deal with before we finally adjourn this Congress?

A Patients' Bill of Rights. We have had so much discussion about the Patients' Bill of Rights in this Congress, and yet the Patients' Bill of Rights languishes in a conference. Month after month after month, nothing gets done. I know people have come to the floor of the Senate and have said: Gee, we are making progress. But I say the difference between this conference committee and a glacier is at least a glacier moves an inch or so every decade. This conference committee is not able to make progress on a Patients' Bill of Rights.

It seems to me, in the Senate and the House we must say to this conference: We want to have a real Patients' Bill of Rights brought to the floor of the Senate and the House and passed.

I have told stories in relation to this on the floor of the Senate. It is probably useful to recount at least one story again as an example of why we need a Patients' Bill of Rights.

A woman fell off a cliff in the Shenandoah mountains. After having fallen off the cliff, she was rendered unconscious, with broken bones, with a concussion. Being unconscious, she was

taken by ambulance to an emergency room in a hospital. She was rolled in on a gurney, unconscious. She survived. She had very significant injuries, but she survived.

Following that ordeal, she was released from the hospital to be told that her emergency room expenses would not be covered by the managed care organization because she did not have prior approval for emergency room treatment.

This is someone who was hauled into the emergency room on a gurney, unconscious. She was in a coma. She was told by the insurance company: You did not have prior approval for emergency room treatment.

The Patients' Bill of Rights is very simple. It says: A patient ought to have the right to know all of their medical options for treatment, not just the cheapest. A patient ought to have the right to emergency room treatment when they have an emergency. There are a whole series of rights that patients ought to have when dealing with their managed care organization.

There was the woman who cried one day at a hearing that I held with my colleague from Nevada as she held up a picture of her 16-year-old son who had died. She told us that on her son's deathbed he said to her: Mom, how can they do this to a kid like me? Through tears, she held up the picture of her young son who had died who had said: Mom, how can they do this to a kid like me?

That situation had forced this kid and his family to fight the insurance company to get the treatment he needed. They failed. He died. This was a kid who was told to fight cancer and fight the insurance company at the same time. That is unfair. That is not a fair fight.

You ought not have to fight cancer and your managed care organization to get the treatment you need. That is the point. We need to pass a real Patients' Bill of Rights. We have not done that. There are lots of excuses for it, but we need to get it done. We need to get it done now.

We need to add a prescription drug benefit for senior citizens on the Medicare program. We all know that. If we were to write the Medicare program today, there is no question we would have a prescription drug benefit in the program. But 30 years ago, 40 years ago when the Medicare program was created, most of the lifesaving drugs we have today did not exist. They do now. Each senior citizen needs access to those drugs.

Last year, the cost of prescription drugs increased 16 percent in this country. All too often the prescription drugs—the miracle drugs—they need are out of their reach because of their inability to pay for them. We need to add a prescription drug benefit to the Medicare program. We can do that, and should do that.

We ought to raise the minimum wage. The folks at the bottom of the economic ladder in this country have not kept up. We need to help them as well. Increasingly, they are women trying to raise families in single-parent households. We need to increase the minimum wage. We should do that. We can do that.

We ought to write a new farm bill. Everybody understands the current farm bill has failed. My feeling is, if we have the opportunity—and we should have the opportunity—in this Congress to write a new farm bill, we ought to be able to provide a decent safety net for those out there on America's farms who are struggling to make a living.

These issues and others—school modernization, fixing what is wrong in education—all of these things we can do, and should do. We only have 5 or 6 weeks remaining. I hope all of us, in the spirit of bipartisanship, can decide these are the issues, these are the things that are important to the American people, these are the things that will strengthen our country.

Yes, we have miles to go before we sleep, but we have the opportunity, in this setting, in this democracy, to make these decisions for the benefit of the American people.

The PRESIDING OFFICER (Mr. THOMAS). The Senator's time has expired.

Mr. DORGAN. Mr. President, I yield the floor.

ORDER OF PROCEDURE

Mr. ENZI. Mr. President, I ask unanimous consent that at 2:15 Senator HELMS be recognized for up to 15 minutes to be followed by Senator CRAIG for up to 1 hour, to be followed by Senator HOLLINGS for up to 1 hour. I further ask that Senator KENNEDY be recognized for up to 30 minutes during today's session.

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

WYOMING v. AUBURN

Mr. ENZI. Mr. President, it is good to be back in the Chamber again. I have enjoyed a month of traveling around Wyoming. I know that our entire delegation was there on a number of occasions. We met at different places across the State as we listened to the people of the State to see what sorts of things they felt were important to our State and our Nation.

I have to mention that at the end of that trip, of course, there was some football. We are back in that season again. I have to explain the tie that I am wearing today. It is probably bright enough for anybody in the Chamber to be able to read it. Last Thursday night, the opening game for the University of Wyoming Cowboys and the Auburn War Eagles took place on ESPN. Many people might have seen it. I have to say that the Auburn Tigers—now called the War Eagles—were extremely impressive. It, obviously, is an educational institution of higher learning, and they did teach Wyoming a few lessons. At the end of the game, Wyoming almost came back. They got a little overconfident and they got one touchdown behind and wound up losing. Therefore, today, I will be wearing an Auburn tie and making some comments about the fine program they have at Auburn.

I did get to teach part of an MBA class for executives who came in from all over the United States to learn about the business of this country and how to better perform in business. It is a rather unique class. It has wider participation than most, and people are required to have 8 years of experience before they can take the class. So it was a different level of master of business administration candidates than a person normally gets to talk to—again, absorbing some of the lessons they are learning through the questions that they ask.

I was very impressed with the university and the special programs they are offering. Of course, I had to be very impressed with their team. I am now one of the biggest supporters of Auburn outside of the State of Alabama, hoping they go undefeated in the rest of the season, helping Wyoming in their power index and, of course, I hope Wyoming doesn't lose another game this year. I am confident, because of the level of competition involved in this game, that that will be the case. I am proud of the players at the University of Wyoming, and I look forward to a very entertaining year, as well as one of great production as they learn their lessons so they can be the ones who take over the jobs of this country.

COMPLETING THE WORK OF THE SENATE

Mr. ENZI. Mr. President, I have to add a few comments to what was previously said about needing to move forward because I sincerely believe we need to move forward with the work of the Senate.

The biggest work we have before us is finishing the appropriations bills—$1.7 trillion of spending—and we ought to spend a few minutes debating that. If you will recall, before we left, one of the difficulties we were having was even getting the opportunity to debate those bills; There were filibusters prohibiting the right to debate the bills—extremely long filibusters. That was debate in itself, but it didn't allow the work of the Senate to proceed to appropriate the $1.7 trillion. We need to pass the bills, get them brought up; we need to have them discussed and have relevant amendments put on the bills. We need to get that work out of the way first.

I can't help but comment a little on the Patients' Bill of Rights. The conference committee has been working on that. They were making great progress until it looked as if it might not be an issue anymore. Then it was brought up for a vote again and again using the original version, not the

compromise version that had been worked out over a long period of very difficult work.

So we have a choice: We can have issues or we can have solutions. It just takes the two sides getting together and moving forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 5 minutes in morning business.

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

THE SENATE'S RESOLVE

Mr. DURBIN. The Senate and House will be returning to business this week in Washington, DC. The important question is, What did we learn in August?

As we went home to our States and spoke to families across Illinois and other States represented in this body, the question was whether the Members of the U.S. Senate will return with the resolve to do something.

You see, for the last several years, the Senate has done virtually nothing when it comes to the important issues facing working families across America. The families I met in Illinois during the month of August were, I guess, almost unanimous in their belief that this Congress should waste no time in enacting a meaningful prescription drug benefit under Medicare. I no longer have to give the speech about Medicare and prescription drugs. The audience gives it to me. They say: Senator, did you know if you cross the border and go into Canada, you can buy the same drugs at half the price? I say: Yes, I was about to tell you that. They say: Did you know people are paying more if they are elderly or disabled than virtually any other group in America? I say: Yes, I was about to tell you that, too.

The audience gives you the speech before you can deliver it. Then they ask the most important question: If you know all this, why haven't you done anything? Why hasn't this Congress enacted a prescription drug benefit under Medicare? The truth is that the pharmaceutical companies have come to the Congress with their special interests and powerful lobbyists and they have stopped us cold. The Republican leadership in the House and the Senate has basically tried to keep the pharmaceutical companies happy and the insurance companies happy and have said they will trust the insurance companies to provide protection to American families. Well, I can't even say that with a straight face in Illinois because families there know that when you leave it up to insurance companies and it comes to medical care, you don't get the best decisions; you get decisions driven by the bottom line for the profit margin.

So those of us on the Democratic side want to give our friends on the Republican side one last chance before the election to vote for a meaningful prescription drug benefit under Medicare that is universal, which will apply to everybody, as Medicare applies to everybody. Instead, of course, the Republicans want to talk about an estate tax break for the wealthiest Americans—a tax cut of a trillion dollars; and, 40 percent of it or more will go to those making over $300,000 a year. After you have spent the trillion dollars on a tax cut for the wealthy, there is not much left to take care of prescription drug benefits under Medicare. There is very little, if any, money left to help families pay for college education.

I was at several universities across Illinois talking about a proposal on the Democratic side—one that Vice President GORE supports—to give a college tax credit or a deduction for families. That is what families talk about.

''It is a lovely baby. He looks like his dad. He has been sleeping all night. How are we going to pay for his college?'' That is what you hear when you go to a nursery and look at a new infant. It is a legitimate concern.

We on the Democratic side of the aisle believe that if we are going to have any tax cuts, we should target them to the needs of American families—the need to pay for college education and for training. The deductibility of $12,000 a year in tuition and fees can have a dramatic impact on families.

The Republican leadership just doesn't buy it. They think if there is to be a tax cut, it has to go to the wealthiest people in America. I think it should go to the hardest working people in America—those who deserve it the most, not the least. Those are the families who get up and go to work every day to try to put their kids through school and who try to make this a better country.

That will be the debate you will hear over the next several weeks. If it sounds reminiscent of what you are hearing from the Presidential campaign trail, it is because there is a clear difference between the two major candidates for President. There is a clear difference between the parties on the floor.

We on the Democratic side are going to plead with the Republicans to give us four or five votes so we can pass a prescription drug benefit under Medicare, and targeted tax cuts to pay for college education expenses so people can have a deduction—so when they have long-term care for an aging parent, they can take care of that parent or grandparent, and an additional tax credit for day care so people going to work can leave their kids in a safe environment.

These are the real family issues. The Republicans have not really listened closely.

I hope that Republicans, as they left the Philadelphia convention in August and watched what happened in the national debate at the Presidential level, understand that we really face a serious need in this country in helping families. It is not enough anymore to argue that the wealthy are getting wealthier. Working families want help, too, so their parents and grandparents can pay for prescription drugs and take care of the necessities of life.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

EXTENSION OF MORNING BUSINESS

Mr. ROBB. Mr. President, I ask unanimous consent that the period for morning business be extended for not to exceed 10 minutes and that I be permitted to speak during that period.

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

Mr. ROBB. Thank you, Mr. President.

JUDICIAL NOMINEES

Mr. ROBB. Mr. President, in these last few weeks of this Congress, there is much to be done. I would like to focus this morning on our constitutional responsibility to confirm judges.

Virginia is one of the five states covered by the Fourth Circuit for the U.S. Court of Appeals. Today, one third of the seats on the Fourth Circuit are vacant. One seat on the bench has been vacant for ten years—longer than any other seat in the country. The U.S. Judicial Conference has called filling that seat a ''judicial emergency,'' and Chief Justice William Rehnquist has warned that ''vacancies cannot remain at such high levels indefinitely without eroding the quality of justice that traditionally has been associated with the federal judiciary.''

One reason for the high number of vacancies on the Fourth Circuit is the claim that the appellate court doesn't need any more judges. Those who oppose filling the vacancies argue that having more judges will make decision-making more cumbersome and difficult, and that keeping the number small leads to more efficient deliberations.

The problem with this argument is that it substitutes ''efficiency'' for ''justice'' in our judicial system. Certainly it would be more efficient to have criminal cases decided by one juror instead of twelve, but our Founding Fathers wisely determined that a variety of views in the jury room would be more likely to yield a result that was ''right,'' and ''fair''. It's the same reason our Supreme Court is made up of nine jurists, instead of one. And it is difficult to believe that justice is being served fully in a circuit that hears oral argument on only 23 percent of its

cases—the lowest percentage of any other circuit—and dismisses 87 percent of its appeals in brief, unsigned opinions according to the Washington Post. While efficiency is laudable, justice is the goal.

On June 30, 2000, the President nominated Roger Gregory to fill the vacancy on the Fourth Circuit that has been open for a decade. Roger Gregory is a highly qualified and well respected attorney from Richmond, Virginia. He graduated summa cum laude from Virginia State University and received his J.D. from the University of Michigan. He has an extensive federal practice, is an accomplished attorney, and was described by Commonwealth Magazine as one of Virginia's ''Top 25 Best and Brightest.''

When he is confirmed, Roger Gregory will fill the longest-standing vacancy in the nation. He will bring energy and insight to the Fourth Circuit. In addition, as an African-American, he will bring much-needed diversity to the bench.

The Fourth Circuit Court of Appeals does not look like America, and it never has. No African-American has ever served on the Fourth Circuit. In fact, it is the only circuit court in the nation without minority representation.

This should trouble all of us. Justice cannot be served without a diversity of views and experiences expressed in the rooms where decisions are made.

As the Supreme Court noted when it barred discrimination in the selection of juries, the exclusion of minorities or women from the deliberative process removes ''qualities of human nature and varieties of human experience, the range of which is unknown or perhaps unknowable.''

The absence of minority representation on the Fourth Circuit is especially troubling, however, since the Fourth Circuit has the largest percentage of African-Americans of any circuit in the nation. In our circuit, twenty-three percent of our population is African-American. Yet not one of the judges on the Fourth Circuit is African-American. Mr. President, it's time for a change. In fact, it's past time.

There have been several efforts in the past to integrate this circuit, but these efforts have been blocked. The Administration has tried since 1995 to integrate this circuit, but the ''blue slips'' for these nominees simply weren't returned, effectively thwarting those nominees.

I have argued for years that Virginia deserves another seat on the bench. Finally late last fall, we in Virginia were given an opportunity to fill one of the vacancies. We seized the opportunity and after an extensive and thorough search and vetting process—including time-consuming ABA screenings and FBI background checks—Roger Gregory was nominated by the Administration. We now have a chance to correct this gross inequity on the Fourth Circuit. Roger Gregory has the support of both Senators from Virginia.

There is time to move this nominee. Immediately before we began our August recess, the Judiciary Committee held a hearing and three judges were voted out of the Committee just six days after they were nominated. Of the last 12 judges confirmed by the Senate, 11 were confirmed within three months of nomination.

In 1992, another presidential election year in which the White House was controlled by one party and the Senate by another, Senate Democrats confirmed 66 nominees to the federal bench. Eleven of those were Circuit Court judges, and six of the Circuit Court judges were confirmed later than July of that year. Three were confirmed in August, two in September, and one in October.

And presidential candidate George W. Bush has called on the Senate to approve judicial nominees within 60 days. The sixty days for Roger Gregory passed on August 30. It is time to grant Mr. Gregory the courtesy of a hearing.

The late, renowned Judge Spotswood Robinson integrated the D.C. Circuit in 1966. He, too, came from Richmond, Virginia. It is time for another Richmonder, Roger Gregory, to break another barrier. We have already waited too long.

I urge the Judiciary Committee to move the nomination of Roger Gregory, and grant him a hearing.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:40 p.m., recessed until 2:18 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ENZI).

TO AUTHORIZE EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PEOPLE'S REPUBLIC OF CHINA—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the postcloture debate on H.R. 4444, which the clerk will report.

The assistant legislative clerk read as follows:

A motion to proceed to the bill (H.R. 4444) to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from North Carolina.

Mr. HELMS. Mr. President, with deep respect, I ask unanimous consent to yield first to the distinguished chairman, Mr. ROTH.

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

Mr. ROTH. Mr. President, I thank the distinguished Senator from North Carolina for his usual courtesy.

Mr. President, I rise today to encourage my colleagues to support the motion to proceed to H.R. 4444 and to pass this legislation without amendment. Our vote on normalizing trade relations with China will mark the most significant vote we take in this Congress. Indeed, it will be one of the most important votes we will take during our time in the Senate.

At the outset, I want to be clear—because of PNTR's significance and because we have so little time left before the 106th Congress adjourns, I will oppose all amendments to PNTR, regardless of their merit.

The House bill takes the one essential step that we must take to ensure that American workers, American farmers and American businesses reap the benefits of China's market access commitments.

There is nothing that we can add to this bill that will improve upon its guarantee that our exporters benefit from the agreement it took three Presidents of both parties 13 years to negotiate with the Chinese.

I ask my colleagues to join me in adopting this approach because the risks of going to conference on this bill, in this political season, are too great. Bluntly, a vote to amend is a vote to kill this bill and, with it, any chance that U.S. workers, farmers, and businesses will benefit from China's accession to the WTO.

The significance of this vote is due both to the economic benefits that will flow from opening China's market to our exports and the broader impact that normalizing our trade will have on our relationship with China. I want to address each of those points in turn.

Let me clarify, first, what this debate is about. The vote on PNTR is not a vote about whether China will get into the World Trade Organization, as some have said. I assure you that China will get into the WTO whether we vote to normalize our trade relations with China or not.

What this vote is about, as I indicated at the outset, is whether American manufacturers, farmers, service providers, and workers will get the benefits of a deal that American negotiators under three Presidents of both parties fought for 13 years to achieve. Or, will we simply concede the benefits of that deal to their European and Japanese competitors for the Chinese market?

As I explained just prior to the August recess, my reason for supporting this legislation is first and foremost because of the benefits that normalizing trade with China will offer my constituents back home in Delaware.

China is already an important market for firms, farmers, and workers located in my state. Delaware's exports to China in many product categories nearly doubled between 1993 and 1998. Delaware's trade with China now exceeds $70 million.

What China's accession to the WTO means to Delaware is a dramatic further opening of China's markets to goods and services that are critical to Delaware's economy. China, for example, is already the second leading market for American poultry products worldwide.

Poultry producers in Delaware and elsewhere have built that market in the face of both quotas and high tariffs. China's accession to the WTO will mean that the tariffs Delaware poultry producers face will be cut in half, from 20 to 10 percent, and quotas that now limit their access to the Chinese market will be eliminated.

Normalizing our trade relations with China will also make a huge difference to the chemical and pharmaceutical industries which make up a significant share of my state's manufacturing base.

In the chemical sector alone, China has agreed to eliminate quotas on chemical products by 2002 and will cut its tariffs on American chemical exports by more than one-half.

Delaware is also home to two automobile manufacturing plants, one Chrysler and one Saturn. Once in the WTO, China will be obliged to cut tariffs on automobiles by up to 70 percent and on auto parts by more than one-half.

The agreement also ensures that U.S. automobile manufacturers will be able to sell directly to consumers in China and finance those sales directly as our auto companies do here in the United States.

What holds true for Delaware holds true for the country as a whole. Independent economic analysis by Goldman Sachs suggests that the package may mean an increase of as much as $13 billion annually in U.S. exports to China. That's right—$13 billion annually.

What that figure reflects is that China's accession to the WTO will benefit every sector of the U.S. economy from agriculture to manufacturing to services.

Agriculture tariffs will be cut by more than half on priority products life beef, pork, and poultry. China will also eliminate many of the barriers to sales of bulk commodities such as wheat, corn, and rice.

Industrial tariffs would be slashed across the board by more than one-half—from an average rate of 24 percent to 9 percent. Equally important, American exporters will be able to sell directly to Chinese consumers and avoid the restrictions imposed on their sales by the state-owned enterprises they must currently use to distribute their products in China.

The deal will create broad new access for Americans services like telecommunications, banking and insurance. In particular, I want to stress that China not only agreed to open its market to new ventures in the banking and insurance areas but agreed to grandfather the existing hard-won market access that American financial service firms have already achieved. I expect those obligations to be met fully by the Chinese.

The agreement also provides unprecedented safeguards to American manufacturers here at home. The agreement reached this past November permits the United States to invoke a country-specific safeguard against imports from China that may disrupt our markets. In addition, the agreement allows the United States to apply special rules regarding unfair pricing practices by Chinese firms for 15 years after the agreement goes into force.

The agreement even addresses a concern that has been raised by many concerned with the efforts of China to convert U.S. technology to military uses. The WTO agreement specifically obliges China to end the practice of demanding that American firms cough up their manufacturing technology as a condition of exporting to or investing in the Chinese market.

Significantly, the agreement and China's accession to the WTO gives the United States rights against Chinese trade practices that we do not currently enjoy. It also ensures that the United States has a forum in which it will benefit from the support of the rest of China's WTO trading partners should disputes over China's obligations arise.

In the Finance Committee we devoted many hours to consultations with the President and his representatives as the negotiations proceeded.

We devoted an equal number of hours to a review of the agreement finally reached this past November. I believe I can speak for my colleagues on the committee in saying that there was overwhelming support for the agreement so ably negotiated by Ambassador Barshefsky.

That support is warranted not only by the terms of the agreement but by the testimony we heard and the support expressed from a broad and diverse spectrum of U.S. interests.

The agreement was supported not only by U.S. businesses, American farmers, and groups representing virtually every sector of the U.S. economy. The agreement garnered the support of Presidents from Gerald Ford to George Bush, former Secretaries of State and Treasury, and an impressive array of national security specialists from Richard Perle to General Colin Powell all of whom underscored the importance of China's accession to the WTO and normalizing our trade relations with China as good not only in economic terms but in strategic terms as well.

The testimony before the Finance Committee left little doubt that China's reemergence as a world power presents challenges to the world community and to U.S. interests. But, the testimony before the committee was unequivocal on one point—that our interests are best served by drawing China into that community of nations, rather than isolating China from that community through restrictions on trade.

General Powell said it best in his public statement on PNTR, indicating that—

> * * * from every standpoint—from the strategic standpoint, from the standpoint of our national interests, from the standpoint of our trading and economic interests—it serves all of our purposes to grant permanent normal trading relations to China.

Opponents of this legislation have often tried to downplay the importance of normalizing our trade relations with China. They argued that we are entitled to the benefit of the WTO agreement based on our bilateral trade arrangements with China dating back to 1979. They argue that we will suffer no competitive disadvantage if we fail to take the steps necessary on our end to comply with our own WTO obligations.

I want to lay that argument to rest. That argument was contradicted by Ambassador Barshefsky, by our own legal counsel, and by every trade expert consulted by the Finance Committee.

However, just to make sure, my distinguished colleague and the ranking member of the Finance Committee, Senator MOYNIHAN and I, together with the chairman and ranking member of the House Ways and Means Committee, specifically put that question to the General Accounting Office.

The GAO has had a team following the WTO negotiations with the Chinese closely for several years. We asked them for their assessment of the terms of the agreement and whether we could rely on our 1979 agreement to obtain the benefits of China's accession to the WTO.

The GAO, in testimony before the committee and in a report it released prior to House passage of PNTR, concluded that the 1979 bilateral arrangement would not guarantee the rights three Presidents of both parties spent 13 years negotiating with the Chinese.

According to the GAO, the essential step in obtaining the benefits of China's accession to the WTO was the passage of PNTR. Indeed, the GAO emphasized that failure to approve PNTR would ''put U.S. business interests at a considerable competitive disadvantage'' in the Chinese market.

In other words, the single step we must take to obtain the benefits of the Chinese agreement to open their markets is the passage of H.R. 4444.

In light of that fact, let me turn briefly to an explanation of the legislation before us. The bill authorizes the President to normalize our trade relations with China when China has completed the WTO accession process provided that the terms of China's accession are equivalent to those negotiated this past November.

That action will assure that American firms, farmers, and workers will receive the benefit of the bargain Ambassador Barshefsky struck with China.

But, the House bill does considerably more to ensure that we get the benefit of our bargain and more to address

many of the concerns that opponents of this legislation have raised regarding China's human rights practices and more to encourage the development of political pluralism in China.

On the trade front, the House bill provides for the aggressive monitoring of China's compliance with its WTO obligations and the enforcement of U.S. rights under the WTO agreement.

The bill would offer particular help to small- and medium-size businesses, and to workers, in making use of the remedies available under U.S. law to address any violations of U.S. WTO rights or to address any unfair Chinese trade practices.

In addition, the House bill implements the special safeguard mechanism that was a part of the November agreement. In effect, the bill provides the counterpart in domestic law to the provisions of the bilateral agreement that offer import-sensitive industries in the United States protection in any dramatic surge in imports from China that disrupt U.S. markets.

The bill also addresses a concern that I am sure all of us share with respect to Taiwan's economic future. Taiwan has applied for admission to the World Trade Organization and its accession process is essentially complete.

The House bill expresses the sense of Congress that the WTO should approve Taiwan's accession to the WTO at the same time that it approves China's. As a matter of WTO rules, there is no need to debate Taiwan's designation or its relationship to China. The WTO rules permit the accession of Taiwan regardless of its designation.

China has long provided assurances that it would not stand in the way of Taiwan's accession at the same time China itself enters the WTO, and I expect China to live up to those assurances, just as the House bill makes clear.

Apart from securing the trade benefits of China's accession to the WTO, the House bill represents an important step forward on the issues of human rights, internationally-agreed labor standards, and religious freedom.

In an innovative approach, the bill would create a commission made up of members of both the Congress and the executive branch, modeled on the successful domestic counterpart to the Helsinki Commission on human rights, to monitor Chinese practices in those areas, as well as the development of the rule of law and democracy.

One of the significant advantages of the approach adopted by the House bill is that it ensures a constructive, ongoing review of China's practices throughout the year, rather than what has become an unproductive once-a-year effort tied to a congressional vote.

More fundamentally, the commission will ensure that the United States' concerns and our message to the Chinese leadership regarding Chinese human rights practices is undiluted by a debate over whether to renew China's trade status.

There are some who have suggested that the bill should have gone farther. They suggest that the bill should have empowered the proposed commission to address national security concerns as well.

Those concerns, however, have been mooted by the recent action taken by the Senate in the context of the Defense authorization bill. I congratulate my distinguished colleagues, Senators WARNER, LEVIN, and BYRD, the chairman of the Armed Services Committee, the committee's ranking member, and one of the most senior members of that panel, for proposing the creation of a separate commission to look at precisely those issues of national security and the link between those issues and our expanding trade relationship with China.

In sum, the House bill preserves what we in the Finance Committee sought to do in the bill we reported out, which was to ensure that American firms, farmers, and workers gain the benefits of the agreement reached this past November, and take additional steps to secure those trade benefits and offers a new approach to addressing U.S. concerns regarding human rights practices in China.

I believe that H.R. 4444 not only merits our support, but that it strikes a careful and appropriate balance of the interests we have in our broader relationship with China.

For that reason, I intend not only to support the legislation as drafted, but, as I said at the outset, I will oppose any amendment to the House bill no matter how meritorious the amendment might be standing on its own.

That brings me to my final point. There are a number of my colleagues that see this vote as an opportunity to link other issues to our trading relationship with China.

I am certain that we will have the opportunity to debate amendments on everything from the release of political prisoners to China's implementation of a one-child policy to its recurring threats against Taiwan to issuers of weapons proliferation. I respect my colleagues' point of view and recognize that these are serious issues that should remain a part of the broader dialog with China on our bilateral relations.

What I fundamentally disagree with is the approach of linking progress in those areas to our trade with China.

I do so for three reasons. First, the approach of linking progress to our trading relations with China has proved to be a failure. We have tried the approach of linking progress in other areas, such as human rights, to trade and it simply has not worked. It is time to try a different approach.

Second, the threat of economic sanctions would only work if the target country believes that there is something fundamental at risk. Here, I want us to think through the logic of voting ''no'' on PNTR. The net effect of a ''no'' vote on PNTR would be to cut off U.S. exports to China.

China already has access to our market. We do not enjoy reciprocal access to China's market. That is what the WTO agreement provides. In voting ''no'' on PNTR, we would only be voting to deny ourselves the benefits of the WTO agreement to American firms, farmers, and workers.

Denying ourselves the benefit of the WTO agreement is simply no threat to the Chinese. They will simply obtain the goods, services, and technology they want from other WTO members.

In other words, even if you accepted the logic of economic sanctions, voting ''no'' on PNTR does not serve the objective of modifying China's behavior or the views of its leadership.

Finally, there are some who decry the pursuit of profit when issues of human rights and human freedoms are at stake. While I share their concerns for human rights conditions in China, I feel compelled to say that they are wrong and their criticisms are misplaced.

In the end, human freedom is indivisible. It is not neatly divided between political freedom and economic freedom, as some suggest. Economic freedom is freedom, pure and unadulterated. The reason is that, absent economic freedom, no person has the wherewithal to defend their political rights.

What that means in practical terms in the context of modern China is that we should do whatever we can to empower the Chinese people to pursue their own course toward freedom.

One essential step toward that goal is to ensure that the Chinese people are free to pursue their own economic destiny free from the heavy hand of the state. That is because the roots of political pluralism lie in economic interests that differ from those of the Chinese Communist Government and those of the Chinese leadership.

The noted Chinese human rights activist Fu Sheni, active in defense of Chinese human rights and political freedoms since the 1979 Democracy Wall Movement, has made this point more eloquently than I can.

In a public statement on PNTR, Fu emphasized that:

> The annual argument over NTR renewal exerts no genuine pressure on the Chinese Communists and performs absolutely no role in compelling them to improve the human rights situation. . . . [I]mprovement of the human rights situation and advancement of democracy in China must mainly depend on the greatness of the Chinese people, in the process of economic modernization, gradually creating the popular citizen consciousness and democratic conscience and struggling for them. It will not be achieved through the action of the U.S. Congress in debating Normal Trade Relations. . . .

Fu's point was echoed by the China Democracy Party, founded 2 years ago, in its public statement on PNTR. In declaring its support for China's accession to the WTO and for the normalization of our trade relations with China, the Democracy Party stated:

> We believe the closer the economic relationship between the United States and

China, the more chances to politically influence China, the more chances to monitor human rights, and the more effective the United States to push China to launch political reforms.

The Democracy Party's statement went on to say that the Communist leadership's power in China is ''planted in state ownership.'' A vote for PNTR is a vote to end the Communist leadership's monopoly on power within Chinese society. A vote against PNTR would condemn the Chinese people to work for the state-owned enterprises that are the Communist leadership's most effective means of political control.

That is why, beyond the economic benefits for my home state of Delaware and for our nation as a whole, I support normalizing our trade relations with China. It is a vote for freedom and that is where I will cast my lot every time.

I thank my colleagues and urge their support for the motion to proceed and for passage of this essential legislation.

Once again, I thank my distinguished colleague from North Carolina.

The PRESIDING OFFICER (Ms. COLLINS). Under the previous order, the Senator from North Carolina is recognized for up to 15 minutes.

Mr. HELMS. Madam President, I say to my distinguished and long-time friend from Delaware that I seldom disagree with him, but this time I do, and it is a doozy.

Madam President, the pending bill, H.R. 4444, which proposes to give permanent most-favored-nation trading status to Communist China, is perhaps the most ill-advised piece of legislation to come to the Senate floor in my 28 years as a Senator.

As the Senate considers this issue, the ultimate question is an ominous one: Will granting permanent most-favored-nation status to Communist China advance the foreign policy interests of the United States?

My genuine conclusion is that by doing so, the United States Senate will be making a mockery of common sense.

Now, there is no question that giving permanent most-favored-nation trade status to China may advance the business interests of various sectors of the U.S. corporate community. But the Senate, amidst all the high pressure tactics, must not confuse business interests with the national interest of the American people.

America's principal national interest, vis-a-vis mainland China, is to seek to democratize China, hoping that China will conduct its foreign relations in a civilized fashion, and stop behaving in a rogue fashion, as the Chinese Communists have done for the past 50 years.

We must dare to ponder the most realistic of questions—for example: Will granting permanent most-favored-nation trade status to Communist China persuade its rulers to retreat from their threats to invade Taiwan if Taiwan does not negotiate reunification with the Communist mainland?

Will China all of a sudden cease its relentless military buildup in the Taiwan Strait?

Will China halt its brazen land grabs in the Spratly Islands?

Will China stop its reckless proliferation of weapons among its fellow criminal regimes around the world?

Any Senator answering any such questions in the affirmative should wait around until the Sugar Plum Fairy dances down Lollipop Lane. The fact is, the United States has had normal trade relations with Communist China for the past 20 years. Yet Communist China's behavior has not improved one iota; it has worsened dramatically on every one of these fronts during those two decades of normal trade.

Communist China has become more, not less, threatening to Taiwan during the past 20 years. Twenty years ago Communist China was not making incursions across the maritime boundaries of the Philippines, but today it is arrogantly doing so.

Two reports delivered to Congress by the CIA this year make crystal clear that China's weapons proliferation continues apace—flatly contradicting testimony by the Clinton State Department in 1999 before the Foreign Relations Committee of which I happen to be chairman.

Let's examine further this exotic pig in a poke.

As everyone knows—with the possible exception of anybody on a trip to the Moon for the past few years—Communist China dramatically lowered its threshold for using military force against Taiwan in its notorious White Paper this past February. For years, China has assured that it would invade Taiwan only if Taiwan declared independence. That was preposterous on its face—but now, China says it will invade Taiwan if Taiwan merely delays reunification talks with China for too long.

That is not progress to me, Mr. President; it is instead clearly dangerous regression in China's policy toward Taiwan. And guess what. It happened just 3 weeks before the President sent this legislation to Capitol Hill.

Angry threats against Taiwan have become more frequent and increasingly venomous, both in the Chinese press and from the mouths of Chinese leaders. Recent headlines in Chinese newspapers have talked of smashing Taiwan and drowning Taiwan in a sea of fire. In a March 28 article in the South China Morning Post, Chinese President Jiang Zemin was quoted as saying ''If we were to take military action, it should be sooner rather than later.''

The Chinese have also directed those threats at us. China has repeatedly threatened to use nuclear weapons against American cities if the U.S. comes to Taiwan's defense. As recently as April 11, an article appeared in another Hong Kong paper entitled: ''Nuclear War Will Certainly Break Out If The United States Gets Involved''—that is to say, Taiwan.

If that attitude is the fruit of normal trade relations with China, then by all means, it is indeed bitter fruit.

Lest anyone think that China is merely engaging in bluster, consider this: the year 2000 will mark the 11th straight year that China's military budget will increase by double digits. What is China doing with all that money?

Well, one thing is a pair of Russian destroyers armed with the Sunburn missile, which skims the sea at Mach 2.5—about 2,000 miles per hour—and has an effective range of 65 miles and can carry nuclear warheads. In answer to a question I asked at a Foreign Relations Committee hearing in February, the Secretary of State replied: ''The terminal flight path of the Sunburn makes it very difficult for any U.S. defense system, including Aegis, to track and shoot down the Sunburn.''

China began shopping for this missile just after we sent carriers near Taiwan in 1996; China has spent over $2 billion for two destroyers and at least thirty-two missiles.

Madam President, I doubt that the American people will be heartened to know that our $68 billion trade deficit with China helped pay for this latest Chinese threat to American sailors.

And this is just the tip of the iceberg. Other Chinese weapons purchases (that the American taxpayers are financing through our trade policies) include Russian advanced fighters, air-to-air missiles, and submarines. Most, if not all, of this weaponry is designed for a Taiwan scenario, helping to tip the balance of power in that region further and further away from democratic Taiwan and toward the Communists in Beijing.

This is yet another product of our let's trade-at-any-cost policy with China.

That is the reason I am here today to speak against this piece of legislation. It may pass, but it will never do it with my vote or my support.

Madam President, I earlier mentioned increased Chinese aggression in the Spratly Islands. We must bear in mind that, in 1995, China seized some small islands called Mischief Reef in the South China Sea. Mischief Reef is just 100 miles off the coast of the Philippines and over 1,000 miles from the Chinese mainland. With this brazen land grab having gone unopposed, even verbally, by anyone other than our Philippine allies, China reached out again in late 1998.

In October of that year, China began a crash construction project and by January of 1999, had replaced some ramshackle huts on Mischief Reef with permanent structures that have been frequented by Chinese warships and are deemed as dual-use capable by military experts.

Twenty years of annual trade favors to China were not enough to ward off these blatant violations of international norms, but I, for one, await with bated breath the day when China

withdraws from Mischief Reef because of pressure from the World Trade Organization.

Don't hold your breath, Madam President; it's not going to happen.

We can also see the absurdity of U.S. policy toward China by taking a look at China's proliferation record. In 1998, President Clinton certified that China could be trusted—let me repeat that.

He certified that China could be trusted with our nuclear materials, paving the way for the longstanding desire of some U.S. companies to export nuclear reactors to China. Then, in testimony before the Foreign Relations Committee in March 1999, Assistant Secretary of State Stanley Roth gave China a clean bill of health on proliferation.

I am not kidding. That is so.

Mr. Roth stated that China had actually become part of the solution to proliferation problems.

It didn't take long for Assistant Secretary Roth's testimony to be exposed as—let me find a gentle word—maybe ''incomplete'' is the nicest word I can find. In April 1999, the Washington Times reported that China was continuing its secret transfer of missile and weapons technology to the Middle East and South Asia. A follow-up story in July detailed China's continuing shipments of missile materials to North Korea. These press reports were verified twice this year by none other than the Central Intelligence Agency in its semi-annual proliferation reports to Congress.

But I guess we are supposed to believe that more trade will solve that sort of problem.

But I am not convinced—not by my distinguished friend from Delaware, not by all of the businessmen who have called on me, not by anybody.

In sum, Communist China's foreign policy behavior has become increasingly antithetical to U.S. national interests during the past 20 years of so-called ''normal'' trade relations. It is difficult to see how making the status quo permanent will cause any improvement whatsoever.

Of course, the direction of China's foreign policy will hinge largely on whether the Chinese government democratizes and begins to treat its own people better than under the existing Communist regime.

All of us know the horror stories of things perpetuated against the Chinese people by their own government. But here again, the record of engagement—or shall I state it more clearly, appeasement—has yielded miserable results.

In fact, China was somewhat more inclined toward reform 15 years ago than it is today. In the mid-and-late 1980s, China's leadership at least express some sympathy for reform, and for the students and others who were demanding it. But these reforms were ousted, replaced by hardline Stalinists who massacred the students and began a decade-long campaign of brutal repression. You can't describe it any way otherwise. Senator WELLSTONE and I will have more to say about human rights in China at a later time, but I believe the U.S. State Department's 1999 Human Rights Report says it all.

This is not JESSE HELMS. This is the State Department of the United States of America. And the last time I checked it was under the purview of a fellow named Bill Clinton.

The State Department said:

> The Chinese Government's poor human rights record deteriorated markedly throughout the past year, as the Government intensified efforts to suppress dissent.

Do you want to hear that again?

The State Department of the United States said: ''The Chinese Government's poor human rights record deteriorated markedly throughout the past year, as the Government''—meaning the Chinese Government—''intensified efforts to suppress dissent.''

Many supporters of this legislation, if not most, insist that the way to improve this miserable situation is to reward Communist China with permanent most-favored-nation trade status. Madam President, I find absolutely no evidence whatsoever to support such an assertion.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Idaho is recognized for up to 15 minutes.

Mr. CRAIG. Madam President, thank you very much.

I ask unanimous consent that Senator MOYNIHAN follow me to make his opening statement on PNTR, and that he use such time as he may consume for that statement.

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

FOREST FIRES

Mr. CRAIG. Madam President, I asked for time in our schedule today so that I might be joined with other Western Senators and those Senators concerned about the catastrophic fires that have been sweeping across public lands in the West for the last month and a half.

Coincidentally, today is the first day of school across our Nation. Many of our children in elementary schools are going to be asked by their teachers: What did you do during your summer vacation? For the next few moments, I will suggest to you that this is my opening speech following my summer vacation. Let me tell you what I did during my summer vacation.

I went home to my beautiful State of Idaho and watched it burn—hundreds of thousands of acres of timberland, grassland, wild habitat, and environmentally sensitive land burned with catastrophic fires that were too dangerous, too hot, and too powerful to put firefighters in the face of to try to stop them and protect these beautiful natural resources.

In fact, I never thought I would return to Washington, DC, in search of clean air. But it is true. The air is cleaner over our Nation's Capital today than it is in my beautiful State of Idaho, or Montana, or those Great Basin States of the West that are known for spaciousness, vistas, and clean air.

This year's fire season may well prove to be the worst in half a century. All of our 11 Western States, as well as Kansas, Arkansas, Oklahoma, and Texas, are reporting very high and extreme fire danger levels today.

As I speak, large fires are actively burning in California, Colorado, Florida—a little less so in Idaho today because it rained during the night, and it rained over the weekend. But it is true in Louisiana and Mississippi—a little less true in Montana because of that same rainstorm—Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, and Wyoming.

The map I have to my left demonstrates the character and the widespread nature of these fires. It isn't coincidental, nor is it unique, that most of these fires would be found on public lands—land managed by Federal land management agencies of this Government.

As of last week, the National Interagency Fire Center reports that 81 large fires are burning presently, covering nearly 1.7 million acres of land. The acres burned year to date exceed 6.5 million acres nationwide. That is over twice the 10-year average to date.

The reason I keep using the word ''to date'' is because we are now in the early days of September, and normal fire seasons will run late into September—and even later into October in California and other places down toward and including the Southwest. The total number of fires on public lands has surpassed 74,000. Let me repeat that: 74,000 fires on public lands. That is almost 13,000 fires higher than the 10-year average.

Nationally, wildfires this year have burned an area larger than our neighboring State to the District, Maryland. In other words, envision the entire State of Maryland charred by fire. That is how many acres have been consumed by fire in our Nation this year.

There are roughly 26,000 firefighters battling wildfires. We have run out of trained firefighters and are preparing 550 new Army troops to assist fire crews. This is in addition to over 2,000 soldiers already deployed to fire crews nationwide, as well as firefighters from 3 different foreign countries—Canada, Australia, and New Zealand. All of the personnel fighting fires deserve our heartfelt thanks for their efforts and their dedication. And yes, we have also lost lives of firefighters.

Current estimates suggest that nearly $120 million was spent in August alone fighting wildfires. The National Interagency Fire Center in Boise reports it is spending $18 million a day on fire suppression and related efforts. Last week, the Federal Government reported that it has spent $626 million so

far on suppression costs this year. The Forest Service budget director estimates that wildfire costs this year will exceed $1 billion in total. This estimate assumes that the fire season ends in the normal framework I have discussed. However, the fires that are currently burning probably will not be extinguishable by man. They will have to wait for the snow to fall this winter or late fall or for major storms to move in the normal winter cycle.

It is hard to believe that to be a true statement, but it is a true statement that in the heartlands of our wilderness, our public lands where these fires will continue to smolder, to flare up during the hot days of the late fall, it will take a snowstorm in the heart of Idaho to put out these kinds of fires.

On Wednesday, August 30, President Clinton granted Montana Governor Marc Racicot's request that Montana be declared a Federal disaster area. On Thursday of last week, my Governor, Dirk Kempthorne, asked President Clinton to declare Idaho a disaster area, and he has. And I expect likely declarations coming soon from others.

In a fire season as bad as the one we are now experiencing, it is undeniable we would be seeing a significant area burn. Indeed, the General Accounting Office has warned in a series of reports that there are 39 million acres of Federal lands at risk right now of uncontrolled catastrophic wildfire. Therefore, the severity of this season should not have been a surprise to anyone, nor should we have stood by saying this is a natural situation.

Ten years ago, a group of foresters and renowned national silviculturists met in Sun Valley, ID, to study the character of the forests of the Great Basin of the West. They said at that time that those forests were in severe need of active management because they were nearly dead or dying from disease and bug kill and that if we didn't pursue an active management policy, these forests would be at risk of catastrophic fire.

That was 10 years ago. Since that time, I and others have asked the General Accounting Office to study the state of our forests, only to be reminded that what has happened this year would happen if we were not actively involved. However, over the last 3 weeks we have heard a series of news stories that call into question whether the Federal firefighting agencies have been adequately funded, staffed, and prepared to deal with the fire risk that we all knew existed and that will still exist after this year. Notwithstanding differences in land management policy—and there are differences between this administration and me and other Members of the Congress—there is no disagreement that the Federal land management agencies should be prepared to deal with fires when they occur.

Nevertheless, 3 weeks ago, USA Today reported that the Bureau of Land Management fire preparedness budget request was reduced first by the Department of the Interior and then by the Office of Management and Budget. Current and former Bureau of Land Management employees complained in writing that the effect of these budget reductions would be to reduce fire preparedness dramatically.

That story was followed by a Washington Times investigative piece that reported that the money taken from the fire preparedness budget was used to acquire new Federal lands as a part of this administration's current land legacy initiative. I am sure that at the time the President had money taken from these fire budgets he didn't understand that his land legacy would be millions of acres of charred trees and lost wildlife habitat. Mr. President, that is the permanent flame that you may well have as your legacy.

At the same time, United Press International filed a story that the Forest Service fire preparedness budget was similarly reduced either at the Department of Agriculture or the Office of Management and Budget, or both. United Press International quoted representatives of the Forest Service Employees Union complaining that, in downsizing, the administration disproportionately reduced the number of lower grade GS 5's and 9's and put the money with GS 14's. What does that equate to? It said that it reduces people on the ground and puts them in the Washington, DC, office. Folks on the ground fight fires. People in the Washington office do not. Yet that is the kind of transition about which even the Forest Service Employees Union was talking. Those are amongst a lot of things that this Congress will have to deal with in the coming days.

Last week, I had a good conversation with Forest Service Chief Mike Dombeck. We agreed on a series of steps for the agency and the Congress to take over the next few weeks to address the situation currently at hand. We are not going to see major policy shifts this year, but we clearly ought to outline in the CONGRESSIONAL RECORD why we are where we are today and why 6.5 or 7 million acres of our public lands have been charred.

Clearly, it is important that we develop an emergency budget not only to pay the bills of firefighting that we have incurred, but also the kind of environmental restoration that is critical now so we will not see continued catastrophic events occurring as a result of these fires, the kind that could destroy wildlife habitat and watersheds, because we were not able to move quickly in the kind of environmental restoration that is very necessary. We also have private lands at risk and private property owners who deserve to be compensated because of the way the Forest Service managed these fires in certain instances, or the character in which these fires burned.

I will be working with my colleagues in the coming days to do just that. First, we will hold hearings in the coming weeks regarding: Was the Forest Service prepared this season to fight these fires? If they were not, why were they not? Then we will begin to examine the current policy and its impact on these 30-plus million acres at risk. I hope to take colleagues with me, as chairman of the Forestry Subcommittee, to my State of Idaho and into Montana and the Great Basin area of the West in the next few weeks as we talk to the citizens on the ground who have experienced firsthand the risk of losing their homes, their property, and, yes, even their communities.

We have already dealt with the urban wildland interface as a result of the catastrophic fires in Los Alamos. But even with that, we have not yet done enough. I hope the administration will bring forth a package in the coming days to work with us to develop a program of active management to try to save these environmentally sensitive areas, to improve the ability of these areas to deal with fire, and, most importantly, to improve the ability of our Federal lands management agencies to deal with fire in coming years. If we are truly in the kind of environment that I believe we are in, or if we are at a time and place of La Nina versus El Nino and ocean oscillations and seasonal changes in the environment, then next year could be every bit as great a fire year as this year. It is clearly important that we prepare now to do so.

I have had several of my colleagues join me on the floor who wish to speak to this issue. Madam President, I ask how much time is left of the hour that I requested?

The PRESIDING OFFICER. The Senator has 46 minutes remaining.

Mr. CRAIG. At this time I yield to Senator CRAIG THOMAS of Wyoming for such time as he may consume.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. THOMAS. Madam President, I thank the Senator from Idaho, who has been a leader for a very long time in this area—not only on fires, of course, but the management of forests, which is really the issue we will finally have to get to here. I thank him for what he is doing and certainly for the hearings he will have in his committee, which I think will be extremely important and are now extremely appropriate.

Wildfires are a very serious thing. They are very scary. They are damaging. They threaten not only the forest itself but, of course, facilities and homes in the forests. I grew up right next to the Shoshone forest next to Cody, WY, between Cody and Yellowstone and, as a matter of fact, participated on two occasions in fighting forest fires. It really is something you can hardly imagine, particularly if you are on a steep mountainside and the forest fire itself releases boulders that roll down. There are lots of scary things about it.

As my colleague and most of us know now, wildfires in the West of the United States have ravaged literally

thousands of acres this year, the worst experience we have had in forest fires for a very long time. Hopefully, that is now under control. There has been some change in the weather—snow, as a matter of fact, in some places. There has been some change also in the climate itself. We have had a very dry year in the West which has made it even more difficult.

In my home State of Wyoming, we have had thousands of acres devastated. Let me share some of the actual numbers that I think are fairly startling. This is from the National Fire News. The National Interagency Fire Center puts this out from Boise, ID. They have a 13-year comparison of the losses that have taken place as of September 4, for the year 2000.

The loss has been 6,566,000 acres this year. This year, of course, is not completed. There are always losses. Last year, in 1999, there were 4.4 million acres burned; the year before, 2 million, and 1 to 2 million has been the more common amount, although in 1996 it was 5.7 million acres that were destroyed.

I guess the message is that we know there is going to be some burn. The burn, of course, is the natural way. There are those who argue: Let nature take its course. However, things are not the way they were 300 years ago or 200 years ago. There has to be some kind of different approach.

In the States, of course: California, 214,000 acres; in Florida—Florida which is outside the West—183,000; Idaho, being the hardest hit at this point, 1.2 million acres burned in Montana, nearly a million—900,000 acres. New Mexico had almost half a million acres burned. So it has been very devastating. Certainly our first obligation is to fund and do what we can now to stop the fires and to repair the immediate damages.

I think it is interesting that in the long term, the total this year is 6.5 million acres burned, and burned for the last 10 years, 2.9 million—less than half. So we have had a very difficult experience this year.

I ask unanimous consent a complete table of wildfire statistics be printed in the RECORD.

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

THIRTEEN-YEAR WILDLAND FIRE COMPARISON STATISTICS YEAR-TO-DATE FOR THE UNITED STATES

As of September 4	Number of wildland fires	Number of acres
2000	74,571	6,566,520
1999	70,609	4,403,438
1998	60,872	2,037,629
1997	49,644	2,720,690
1996	86,533	5,787,767
1995	63,170	1,661,679
1994	58,638	3,238,065
1993	46,625	1,613,843
1992	70,444	1,478,661
1991	57,583	2,020,184
1990	55,630	4,386,528
1989	45,015	1,448,639
1988	67,945	3,623,613

NUMBER OF WILDLAND FIRES AND ACRES AFFECTED IN 2000 BY STATE UPDATED SEPTEMBER 4, 2000

State	Number of fires	Number of acres
AK	351	751,233
AL	4,377	65,477
AR	2,019	26,226
AZ	3,260	94,144
CA	5,693	214,735
CO	1,921	126,005
CT	55	183
DC	2	2
DE	12	165
FL	5,604	183,304
GA	6,883	50,735
IA	0	0
ID	1,413	1,234,818
IL	22	386
IN	875	3,005
KS	14	689
KY	1,163	49,287
LA	3,473	53,724
MA	1,854	2,735
MD	253	506
ME	208	283
MI	555	9,635
MN	2,448	55,738
MO	162	11,692
MS	3,758	55,355
MT	2,289	921,608
NC	2,814	16,818
ND	934	40,996
NE	19	434
NH	246	160
NJ	521	1,432
NM	2,222	453,519
NV	1,000	634,478
NY	104	452
OH	737	3,950
OK	1,100	46,481
OR	1,583	427,617
PA	113	954
PR	1	1
RI	81	75
SC	3,738	18,301
SD	507	14,704
TN	1,476	18,984
TX	2,468	176,194
UT	1,613	235,186
VA	687	8,234
VT	28	67
WA	942	256,706
WI	1,435	4,509
WV	920	18,917
WY	621	276,061
Total	74,571	6,566,520
Ten-Year Average	61,975	2,934,848

Mr. THOMAS. I think we need to recognize and thank the people on the ground, the agencies, the firefighters, for all they did. This is tough work. This is dangerous work. So I am very grateful for what has been done.

I was out in the midst of it, out in Yellowstone during this last August. Certainly some of the problems were that there were not enough facilities; there were not enough airplanes; there were not enough firefighters; there was not enough equipment to deal with all these things that happened. Again, I am not blaming anyone for that, but it did make it much more difficult.

In the appropriations bill with which we are now dealing, I have requested some additional funds for wildlife and fire management this fiscal year. I am very concerned, as the Senator from Idaho pointed out, that in many of these cases—not only firefighters but also maintenance and other kinds of things—this administration has put more emphasis on acquisition and purchase than they have on the management of the resources we have now. I think we need to take a look at that. I am chairman of the parks subcommittee. All of us know there are $4 billion or $5 billion in infrastructure repairs and maintenance needed. But that is not where this administration put the money.

This land legacy thing was the one that had the emphasis. So there are some tough questions, I think, certainly not of motives but tough questions in terms of management, as to what our responsibility ought to be. I really am looking forward to the Energy and Natural Resources Committee's oversight hearings when we can take a real, honest look at what we ought to do.

What do the roadless areas we are talking about have to do with the ability to control fires? I think it has something to do with it. We have wilderness areas and parks, of course, that are managed differently. It is true that in a wilderness area you are not going to have roads. You have to deal with it another way. Most of these fires are not in the wilderness. If we had access to the fires early on, I think it would be helpful. Certainly harvesting, clearing out the underbrush, clearing out the fuel as it builds up, as it naturally does around mature trees—I have been in some places that are very nearly wilderness, again up around Cody, WY. When selective timbering is done, you go through and you hardly notice it having been harvested. But I tell you, there is much less likelihood of an uncontrollable fire in that area than in the condition in which it had been.

Of course, the administration is quick to say it has properly managed the fires. This may not be the case, both from the standpoint of being as prepared financially as we should have been, and, of course, having some management techniques which many of the forest people, many of the people who are actually on the ground, recommend. They know there are things that can be done.

I think this is an area we need to talk about. We need to talk about it now. Our focus, of course, has to be on the future and what we can do to limit the kinds of losses in our resources we had this year. I am very pleased to be able to work with my colleagues here, particularly the Senator from Idaho. I am looking forward to doing what we can to be prepared so in the future we will have less of a tragedy than we had this year.

I yield the floor.

Mr. CRAIG. I thank my colleague from Wyoming. Let me especially echo the point he made well just a few moments ago. We have had thousands of men and women out there on the fire lines risking their lives over the last month and a half. Clearly, a special thanks is needed to them for the work they have done. I think that is most appropriate as we assess now where we are and what we might be able to do, both short term and long term, in the packages that are put together and the policy changes that are made. The administration has said they will be coming forth with some proposals. We will take a very serious look at them as they come, to work with them in the immediate sense as we look at long term.

Now, let me yield 10 minutes to the other Senator from Wyoming, Mr.

MIKE ENZI. I am pleased he joins us today to discuss this critical situation in the West.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Madam President, I rise to join in this elaboration on the damage and devastation that is going on in the West. It has been a tradition in the Senate that when disasters happen, Senators come to the floor and they ask emergency measures be taken, both to stop what is happening and to make up for some of the economic loss that is a result of the emergency.

That is what we are doing today. Just as importantly, we are here today suggesting that there are changes the Federal Government can make so that we do not have these problems again. Prevention is better than pain. Prevention is better than the pain that is caused by the forest fires that devastate homes, jobs, and recreation.

Senator THOMAS and I have been traveling around Wyoming. We are downwind from Idaho. We are downwind from Washington. We are downwind from Montana. In the daytime, one cannot see the mountains or the fires for the smoke. At night, you can see the fires as you drive down the roads, and people prepare their evacuation plans to get out of their homes, to abandon their homes to flames. It is a terrible situation.

It can be prevented, but we are going down the wrong road right now. I rise to express my deep concerns over the mismanagement of the National Forest System that has led to one of the worst fire seasons in the history of the United States of America.

There is no question that fire is a part of the natural world. No one knows this better than the men and women in the Western United States who have risked their lives during the last 4 months to protect and save homes, lives, property, and the environment from the terrible threat of the catastrophic wildfires.

As of September 4, the National Interagency Fire Center in Boise, ID, reports that 6.6 million acres of Federal public lands have been burned this year alone. In comparison, in 1996, we suffered what was up until then the worst year on record for fires in the continental United States. At that time, we lost 5.8 million acres. We have already exceeded that loss by almost 800,000 acres, and it is growing.

What makes this tragedy so terrible is that most of this threat could have been prevented had our Federal land management agencies not been stymied by the Washington, DC, one-size-fits-all-based policies that sacrificed forest health for political gain. Rather than implement policies that would have made our forests more fire resilient and would have made forest communities safer from the threat of catastrophic wildfires, these agencies, such as the U.S. Forest Service, the Bureau of Land Management, the National Park Service, and the Fish and Wildlife Service, have adopted practices from Washington that have allowed our forests to grow denser and denser without establishing the proper safeguards, such as defensible fuel profile zones and mechanically thinned forests that can incorporate fires into the natural management.

For more than 60 years, our Nation has placed an emphasis on aggressive fire suppression programs which have removed fire as a mitigating factor in maintaining forest health. As a result of these well-meaning efforts, many of our forests now suffer from an unnatural accumulation of vegetation on the forest floors. Dense undergrowth, combined with increasing taller layers of intermediate vegetation, has turned Western forests into deadly time bombs.

Unlike healthy fires of the past that thinned out the underbrush and left the large trees to grow larger, modern wildfire quickly claims the dense vegetation like a ladder until it tops out at the uppermost, or crown, level of the forest and races out of control as a catastrophic fire. Because of their high speed and intense heat, these crown fires leave an almost sterile environment in their wake. After a crown fire, nothing is left behind—no trees, no wildlife, and no habitat—with few micro-organisms left to rebuild the soil.

Vegetation manipulation, including timber harvests, is therefore necessary to restore our forests, particularly in the West, to conditions that are most resistant to catastrophic disturbance and that are within acceptable ranges of variability. Good stewardship, scientific studies, including the Sierra Nevada ecosystem project report, state that timber harvest is a tool that can be used to enhance overall forest resilience to disturbance. The SNEP report states, for example, that ''logging can serve as a tool to help reduce fire hazard when slash is treated and treatments are maintained.'' If conducted on a large enough scale and in a controlled manner, timber harvests can restore our national forests to a point where large catastrophic fires are much less likely. In other words, we can harvest the trees instead of burning them down. We can make them into boards that will keep that CO_2 they have absorbed over a lifetime intact in a home instead of going up in smoke as CO_2.

The Forest Service has recognized this threat and in April of this year stated that ''Without increased restoration treatments . . . wildfire suppression costs, natural resources losses, private property losses, and environmental damage are certain to escalate as fuels continue to accumulate and more acres become high risk.''

The Clinton-Gore administration, however, has chosen to ignore its own experts and has proposed new programs that would combine with current planning efforts, such as the Sierra Nevada framework, Interior Columbia Basin ecosystem management project, the roadless initiative, and the Federal monument proclamations, will only make the situation worse by removing our access to forests and by taking away some of our most effective forest management tools. Instead, the administration wants to rely on the extensive use of prescribed fire which will further exacerbate the risk of catastrophic wildfires on the Federal land throughout the West and proposes to prohibit all forms of commercial timber harvest, regardless of the objective.

Those prescribed fires get out of control, as I am sure the Senator from New Mexico will point out in a little while, in one of those damaging winds. In Wyoming, prescribed burns get out of control, and if you cannot get to the fire, you cannot put out the fire. We are talking about a roadless initiative in the United States right know.

This is a map that shows the forest system in Wyoming—not the grasslands, not the Bureau of Land Management-controlled lands—the forest system. Wyoming has about 400 miles on a border. If we take away the roads in any of those colored areas, how do we get in to fight the forest fire while it is still a small fire? That is when we want to take them on. That is when we need to be able to get to them. If we wipe out the roads—and they are referred to sometimes as ghost roads because they are not roads one takes a normal car over, but they are roads from which fires can be fought.

Madam President, I draw your attention to another sign that has appeared in Montana. This is actually addressed to all of us, but it is a little more pointed than that:

> To the firefighters: Thank you for all your efforts.
>
> To the U.S. Forest Service: Everything that we love is gone . . . up in smoke. The mismanagement of our forests has turned our beautiful valley into an ash heap.
>
> To Bill Clinton and Al Gore: Because of your environmental policies, the jobs are gone, the way of life is gone, and now the beauty is gone. What's next? Shame on you.

If we do not do anything about it, shame on us.

In the interest of protecting the integrity and posterity of our forest and wild lands, wildlife habitat, watershed—if there is a forest fire and it wipes out all the trees, next year North Dakota will have more floods because more water will make it into the stream—air quality, human health and safety, and private property, the U.S. Forest Service and other Federal land management agencies must immediately enact a cohesive strategy to reduce the overabundance of forest fuels which place these resources at high risk of catastrophic wildfire.

While this strategy must include increased timber sales, however, there is no reason these sales cannot be structured to improve forest health by including in the terms of the contracts a requirement to thin out the underbrush and leave our forests in a healthier, more sustainable condition.

I have concentrated on forest fires. There are grassland fires happening on BLM lands, private lands, and there are some lessons to be learned on taking care of those, too. It is not as dramatic to talk about a grass fire as a timber fire, but on those lands where there is good stewardship, the fires will stop. Where there is bad stewardship, the fires will blow across at a rate animals cannot even run.

The catastrophic wildfires not only cause damage to forest and other lands but place the lives of firefighters at risk, pose threats to human health, personal property, sustainable ecosystems, and air and water quality.

We must call to task the failed policies and move forward with better proactive policies that protect the West and the United States from the overriding threat of catastrophic wildfire.

I yield the floor and reserve the remainder of our time.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Madam President, I thank the Senator from Wyoming for his comments. He has made a very critical statement as it relates to some of the initiatives that are before us today, as it relates to roadless initiatives, roadless areas, accessibility to these areas, and the risk of catastrophic fire.

Last week, I sent to the President a letter indicating we had discovered that the administration, in their roadless area initiative, was not using the current reports on catastrophic fire as it related to their initiative. We would ask them to go back and review that before they attempted, by regulation, to lock up another 10, 15, 20, 30 million acres of land. It ought to be examined against the current fuel-loading on that land and the risk of catastrophic fire.

Now I will yield to the Senator from New Mexico who has just gone through a catastrophic fire in his State that nearly wiped out one of our great National Laboratories. It certainly wiped out a beautiful area in the mountains of New Mexico near Los Alamos where it took hundreds of homes and may well end up costing the taxpayers of this country over $1 billion to repair bad policy and bad decisionmaking coming together that created the Los Alamos fire.

I yield to my colleague from New Mexico.

Mr. DOMENICI. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I recall coming to the floor when we considered the military construction appropriations bill. My friend, the Senator from Arizona, Mr. KYL, recalls that. The military construction bill came to the floor and we told the Senate how we worked for over a month, in a bipartisan manner, to provide the administration with tools to improve fuel reduction in the wildland and urban interface; that is, urban interface areas for communities that are at risk.

I understand the distinguished Senator, Mr. KYL from Arizona, has some very excellent portrayals of what happens to forests that are attended to and cleared as compared with those we leave unattended and then have a fire. Unfortunately, the administration threatened to veto the legislation we worked on because they found some of the suggestions too hot to handle. However, my colleagues found the suggestions very prudent, and later accepted my amendment to the Interior appropriations bill, which is where we finally were able to offer it. It was offered there as an emergency measure and received huge bipartisan support.

Throughout the United States, there is an increasing amount of land in what natural resource scientists and firefighting experts call wildland-urban interface. This is very important because if that burns, not only do we lose forests, but we lose communities, we lose villages, we lose watersheds right close to cities which have a propensity to destroy the water supply as the trees in the watershed burn.

Many millions of acres—according to the General Accounting Office estimate, 39 million acres or more—of national forests are at high risk of wildfires.

Over August—it was not a luxury; normally visiting my State is a privilege and a luxury—I had to go there to visit fire-devastated communities, and in particular one, Los Alamos, but also some smaller ones. One of the communities is named Weed, where a couple hundred people came with their concerns because they are so frightened about what is happening to the forests on which they live, work, and from which they used to make a living.

As of today, there are over 52 fires burning over 1,000 acres each across this country.

The total number of acres burned this year is 223 percent of the 10-year-to-date average.

On Labor Day, almost 17,000 acres burned—on that one day.

Close to half a million acres have burned in my State this year; many more in other States, including the States of Utah, Colorado, Wyoming, Montana, and others.

When we first started working on this measure, the administration believed there was too much national environmental special interest group opposition to my mild fuel-reduction amendment. But I wanted to ensure that we did not just throw money at the problem and say we solved the threat to our communities.

We gave them, in that amendment, $240 million in emergency funding to work on hazardous fuel reduction. Actually, since that amendment, which will be in conference under the chairmanship of Senator GORTON, there have been many more fires that have occurred. Much more evidence has been discerned with reference to communities that are right up next to forests that are loaded with kindling on the ground, ready to make a small fire into a monstrous fire.

The language in that amendment provides the land management agencies additional authority that they now lack to do some of this fuel reduction work. We asked them, at their sole discretion, to do this work in a way that would provide jobs to local people, opportunities to private, nonprofit, or cooperating entities, such as youth conservation corps, and opportunities for small and micro businesses.

We asked the two Secretaries involved to identify those communities where hazard reduction activities were already underway or could be commenced by the end of the calendar year. We further asked the Secretaries to describe, by May of the coming year, the roadblocks to beginning hazardous fuel reduction work in the remaining communities at risk.

I can tell you about some of the communities in my State because our State forester had no hesitation to find out this information. He went out to find it. We have an excellent State forestry department and an excellent State forester.

They found the Ruidoso area, an area many people visit, has a very serious threat in terms of heavy pine scattered throughout the areas and residue on the ground of a very high kindling nature.

In Santa Fe, the water supply is in immediate jeopardy.

The growing East Mountain communities of Albuquerque are facing significant fire hazards.

The Middle Rio Grande Bosque—a green area, a greenbelt along our river, the Rio Grande—and the Espanola area, increasingly face the threat of out-of-control fire; that is, federal forests that are not cleaned up, forests that have not been paid any attention to in terms of management.

Los Alamos was deeply impacted by the Cerro Grande fire and will have the continued threat in unburned canyons.

We have all seen on television the terrible pictures of personal devastation from that area where more than 400 people were left without residences. Some were in duplexes that were burned to the ground. We have to pay for those because that fire was started by a Park Service employee who made a very serious mistake. I think we are all aware of that. That actually happened.

I want to summarize my remarks by suggesting that it is still very interesting to me how the Secretary of the Interior, Mr. Babbitt, can come out to the West and say some of the things he does. President Clinton's Interior Department has been in charge of many federal lands—along with Agriculture Department, in charge of the forests for as long as Clinton has been President. I say to my friend from the State of Arizona, soon that will be 8 years. They have been in control of: How should we manage? What should we cut? What should we do with these forests? It is interesting that Mr Babbitt

would come out West and say: This administration is not responsible for any of this; it comes from administrations before this one.

Frankly, how many years would it take this administration to fix the problems in the management of the forests? I have listened to my good friend, the chairman of the subcommittee that handles this issue in the Energy and Natural Resources Committee. I heard him talk about what the Federal Government has done and not done.

I have not heard anything about a major effort to clean up the forests. In fact, I think it has been to the contrary. I think there has been a fear that if you clean this up, you are logging. If you clean up the stuff on the ground so it will not burn, you are putting people to work in rural areas; and you are supporting this idea that there are many uses for forests, you are making it a reality—where this administration wants to push more to only public use rather than any private use.

I say to the Secretary of the Interior—and I certainly have not heard Secretary Glickman say this—but for him to come out West and say this didn't happen on their watch seems to me to be skating on very thin ice in terms of the reality of things.

What do we have now? What we have now is a Presidential election. Vice President GORE is running, and many of us think most of these policies were run through his staff for their ''environmental'' validity.

I think it would be nice to know, since the Secretary of the Interior denies that this administration and our Vice President, who many know was in charge of a lot of environmental policies—where was he on all these fire danger issues? More importantly, where will he be if he is elected? I cannot believe that if a set of questions were put to him—and we can't do that—he will answer them only if he wants to and only if they write them up a certain way. What did you do during your 8 years with reference to this problem, and if you are elected, what will you do during the next 4 years? Be very specific. Wouldn't it be something if you asked: Do you support a policy saying you can not put a road in the forest, even to stop the fire? I don't know if he would answer that.

The policy in this country now appears to be not to put any roads in. In my State they have told me that in the overgrown Santa Fe watershed, they don't believe they are allowed to put a road a half mile up—even a temporary one—to thin a rather steep slope, which you cannot get to from the main road. There are many frustrating stories like that. We hear stories about the federal land management agencies concerned with ''protecting'' certain things on the ground before you use a Caterpillar to stop a fire.

Frankly, to me, the results make that policy an adversity, because in order to save some resources, the result is ironically thousands and thousands of acres of burned forests and damaged resources. So which is the more prudent policy? To try to stop the fire early on at a quarter of its entirety using mechanized equipment, or let the whole thing burn and look back on it and say we didn't touch any of the ground with a tractor or any equipment, but we sure burned the forest down? These are very important issues. Where do we go next?

I submit that Congress is going to see—even in the few days it has—that that $240 million as an emergency comes out of that conference. I think some Senators are getting some estimates about the environmental restoration cost for some of these forests that burned in the State of Senator KYL, and certainly in the distinguished chairman's State, and in the State of Montana and others. What will it cost to go back and rehabilitate and make them grow again? That surely is a great American emergency.

Do we want to leave these millions of acres with only the stark reality of a fire? Millions of trees are standing that are burned. Do we want to leave them all there until they rot away? Don't we want to say that as part of a rehabilitation plan, we ought to remove some of them?

Frankly, I will give you one example. We have a little community in Otero County called Alamogordo. It had one nice lumber mill, which just closed. Do you know what is around it? A very big fire that we reported here on the floor. Around the small town of Weed, near that closed sawmill, stands millions of burned trees with about 25 percent of their utility gone. We have not yet decided to remove one of those trees and to put somebody back to work in that lumber mill because of the policies the Senator from Idaho was speaking of.

We need plans. I agree. But we also need to put the money up so the plans and the work be done quickly, in my opinion. One of the biggest and most important things we can do in the coming weeks is to provide this to the administration and say, ''Get started.'' Clearly, they won't accomplish a great deal, but the sooner we get started the better.

I understand Senator KYL has an expert in his State who has worked on the issue of how much good can we do in cleaning up the forests, so that we have some fire prevention, instead waiting around and then trying to put out a devastating fire.

I yield the floor.

Mr. CRAIG. Before I yield to the Senator from Arizona, I thank the Senator from New Mexico for his most appropriate statement. He experienced this firsthand earlier in the year before Idaho and Montana experienced it—the kind and the character of truly intensive and catastrophic fires, burning thousands of degrees hotter than a normal fire in a normal forest setting.

He is right. Over the course of the next several weeks, as chairman of the authorizing subcommittee, I am going to work very hard to come up with figures and amounts that we can build into an emergency package and hopefully include it in the Interior appropriations bill, which would fit the kind of environmental restoration necessary on the acres that have already burned, but also the kind of urban interface stewardship programs that will bring about the fuel reduction that our colleague from Arizona will speak to in a moment. He and people in his State have done some very interesting and extremely valuable pioneering work on the Ponderosa Forest of northern Arizona, which is important for this Congress, and hopefully this administration, to take into consideration as a part of the way we deal with these forest lands that now have literally tens of thousands of gallons of gasoline-equivalent fuel on the ground, which burns explosively under the right circumstances, as we have just experienced.

Let me yield to my colleague from Arizona, Senator JOHN KYL, to speak to this issue and the experiments going on in his State.

(Mr. ENZI assumed the chair.)

Mr. KYL. Mr. President, I thank my colleague from Idaho for bringing the attention to this issue to the Senate floor, to our colleagues here, as well as to people around the country. To my colleague from New Mexico with whom I have been visiting about this matter for 5 or 6 years now, a real thanks for his efforts to bring a $240 million supplemental appropriation which will only begin to scratch the surface of the needs we have. Half of that money goes to the Department of Agriculture's U.S. Forest Service and the other half goes to the Department of the Interior for the BLM because in our public forests today we have them spread both in the National Forest System, as well as the Department of the Interior-administered lands of the BLM. Arizona and New Mexico have the largest pine forests in the world.

Senator CRAIG pointed out that we have done some pioneering here. For the last decade or so, Northern Arizona University's School of Forestry has been working on techniques to return the forest to the rather parklike, very natural condition that it was in at the turn of the century, 100 years ago, when you had very broad stretches of grassland with few trees per acre—maybe 100 trees per acre. Big beautiful trees, ponderosa pines, are a little bit reminiscent of a sequoia, for example—very large, yellow bark, a beautiful huge tree. When they are spaced out a fairly large distance from each other in a rather parklike condition, I don't think there is anything prettier.

More to the point, there is nothing more beneficial for the flora and fauna in the area. Lush grass feeds the deer and elk and other browsers. We have a healthy environment for birds and other species and, frankly, the entire ecological situation is the way that God created it to be.

Then along came man, and through a series of mistakes we mismanaged the forests to the point that today most of the forest is clogged and gnarled into what they call a ''dog hair trimmer,'' meaning that a dog can't run through it without leaving half of his hair behind on the underbrush that has been growing up.

What happens is that, first of all, all of this underbrush competes for the nutrients and the water in the soil so none of the trees grow to be the big, beautiful trees we all love, and none of the grass can grow so that the browsers—the deer, elk, and animals such as that—don't come into the area. And because every bit of nature depends on something else, most of the species simply vanish. Nothing can really survive there.

You create two other conditions: disease-prone because they are weak; secondly, fire-prone, where a spark of fire here is like setting off tinder with a larger box around it to burn. Because of the undergrowth and fuel on the ground, as soon as the fire starts, it quickly spreads to the lower branches and then the upper branches of the trees, and that is why you see this almost explosion of fire as it crowns out; it goes right up through the top of these huge, magnificent trees and explodes the trees in the process. What happens is that the soil is baked to a temperature that is unhealthy for regeneration. Ordinarily, nature-caused fire will burn along the ground and burn a little bit of the underbrush that is there but never crown out. As a result, it is not the timber fire that you get here. This literally sterilizes the soil. For years, nothing can regenerate. Perhaps devastatingly, erosion results very quickly—destroying streams, rivers, and lakes. It takes the topsoil that has taken millions of years to be created so things can grow, and wipes that out. It drains all of it right down into the rivers and streams and clogs them up.

What is the environment for the flora and fauna? There is nothing. We talk about endangered species. Goodbye species.

We had a fire around Four Peaks in Arizona which destroyed about 75,000 acres. I learned that this was the heaviest concentration of black bear habitat in the country and perhaps the world. What happened to all of these black bears? Many of them did not survive. Many of the other animals did not survive. The trees are gone. We have a very large bird population in Arizona. Amazingly enough, many of those birds had nowhere else to go.

The point is that when you have this kind of catastrophe, you are not aiding nature; you are destroying it. All of the environment is destroyed in the process—not to mention the waste and the cost. We have now spent about $1 billion this year to fight these fires. That money could have gone a long way toward managing the forests and preventing the fires in the first place. You are not simply saving timber; you are not simply preserving a nice view for people. You are saving the environment for the flora and fauna—preventing erosion, preventing the sterilization of the soil, and all of the rest.

As I started to say, work has been done around the country, but most importantly in Northern Arizona University, pioneered by Dean Garrett, and most recently by Dr. Wally Covington at Northern Arizona University. Secretary Bruce Babbitt is a friend of Wally Covington and fully supports the work that he has been doing at Northern Arizona University. In some small projects in northern Arizona, we have been able to acquire funding to do this forest restoration and demonstrate the efficacy of the treatment.

The problem is the administration has not carried that on to a larger treatment area. I don't know why because science proves it out. Secretary Babbitt understands that it is the right thing to do. But I think, frankly, it is a fear that the radical environmentalists, which this administration relies upon for a great deal of its support, will object. Indeed, after putting together a wonderful program with the support of Secretary Babbitt, Dr. Covington, the Grand Canyon Trust, and other environmental groups, all of whom were working together to make the area around Flagstaff, AZ, safer, to improve the environment, and to restore the forests to a healthy condition, radical environmental groups sued to stop the process and delayed it for an entire year—to no effect because the project will go on. But it will be delayed a year.

The GAO reports that we have 39 million acres to treat in this country. Strike that. With 6 million acres having burned this year, we are now down to 33 million acres. We have to do this within a 20-year period if we are going to save these forests. That is going to require a commitment of the next administration. If the current administration can't do the job, maybe the next one can.

Finally, I am holding a document put out by the U.S. Department of Agriculture Forest Service, Southwestern Region, called ''Arizona's Wild Land Urban Interface.'' To summarize what is in this document, you see areas that haven't been treated that are severely burned. Then you see what happens when they treat the areas. You find, for example, in the Coronado National Forest a before-and-after picture where you see this clogged-up condition of undergrowth. It is not pretty, it is not environmentally sound, and the number of trees per acre are reduced to about 300. Whereas they had about 1,500 before, they are trying to get it down to about 150 per acre. When you do that, you have a beautiful park-like condition that is healthy.

I can tell you, having visited the treatment areas around Flagstaff, that after about 3 years you see the pitch content of the trees significantly improved. That prevents the bark beetles from attacking the trees. The protein content of the grass is an order of magnitude higher. All of the elk, deer, and other animals are coming in to browse. Everything about the forest is healthier when you can go in and thin out this underbrush and hopefully follow up with a prescribed burn which simply burns along the ground and burns any of the residue. It doesn't crown out. After that, you can let nature take its course because then you have a healthy forest with larger diameter trees. If lightning strikes, not one of those trees catches fire. It starts with the grass on fire around it. It may burn the grass for several acres. That is all right. That will regenerate in just 1 year. That is acceptable. But it doesn't crown out and destroy the rest of the forest. That is what we have to commit to do in all of our Nation's forests.

I commend the small first step that Senator DOMENICI has taken here with appropriations. I commend the administration to create a budget that will begin to spend, frankly, billions of dollars that are necessary to treat the forests of our country, not just in the southwest but all over the western United States which so desperately needs this new forest management to save our Nation's forest.

I appreciate the fact that Senator CRAIG has offered me the opportunity to speak to this today, and I look forward to continuing to talk about this issue because, unfortunately, like some of the other things, it takes a catastrophe to finally bring out what has to be done. While all of us lament the catastrophe, at least perhaps it will jolt us into doing what is right to save our wonderful forests in the U.S.

Mr. CRAIG. Mr. President, I thank Senator KYL for what I think is a very clear explanation of what happens when you have this massive fuel-loading that has occurred on the floors of our public land forests in the Nation. When he talks about active management, he is not talking about wilderness areas. He is not talking about wildlife preserves. He is talking about the millions and millions of acres of land that we call multiple-use lands or lands that are classified within this roadless area that this administration is currently examining and is considering keeping roadless and undisturbed.

The question becomes very clear. Can you do this kind of active management by righting the wrongs of past actions we have taken on our public lands to restore forest health and to allow fire then to be a participant in the ecosystem in a way that is not catastrophic or stand altering or wildlife destroying? Those are very real changes with which all of us have to grapple. We ought to start. I will start with hearings in the next few days that will deal with that. Some of our environmental friends recognize this. One of them happens to be from New Mexico. The Forest Guardian Group is

quoted as saying that wildfires are getting bigger, burning hotter, and the effects are more devastating.

It is clear that we will have to take mechanical steps to thin forests before we can use fire to restore these forests to their natural regimes.

Mr. MOYNIHAN. Will the Senator allow me a question?

Mr. CRAIG. I am happy to yield to the Senator from New York.

Mr. MOYNIHAN. I hope he will make available more of the research that has been described so carefully by himself and the Senator from Arizona. This is new to an easterner but not too new. Two-thirds of the State of New York is covered by hardwood forests and some cedar and pine. But these are important propositions that should be listened to intensively. I surely wish to be one who will do so, and I look forward to supporting the efforts that are indicated.

Mr. CRAIG. I thank the Senator from New York for saying so. Yes, it is true that some of these ideas are new. Some of them have been building over the last decades as we have recognized the current state of the health of our forests. My time is up.

Mr. MOYNIHAN. Mr. President, I am sure the chairman would wish us to yield such time as the Senator from Idaho needs to conclude.

Mr. CRAIG. Let me conclude because the chairman of the Finance Committee has just brought a very critical issue to the floor. I appreciate the opportunity to kind of sandwich ourselves in between the opening remarks of the chairman and the opening remarks of the ranking member of the Finance Committee as it relates to China and PNTR, which is the most important issue before this Senate. But it is important that Senators be given an opportunity to hear the concerns that are now out there about our public lands and some remedial action that we can take in the short term as we look at long-term policies working with this administration and future administrations to resolve this kind of critical issue.

I thank you very much for the time and the time my colleagues have used in joining me to bring out some of the necessary and important facts about the events that are occurring out there as we go through this most devastating fire season.

Let me conclude once again with this thought. Six and one-half million acres of public land have now burned. For those who might be listening and who do not understand what 1 acre of land represents, or 1 square mile of land, let me suggest that it is the entire State of Maryland charred to the ground, with piles of ash, with snags of timber, standing dead trees, nothing left, with the risk of siltation and soot and ash moving into the watershed, into the streams, and into the valuable aquatic habitat. No wildlife can live there. Much of the wildlife having been destroyed, no trees can provide the productiveness to build a home and provide fiber for our country except in charred snags. An area the size of the State of Maryland has now burned. Thousands and thousands of acres continue to burn. I believe that is a national crisis. It is a crisis on which all Members must focus. If it had been a hurricane that just wiped out the State of Maryland, we would all be rushing to save that State.

Fire, too, is a part of Mother Nature's disaster or catastrophic scheme. I hope our colleagues will work with us and that the Nation will begin to understand that active management on these timbered public lands in the appropriate and designated areas is not only critical; it is necessary to save our forests.

I yield the floor.

TO AUTHORIZE EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PEOPLE'S REPUBLIC OF CHINA—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous agreement, the Senator from New York is recognized for such time as he may consume.

Mr. MOYNIHAN. Mr. President, I thank my revered chairman for this opportunity to discuss the most important issue we will deal with in this portion of this session of Congress.

At the Finance Committee's final hearing on China this spring, on April 6, our last witness, Ira Shapiro, who was formerly the chief negotiator for Japan and Canada at the U.S. Trade Representative's office, closed his testimony with these words.

> . . . [this vote] is one of an historic handful of Congressional votes since the end of World War II. Nothing that Members of Congress do this year—or any other year—could be more important.

I rise to suggest, sir, that he is not wrong, and to explain at some length, if I may be indulged, the reasons therefor.

The United States has a long history of commercial ties with China, beginning at a time when we exported raw materials, medicinal herbs and such like products, in return for sophisticated manufactures.

The first American ship to visit China, the *Empress of China*, cleared New York harbor more than 216 years ago on February 22, 1784. It carried a cargo of 300 tons of ginseng, a wild root found in the uplands of States such as New York, where it is gathered to this day and is known as shang. The cargo included wool, cloth, lead, cotton, and pepper—pepper, I take it, to be a transshipment of pepper received from South Asia. She reached Canton 7 months later, on August 23, 1784, and returned to New York the following May where the vessel created a sensation with its exotic cargo of manufactures: porcelain, umbrellas, fans, and then some tea and spices.

By the 1830s American commercial interests in China had grown considerably despite China's restrictions on trade. But American traders lagged far behind their British counterparts—one might say the Portuguese, as well, who were the first in the Far East—and when the British secured additional trading rights by the Treaty of Nanjing, concluded in 1842 after the first Opium War, as it was known, the merchants of Boston became especially fearful that American traders would suffer discrimination.

In the context of today's debate, it is worth recalling that the U.S. response a century and a half ago to the fears that we were being locked out of the China market was just what we are talking about today. We sent a special emissary to ask the Chinese to grant the United States what is in effect normal trade relations status. Congress voted $40,000—some Members thought it to be an exorbitant sum—for a special diplomatic mission to China. Congressman Caleb Cushing of Massachusetts was dispatched as minister plenipotentiary. His instructions stated that his primary object was to secure for the United States the same commercial privileges that had just been won by the British.

On July 3, 1844, Cushing signed the United States' first treaty with China. It was called the Treaty of Wanghia, named after a village near Macao which was a Portuguese settlement. Its centerpiece was ''a most favored nation clause.'' That was the 17th century term used at the time. The meaning is that you will get the same treatment as that nation which has the most favored treatment, which in effect means equal treatment for all, or what we call normal trade relations. Just equal treatment for all, ensuring that the American merchants would have the same terms of trade and negotiation as did the French and the English traders.

A century and a half later, we are still grappling with these very same concerns. Thus, we find ourselves on September 5, 2000, debating the merits of establishing permanent normal trade relations with China, that term, ''normal trade relations,'' having been changed, having been adopted in the Finance Committee. We are very proud of our chairman in this regard, to have succeeded in changing the 17th century term ''most favored nation,'' which gave altogether the wrong impression to any but skilled trade negotiators and merchants.

Our purpose is to ensure that Americans are not disadvantaged in the Chinese market and the Chinese not disadvantaged in ours.

We begin the debate on a high note and with great expectations. Just as we left for the August recess on July 27, an overwhelming majority of Senators voted, 86–12, in support of the motion to invoke cloture on the motion to proceed to this bill. That is what we are doing now. It was almost exactly proportionately divided: 45 Republicans and 41 Democrats voted for cloture.

The vote followed an unquestionably impressive and somewhat surprising

vote in the House of Representatives on May 24. A margin of three or four votes had been predicted, with a 10-vote margin the most optimistic projection.

In the end, the measure passed decisively: 237 yeas to 197 noes. The Finance Committee also has wholeheartedly endorsed the bill, on a bipartisan basis. On May 17, the committee ordered reported a very simple two-page bill, S. 2277. It is not a complicated matter, two pages states it all, to extend permanent normal trade relations to China. The vote was near to unanimous, 19–1.

I remind my fellow Senators on this side of the aisle that all Democratic members of the Finance Committee voted in support of the bill.

The House saw fit to add several provisions designed to implement elements of the November 15, 1999, U.S.-China bilateral World Trade Organization agreement to address several other facets of U.S.-China relations. Thus, the House bill, H.R. 4444, includes an import surge mechanism which codifies a provision of the November agreement, negotiated by our Trade Representative, to deal with that possibility in trade. It creates a human rights commission loosely modeled upon the Commission on Security and Cooperation in Europe, the Helsinki Commission, and it authorizes appropriations for the Departments of Commerce, State, and Labor and the U.S. Trade Representative's office to monitor China's compliance with its World Trade Organization commitments—nothing major, nothing troubling.

On June 17, the Finance Committee examined the House-passed bill in executive session. It was the near unanimous view of the committee that we simply ought to take up the House bill, pass it, and send it to the President, who has committed to signing it. It, after all, represents an enterprise that has been afoot through many administrations, and came to a successful conclusion in his when the World Trade Organization was created and the trade agreement was negotiated. And, so, the sooner the better.

We all need some reminding of our history. China's accession to the World Trade Organization is consistent with longstanding U.S. trade policy and allows China to resume the role it played 50 years ago. There can be no doubt that passage of this legislation is in the interest of the United States. This is true whether we view the matter from the overarching perspective of our broad trade policy goals or look more narrowly at the benefits that China's accession to the World Trade Organization will bring to American farmers, industry, and workers.

Let me make the case from both vantage points. In a very real sense, America's trade policy over the past 66 years—two-thirds of a century, ever since Cordell Hull created the Reciprocal Trade Agreements Program in 1934 in the depths of the Great Depression—ever since then we have pursued policies that have brought us to this moment of extraordinary completion. With its accession to the World Trade Organization, China merely resumes the role that it played half a century ago when it was instrumental in United States-led efforts to build a multilateral trading system from the economic rubble generated by us in the Smoot-Hawley Tariff Act of 1930. If you were to make a short list of five events that led to the Second World War, sir, Smoot-Hawley would be one of them.

Tariffs in that act of 1930 increased to unprecedented levels—on average 60 percent. As predicted, imports dropped by two-thirds in value terms. But what had not been predicted was that there was a corresponding and almost precisely equal drop of two-thirds in the value of exports which materialized when our trading partners responded in kind and hiked their tariffs just as the United States had done.

The result was ruinous, not only for the United States but for our trading partners. The British abandoned free trade and adopted Commonwealth preferences. The Japanese began the Greater East Asian Co-Prosperity Sphere. In 1933, with unemployment at 33 percent, Hitler was elected Chancellor of Germany.

It took the Reciprocal Trade Agreements Act of 1934 to get the trade policy of the United States back on track. The impetus behind the Reciprocal Trade Agreements program was predicated on the view that the recovery of the U.S. economy depended on finding outlets for our production—that is, opening and developing export markets—and that the only way to accomplish this was to negotiate reciprocal reductions in tariffs.

If I may be permitted a personal note, I was taught, after returning from the Navy in World War II—I was taught this subject by Harry Hawkins, a great State Department official who Cordell Hull, in his memoirs, observes handled reciprocal trade. This was not to them a mere economic issue—prices, trading and such like. This was an issue that had led the world to the brink of destruction in World War II. It was hoped that would never happen again.

This is what we are talking about now, at a more attenuated level. But the belief that has driven American policy for two-thirds of a century is still alive and happily and importantly so.

We did this initially on a country-by-country basis. From 1934 through 1947, the United States negotiated separate agreements with 29 countries. That is a large number. I believe the initial membership of the United Nations was in the neighborhood of 55 countries. So half the countries in the world had entered agreements by this time.

With the conclusion of the Second World War, trade assumed an important role in postwar economic reconstruction plans, and the conviction emerged that multilateral trade agreements were more efficient and ultimately a more trade liberalizing means of spurring economic growth than a web of bilateral agreements, having all the countries involved reach the same agreement in the same setting.

China played a central role in that thinking and planning from the beginning. China was one of the 44 participants in the Bretton Woods Conference of July 1 to 22, 1944. We saw the war coming to an end, and we were preparing for the aftermath. Bretton Woods established the International Monetary Fund down on Pennsylvania Avenue and the International Bank for Reconstruction and Development, which we know as the World Bank, again not 20 blocks away.

A multilateral trade agreement was expected to complement these institutions. There were three in mind: the fund, the bank, and the trade organization. Postwar planners did not turn their attention to trade until 1946. That year, China was appointed to the preparatory committee of the United Nations Conference on Trade and Employment, which was charged with drafting the charter for the International Trade Organization, the ITO. Thus, it was that China became one of the original 23 contracting parties to the General Agreement on Tariffs and Trade which was but one of the chapters of the ITO charter. It came to be known by its initials, the GATT, and it was put into effect in 1948 as an interim arrangement until the charter had been ratified. It was just a very small office in Geneva. A British Treasury official, Eric Wyndham White and three secretaries, as I recall from those days, in a small house above Geneva ran it all and ran it wonderfully waiting for the ITO.

The ITO never came to pass or did not come to pass at that time. It died in the Senate Finance Committee. The GATT survived. China remained a part of the GATT until March 8, 1950, when the Republic of China, by now located on Taiwan, notified the GATT that China would withdraw.

I note, and I do not want to insist as my history is not that clear, but it was the Government of China of Chiang Kai-shek on Taiwan that withdrew. I do not believe we have any record of the PRC, the People's Republic, as such having done it. It would not have mattered, but effectively China was out. It is to be noted—I am subject to correction—but it is to be noted.

It was not until 1986 that the People's Republic of China became sufficiently interested in the subject of GATT to try to reclaim its seat, and the accession negotiations began. Indeed, China had hoped to become a founding member of the World Trade Organization which came into effect on January 1, 1995, only 5 years ago, and, in effect, incorporated the GATT and succeeded it, the GATT having been originally a part of the ITO.

The negotiations with China proved too complex to meet that deadline, but

they continued. Today after 14 difficult years in negotiation with the whole international community—not with our Trade Representative—China is within striking distance of becoming the 138th member of the WTO. It seems elemental that China, the world's 9th largest merchandise exporting nation in 1999 and the 11th largest importer—these are WTO statistics—ought to be in the World Trade Organization, and this is universally agreed. Agreed elsewhere, not unanimously agreed in the United States, but here we are with an 86–12 vote saying, ''Let's do it.''

It is equally obvious that it is in the United States' interest to have such a commanding player in a rules-based system that is largely the design and certainly is entirely the inspiration of the United States with the assent at that time of the United Kingdom and the participation of China and, I must grant, the U.S.S.R. and France.

This brings me to a second broad observation. The economic case for permanent normal trade relations is, I would think, unassailable. Ambassador Barshefsky negotiated an outstanding market access agreement. That much is not in dispute. It was China and not the United States that had to make significant and wide-ranging market access commitments.

Take just a few of the products that are of great importance to my State of New York. In 1998, New York's direct exports to China totaled $596 million, $1 billion all told if shipments to Hong Kong are taken into account as now they ought to be. New York's exports are no longer principally ginseng, although I would note that in 1999, the United States exported just over 512 tons to China and Hong Kong.

Almost 90 percent of New York's exports are manufactured goods. On average, tariffs on such products under the agreement before us will fall from 25 percent to 9 percent by the year 2005. We are a leading producer of information technology, paper, optical fibers, photographic equipment, and photocopier parts. China will eliminate its tariffs on information technology products and photocopier parts. It is not in their interest to charge themselves more for the products that they want.

China has promised deeper cuts on other products. Of particular interest, the tariff on digital cameras will fall from 45 percent to zero. Tariffs on wood and paper fall not to zero but to very low rates, in the 5 to 7.5 percent range.

The opportunities for New York's financial services industry are staggering. Take insurance. Currently, the Chinese insurance market is valued at $10 billion a year and is estimated to be growing 20 percent annually. Twenty percent annually doubles every 4 years. At present, per capita spending on insurance in China is under $8, compared to a world average of $431. The market is there.

Under its WTO agreement, China will eliminate current requirements that restrict foreign insurance companies to a handful of cities. China would also allow insurers to offer different types of policies—health insurance, group insurance, and the like.

Again, to keep in the Senate tradition of speaking first of my own State, while this is not well appreciated, New York is still a major agricultural State. We are the Nation's second largest producer of apples and third largest producer of dairy products, grapes, and wine. Our agricultural exports are well above a third of a billion dollars. This agreement reduces tariffs on apples and pears and cherries from 30 percent to 10 percent, and on wine from 65 percent to 20 percent.

I must not fail to mention that the Chinese will also cut their tariff on ginseng from 40 percent to 10 percent.

New York is by no means the only State that will benefit. The distinguished chairman of the Finance Committee pointed out on July 27, just before we broke for the August recess, how China's accession to the WTO will benefit the State of Delaware, which is a major manufacturer, producing automobiles in abundance, chemicals beyond the imagination of most of us, and with a two-century tradition thereof. We grow ginseng; you produce chemicals—a pattern that I do not know if we want to maintain entirely, but there it is.

California, which exported $2.5 billion in goods to China in 1998, will surely gain from China's commitments to eliminate tariffs on information technology products. What we think of in Silicon Valley, that is what we are talking about. There will be no tariffs on those products.

Minnesota's exports to China more than doubled from 1993 to 1998—doubled, sir—increasing from $119 million to $316 million. China will cut in half its tariff on scientific instruments—which Minnesota is probably internationally acclaimed for—cut them down to 6.1 percent, which is a derisory number, as any international trade expert will tell you.

Minnesota's farmers will gain. China is already the world's largest growth market for soybeans and soybean products. I can remember as a boy in the 1930s reading—and for some reason I can remember—an article in the Reader's Digest telling us about the soybean, this amazing product that was grown in China that had such enormous potential for the rest of mankind. Indeed it did. Indeed it came here. And now we are sending it there.

That is a pattern and point of fact that is well established in trade. We think of it mostly in terms of manufacturers. But it can obviously apply to agricultural products, too. Raymond Vernon, at Harvard, described this as the product cycle theory of international trade. A country begins to produce a certain product. It then begins to sell the product overseas. The product begins to be produced overseas. And then it begins to be sold back to the original nation, the nation where it was originally produced.

We have seen this in automobiles, going from the United States to Asia, or Europe, and then coming back. I observe, sir, that we see it with soybeans. They came first from China. We consumed them, then produced them, and now we are sending them back to China. That is the felicity of trade and the importance of it.

It can be said with certainty that every State in the Union will benefit from China's accession to the World Trade Organization.

Permanent normal trade relations for China is necessary to realize the full benefits of China's accession to the WTO. Here is the rub: Our producers and workers and companies will not be guaranteed the full benefits of China's concessions until we grant China permanent normal trade relations status. The welfare of our workers, our manufacturers, our farmers, our lumbermen, our fishermen is at issue here.

This is because the World Trade Organization requires that member states extend to each other unconditional normal trade relations. This principle is enshrined in the World Trade Organization—in the World Trade Organization's General Agreement on Tariffs and Trade of 1994, the General Agreement on Trade in Services, and the Agreement on Trade-Related Aspects of Intellectual Property Rights—a matter of increasing importance to the United States. It is an absolute requirement, and should be.

That is what we had in mind at Bretton Woods in 1944, what we put in place, as we hoped, in 1946 with the International Trade Organization, which never came into being—or did not come into being until now. Sir, it is the very same principle that the United States sought to establish in our first trade treaty with China in 1844.

We do not meet this requirement today since the U.S. law requires that China's trade status must be renewed annually, based on a review of China's immigration policies, to which I will address myself in a moment.

But, sir, as we well know, this legislation was created during the cold war, was directed against the Soviet Union and the satellite states, and had nothing whatever to do with China. H.R. 4444—that is the bill before us—will put us into compliance with our WTO obligations with respect to China and allow us to gain—in full—the considerable benefits that Ambassador Barshefsky negotiated in the November 1999 agreement.

There are those who argue that granting permanent normal trade relations is not necessary and that we will still reap at least some of these hard-fought gains by virtue of our previous trade agreements. I beseech the Senate, do not be lulled by this argument.

First, it is contradicted by nearly all experts who have examined it in detail—the administration, the General Accounting Office, the Congressional Research Service, and others.

Second, our competitors will not be similarly hamstrung. They will benefit from all of the concessions that China made without restriction or question. They will prefer this situation from which we are excluded, and they will necessarily and legitimately seek to maintain it. We will have done ourselves the injury. No others can be blamed.

More important—much more important, sir—China will view failure to enact this legislation as an unfriendly act, at the very least. The consequences could be severe, and they could endure. I would expect that they will because, sir, we have a long and troubling history of antipathy toward the Chinese. It is a strong term. I use it on this floor because it has been stated on this floor for a century and more; it is time to reverse it.

Opposition to this measure—permanent normal trade relations—will be puzzling to many. But, sir, there is a long and rueful history in the United States of our racial antagonism toward Chinese emigration to this country, which now appears as an antagonism to the arrival of Chinese goods.

It is not a pleasant history and it is painful to recount it. But it is necessary. It begins in California—which is understandable—where the movement to put an end to Chinese immigration into this country began in the late 1850s.

By way of background, the Immigration and Naturalization Service reports that only 46 Chinese emigrated to the United States in the three decades between 1820 and 1850. The Chinese immigration explosion began in the 1850s, fueled by the California gold rush and the construction of the Transcontinental Railroad. From 1851 to 1880, 228,899 Chinese emigrated to the United States. By 1880, Chinese immigrants in California alone numbered 75,000, more or less—about 9 percent of the State's total population.

Such was the demand for Chinese labor that the United States reinforced its ''open door'' policy by treaty: The Burlingame Treaty of 1868 guaranteed to the Chinese Government the unrestricted immigration of its citizens to the United States. The State of California applauded the arrangement at the time.

But there was an almost immediate backlash from workers in California who had organized themselves into so-called ''anti-coolie'' associations beginning in the mid-1850s.

In the 1870s, the anti-Chinese movement gained momentum in the face of an economic downturn and the near completion of the Transcontinental Railroad. In 1876, a special committee of the California State Senate examined the problem and issued a report to the U.S. Congress entitled ''An Address to the People of the United States upon the Evils of Chinese Immigration.''

And in July 1876, the United States Congress established a Joint Special Committee to Investigate Chinese Immigration, chaired by Senator Oliver Morton of Indiana. The joint committee held 18 days of hearings in San Francisco in October and November 1876, and issued its final report in February 1877. A statement presented to the joint committee on October 26, 1876, on behalf of the ''Labor Union of San Jose, CA,'' was typical:

> Do they [the Chinese] prevent white immigration? We know that most assuredly they do, as of our personal knowledge we know numbers of laboring men during the past year that have come to the coast, and have had to leave the coast for lack of employment, in consequence of their inability to compete with Mongolians, and thus sustain a loss, through their influence, when they return to their old homes, not yet cursed by the presence of the Chinese.

This will be found in the report of the Special Committee to Investigate Chinese Immigration in Senate Report Number 689, 44th Congress, second session, page 1172, in the year 1877.

Please note that this was written years before the establishment of the American Federation of Labor, which has had no such views; to the contrary. Still it was heard.

The joint committee's final report makes painful reading, and I quote, Mr. President:

> To anyone reading the testimony which we lay before the two Houses it will become painfully evident that the Pacific coast must in time become either American or Mongolian. There is a vast hive from which Chinese immigrants may swarm, and circumstances may send them in enormous numbers to this country. These two forces, Mongolian and American, are already in active opposition. . . . The American race is progressive and in favor of a responsible representative government. The Mongolian race seems to have no desire for progress, and to have no conception of representative and free institutions. . . .
>
> It further appears from the evidence—and I continue to read from the report of the Joint Committee of Congress—that the Chinese do not desire to become citizens of this country, and have no knowledge of or appreciation for our institutions. Very few of them learn to speak our language. . . . To admit these vast numbers of aliens to citizenship and the ballot would practically destroy republican institutions on the Pacific coast, for the Chinese have no comprehension of any form of government but despotism, and have not the words in their own language to describe intelligibly the principles of our representative system.

That is in the report of the Joint Special Committee to Investigate Chinese Immigration, to be found in Senate Report 689, 44th Congress, second session at pages Roman V to Roman VII.

The joint committee's report paved the way for the Chinese Exclusion Act of 1882, which suspended immigration by Chinese laborers for 10 years. The scope of the act was expanded in 1888, and renewed for another 10 years in 1892. And then, in 1902—the century we are still in if we count the numbers—Congress indefinitely renewed the Chinese Exclusion Acts.

We handled these things somewhat more diplomatically with Japan. When the San Francisco Board of Education passed an order requiring all Oriental pupils—there were 93 at the time—to attend a public school specially set aside for them, President Theodore Roosevelt averted a foreign policy crisis by persuading the Board to rescind its order in exchange for his commitment to negotiate a ''gentlemen's agreement'' with Japan. The agreement of 1907–1908 was actually a series of diplomatic notes in which the Government of Japan voluntarily pledged to issue no more passports to coolies going to the mainland of the United States—coolies being the term for common laborers.

The Chinese Exclusion Acts were not repealed until 1943.

It was not until 1943 when Chinese immigrants were, for the first time, allowed to become naturalized American citizens. No other group on Earth has faced this discrimination. In the middle of the Second World War, we were allies. We were one year from the Bretton Woods agreement where China would sit with us and plan the postwar institutions of the world. Only then did we repeal that exclusion—not just in country but from the right of citizenship.

Pay heed: This animus continued for the longest while, and sometimes from the most unexpected places. The term ''coolie labor'' became a term of opprobrium and hostility extending the globe over.

Thus, in this past Sunday's New York Times book review came the review of the book, It Didn't Happen Here: Why Socialism Failed in the United States, by our preeminent political sociologist Seymour Martin Lipset and Gary Marks, describing how one of the great socialist leaders of the early 20th century, a man esteemed in our history and a Member of the House of Representatives, had this to say on the floor of the House. I quote the review by David Glenn.

> Milwaukee's best-known Socialist leader, Victor Berger (himself an Austrian Jewish immigrant), delivered a racist harangue on the floor of Congress in 1911 against the immigration of ''modern white coolies . . . Slavians [sic], Italians, Greeks, Russians and Armenians.''

—this from a man who inspired the brotherhood of workers the world over.

Allow me to quote Representative Berger's statement more fully, as reported in the CONGRESSIONAL RECORD of June 14, 1911.

> While the products of our factories are highly protected, sometimes as highly as 200 percent, the producers of these products are not protected at all. On the contrary, during the last 20 years Slavonians, Italians, Greeks, Russians, and Armenians have been brought into this country by the million. Simply because they have a lower standard of living they have crowded out the Americans, Germans, Englishmen, and Irishmen from the workshops, factories, and mines of our highly protected industries.

He goes on to compare the wage rates that he believed to have fallen in the aftermath of white immigration. As I have said, one of the most enlightened

men of that age used the term ''modern white coolies.'' That is a part of our history. It is time we moved on. I will move on in conclusion to two points.

First, the macroeconomic implications of our trade policy.

Discussions of trade policy would be incomplete without mention of the macroeconomic implications of trade policy and the Nation's persistent balance of payments deficit—an issue addressed by Wynne Godley in ''Drowning In Debt'' a Policy Note recently published by the Jerome Levy Institute. The issue is somewhat complicated and centers around some complex economic interactions. But certain simple propositions warrant revisiting.

First, the large and persistent balance of payments deficit reflects an imbalance between domestic saving and domestic investment. Simply put our Nation is not saving enough. The improvement in government finances—moving from deficits of more than 4 percent of GNP to surpluses of more than 2 percent of GNP—have been partially offset by a decline in private savings. At the same time, an investment boom has required even more saving. In the short-run, this is not a problem, particularly since the investment boom will yield some dividends in the form of higher economic growth.

Second, in the long-run, this imbalance cannot continue, particularly as we approach the retirement of the baby boom generation. Indeed, it would be more prudent to now run balance of payment surpluses, reflecting an abundance of domestic savings, which so to speak can be cashed in when the baby boom generation retires.

Third, trade policies, such as approving PNTR for China will increase economic efficiency, but may or may not reduce the balance of payments deficit. Only sound domestic policies can do that, for example a responsible fiscal policy that encourages domestic saving including budget surpluses, can reduce the balance of payments deficits.

Allow me to close on a personal note. In January 1975, returning from a posting at U.S. Ambassador to India, I had the great pleasure of visiting Peking—as it then was—as a guest of George and Barbara Bush, who then represented the United States at the capital in a less than ambassadorial capacity. We had not yet exchanged ambassadors with the Communist regime. I was struck by a number of seeming contradictions. The great Tiananmen Square was dominated by two vast flag poles. At the top of the first were two massive portraits of 19th century hirsute Victorian gentlemen, Marx and Engels. The other had portraits of a somewhat mongol looking Stalin and, finally, Mao Zedong, who died in 1976. The Great Hall of the People, as I wrote later, maintained throughout my visit ''the inert external manner of a post office on Sunday morning.'' In fact that very week, some 2,864 delegates had assembled there for the Fourth Party Congress. A new Constitution was adopted, Zhou Enlai was confirmed as Premier. And he declared that world war was inevitable.

But that was not the impression one carried away. I have some confidence in what I say as two weeks later I wrote a long ''Letter from Peking'' for the New Yorker magazine. China, I wrote, ''is a huge industrializing nation.'' Its products were not at that point overwhelmingly impressive: ''In sum, Stalinist art and Meiji manufacture.'' Even so, Premier Zhou had predicted that by 1980 China would have a ''relatively comprehensive industrial and economic system,'' and that by the end of the century this, combined with science and technology, would put her ''in the front ranks of the world.'' Here we are at the end of that century.

I came away from Peking convinced that the regime had broken its ties with Moscow. No one with an elementary sense of Eurasian history could believe they would last much longer. None you might say other than our intelligence agencies. Now the cult of Mao has receded. Some years ago I was back in what was now Beijing on a CODEL headed by much-loved Republican leader Bob Dole. The portraits atop the flag poles had vanished. Mao was consigned to a smallish portrait above an entrance to the Forbidden City on one side of the square. Industry and business moving forward regardless of ideology. At Shanghai the old European banks on the Bund were nominally empty—no exterior signs of any activity within—but were in fact bustling within, banking, as they had been 60 years earlier.

No one should think of the People's Republic as a ''normal'' nation. It has a century of revolutionary past to accommodate to a more settled future. The potential for estrangement and worse is still there. To the extent that trade moderates international tensions, surely we will do so; indeed, insist on doing so. Too much is at stake not to do.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Massachusetts is recognized for 30 minutes.

Mr. KENNEDY. Mr. President, I see my colleagues on the floor. I note that my colleague from New Mexico was here waiting before I came to the floor and before my friend from Iowa arrived. I know he has an important short subject matter. He has not been recognized in the consent agreement, and I want to accommodate all.

I believe I am entitled to 30 minutes; I expect to be able to complete my remarks in a shorter period. I want to accommodate the Senator from New Mexico. I will speak 20 minutes, and then yield to the Senator from Iowa. I ask unanimous consent to follow that outline, if it is agreeable to the Members.

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

The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I thank my colleague from Massachusetts, Senator KENNEDY, for his courtesy in allowing me to speak at this point. I speak not on the issue that is pending before the Senate but in morning business. I ask I be permitted to speak for up to 5 minutes.

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

(The remarks of Mr. BINGAMAN pertaining to the introduction of S. 3002 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The distinguished Senator from Massachusetts is recognized for 20 minutes.

Mr. KENNEDY. Mr. President, I ask to be able to proceed as in morning business.

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

AGENDA FOR SEPTEMBER

Mr. KENNEDY. Mr. President, this afternoon, we are considering whether to proceed to legislation to establish permanent normal trading relations with China. That's an important issue, and it should be debated.

But in the short time remaining this year, we also must answer the call of the American people for real action on key issues of concern to working families. I want to mention briefly and then talk for the few more moments that I have about three specifically.

We must raise the minimum wage—with no gimmicks, no poison pills, and no bloated tax breaks for the wealthy. We are willing to consider some tax relief for small businesses to offset any burden of raising the minimum wage. But the minimum wage should be the engine for relief for low-wage workers, not the caboose on a massive train of tax breaks and antiworker legislation.

The latest Republican scheme may raise the minimum wage. But it also reduces overtime payments for all workers. Workers all over America are saying that employers are requiring them to work too much overtime. Under the Republican scheme, not only can employers require workers to work more overtime, but employers can pay them less for that overtime.

We must pass a real Patients' Bill of Rights—true HMO reform in which all Americans in managed care plans are protected—not just some, as our Republican friends propose.

We must strengthen our hate crimes laws. The Senate has passed such legislation on the DOD authorization. It's now up to the Republican leadership to decide whether we stand up against hate and bigotry in America, or will this Congress just take a pass.

We must invest in education in ways that will make a real difference for our children. That means helping local schools hire more teachers so we can have smaller class sizes, and a quality

teacher in every classroom in America. It means partnering with local schools to modernize school buildings and build more schools. It means increasing Pell Grants so more young Americans have a chance to go to college. It means more pre-school and after-school help for parents and schools.

We must adopt sensible gun controls that keep our communities and our schools safe. We should require child safety locks on all guns, and we must close the gun show loophole.

We must adopt urgently needed immigration reforms. We must expand the visa quota for skilled workers—the so-called ''H–1B visa.'' And we must adopt new laws to ensure equal treatment under our immigration laws for Latino and other immigrants.

Last but not least, we must enact a prescription drug benefit as part of the Medicare program. Whenever a senior citizen signs up for Medicare, a comprehensive prescription drug benefit should automatically come with it. Senior citizens shouldn't have to battle HMOs and insurance companies to get the prescription drugs they need. Yet, that is what our Republican friends propose.

Let's do it right—and do it now. Let's pass a prescription drug benefit as an integral and normal part of the Medicare program, just like hospitalization and doctors' visits.

This summer, Congress voted tax breaks for the wealthiest Americans and a pay raise for itself, but the Republican leadership has continued to block efforts to raise the salaries of America's most underpaid workers—those earning the minimum wage.

While Members of this Republican Congress are quick to find time to increase their own salaries and cut taxes for the wealthiest Americans, they have not yet found the time to pass an increase in the minimum wage to benefit those hard-working, low-wage Americans. The Republican leadership has insisted on doing nothing for those at the bottom of the economic ladder. It is an outrage that Congress would raise its own pay but not the minimum wage.

I was pleased to hear during the recess that House Republicans are finally coming around to our way of thinking. Last week, after three years of foot-dragging, Speaker HASTERT offered the President a plan to raise the minimum wage. This is a positive development, and it gives us real hope that we can raise the pay of the lowest paid workers this year.

These low income working families deserve a raise. Their pay has been frozen for three years. Since January 1999 alone, minimum wage workers have now lost $3,000 due to the inaction of Congress. If we fail to increase the minimum wage this year, it will lose all of the value gained by the last two increases. Minimum wage earners should not be forced to wait any longer for an increase.

But we can't use this as an excuse to cut workers' overtime pay, as Speaker HASTERT proposes. We can't raise the minimum wage on one hand—and cut overtime pay for millions of Americans on the other hand.

The typical American family is working more and more hours, according to a study released for Labor Day by the Economic Policy Institute called ''The State of Working America 2000–2001.'' Employees have increasingly been forced to work mandatory overtime—time they would rather be spending with their families—and they should be fairly compensated for that work.

Several new studies further prove how important a minimum wage increase is. A recent report released by the Economic Policy Institute entitled ''The Impact of the Minimum Wage: Policy Lifts Wages, Maintains Floor for Low-Wage Labor Market'' reveals that 63 percent of gains from a $1 increase in the minimum wage would go to families in the bottom 40 percent of the income distribution. The study also finds that the higher wage raises the incomes of low-wage workers, with no evidence of job loss. In addition, the study reports that, among people who will benefit from an increase in the minimum wage, 1.75 million workers are parents with earnings below $25,000 a year.

A June 2000 Conference Board report, ''Does A Rising Tide Lift All Boats? America's Full-time Working Poor Reap Limited Gains in the New Economy,'' found that poverty has risen among full-time, year round workers since 1973. Lower skilled workers have profited much less from the current economic boom. They have yet to recover from the serious erosion of their earnings from the mid-1970s to the mid-1990s. The number of full-time workers in poverty has doubled since the late 1970s—from about 1.5 million to almost 3 million by 1998. Millions of poor children are dependent upon these full-time workers.

''Minimum Wage Careers?'', an August 1999 study by two government economists, found that 12 percent of all workers have spent the first ten years of their careers within $1 of the minimum wage. 8 percent of workers, predominantly women, minorities, and the less-educated, spend at least 50 percent of their first ten post-school years in jobs paying less than $1 above the minimum wage. This research demonstrates that millions of workers stay at or near the minimum wage long after their entry into the workforce. The minimum wage is not just an ''entry level'' wage. As the study concludes, ''minimum wage legislation has non-negligible effects on the lifetime opportunities of a significant minority of workers.''

Raising the minimum wage is not just a labor issue. The minimum wage issue is also a family issue. Forty percent of minimum wage workers have families. Parents are spending less and less time with their families. Listen to this: 22 hours less a week than they did 30 years ago, according to a study last year by the Council of Economic Advisers. As reflected in a report released by the Economic Policy Institute last week, an average middle-class family in 1998 spend 6.8 percent more time at work then it did in 1989. These extra hours at work mean that parents have less time to spend with their children.

Raising the minimum wage issue is also a children's issue. Thirty-three percent of minimum wage earners are parents with children under 18. Over 8 million children living in poverty live in working poor families. The Children's Defense Fund recently released a report called ''The State of America's Children 2000.'' A chapter on Family Income explains that if ''recent patterns persist, one out of every three children born in 2000 will have spent at least a year in poverty by his or her 18th birthday.'' The inadequate pay of these workers is the reason why 33 percent of all poor children, or 4.3 million children, in 1998 were poor despite living in a family where someone worked full-time, year-round. Children who grow up in poor families face a much higher risk of poor health, high rates of learning disabilities and developmental delays, and poor school achievement and they are far more likely to end up in poverty themselves.

Raising the minimum wage is also a civil rights issue. A disproportionate share of minorities will be affected by an increase in the minimum wage. While African Americans represent 12 percent of the total workforce, they represent 16 percent of those who would benefit from a minimum wage increase. Only 11 percent of the workforce is Hispanic, but 19 percent of those who would directly affected by an increase in the minimum wage are Hispanic.

Raising the minimum wage is also a women's issue. Sixty percent of minimum wage earners are women. The workers affected by an increase in the minimum wage are concentrated in female-dominated occupations.

Above all, raising the minimum wage is a fairness issue. Minimum wage earners, such as waitresses and teacher's aides, childcare workers, and elder care workers, deserve to be paid fairly for the work that they do. They should not be forced into poverty for doing the work that is so important to the citizens of the Nation.

In this period of unprecedented economic prosperity, the 10 million workers at the bottom of the economic ladder who will benefit from raising the minimum wage should not be forced to wait any longer for the fair increase they deserve.

Each day we fail to raise the minimum wage, families across the county continue to fall farther behind. Two facts tell the story. The minimum wage would have to be $7.66 an hour today—instead of its current level of $5.15—to have the same purchasing power it had in 1968. If wages had kept pace with worker productivity gains

over the last twenty-five years, the minimum wage would have to be $8.79 today.

We heard a great deal about opposition to the increase in minimum wage because we are not getting increases in productivity. No economy has ever had the dramatic increases in productivity as we have had, Mr. President. If we tied those increases in productivity to where the minimum wage should be, it would be at $8.79 instead of $5.15.

These disgraceful disparities show how far we have fallen short in guaranteeing that low-income workers receive their fair share of the nation's prosperity. No one—no one—who works for a living should have to live in poverty.

We are not going to go away or back down. We have bipartisan support for this increase. It is long past time for this Congress to pass a fair minimum wage bill.

PROTECTING AGAINST HMO ABUSES AND PRESCRIPTION DRUGS BENEFIT

Mr. KENNEDY. Mr. President, as we enter the final weeks of the 106th Congress and the home stretch of the Presidential campaign, two health issues demand immediate action—protecting patients against the abuses of HMOs and other health insurance plans and providing coverage of prescription drugs under Medicare for senior citizens. The American people deserve action on each of these issues from this Congress. The position of the two Presidential candidates on these issues has become a key factor in determining whether they are truly committed to serving the needs of the American people, and the position of every member of Congress on these issues is important for the same reason.

With regard to the Patients' Bill of Rights, last week, ABC began to air a documentary series—''Hopkins 24/7''—that vividly illustrates once again the need for prompt action to end HMO abuses. Hopkins 24/7 is a documentary on life at one of the nation's finest hospitals—Johns Hopkins. The documentary is the result of three months of intensive filming. The first segment, shown on August 30, showed American medicine at its best, and the abuses by managed care at their worst.

A 14-year-old girl, Tiffanie Salvadia, sought care from Johns Hopkins for her cancer of the uterus. The diagnosis had been delayed for six critical weeks because crucial tests were not ordered by her HMO physicians. When Tiffanie finally reached Johns Hopkins, the cancer had spread from her uterus, raising the risk of this serious illness even further. When Tiffany finally reached an institution capable of giving her the quality care she needed, the problems with her HMO were not over: Authorization for a vital test was needed, but the hospital was unable to contact the HMO for the authorization. Fortunately, Hopkins simply went ahead and performed the test, and hoped that the hospital might be able to obtain payment later.

Tiffanie ultimately received fine care from Hopkins, and her chances of recovery from the cancer now seem good. But her favorable prognosis is no thanks to her HMO. Here is what Dr. Paul Colombani, the oncologist at Hopkins, had to say about Tiffanie's case and about his experience with managed care generally.

On the difficulty in getting the test authorized, he said, ''I have to do the diagnosis codes and the procedure codes. And we have to submit them to the insurance company ahead of time. And they have to say yea or nay. We're not going to do this. You have to do that. I think it is ridiculous that a high school clerk should be telling me that I can or cannot do an operation on a patient.''

On the delay in getting Tiffanie an accurate diagnosis and treatment, the doctor said, ''We see delays in diagnosis because of the inadequacies of the managed care system all the time. And for . . . the .1 percent of patients where it turns out to be a life and death situation, they just look at that as the price of doing business. It's pathetic. In October or September, or whatever, that was the time to do that surgery. Now we're playing catch up.''

Perhaps the most heart-rending comment came from Tiffanie's mother. It is a comment that any parent who has ever had a child with a serious illness can understand. She said, ''My daughter has cancer. I want to concentrate on her, and getting her better and not have to worry about if I have a referral for this or a referral for that.''

''I want to concentrate on her.'' That should be the right of any parent whose child is seriously ill. But today, because of the abuses of the insurance industry, it is not a right—it is a privilege of the fortunate few.

Whether the issue is diagnostic tests, specialty care, emergency room care, access to clinical trials, availability of needed drugs, protection of doctors who give patients their best possible advice, or women's ability to obtain gynecological services—too often, in all these cases, HMOs and managed care plans make the company's bottom line more important than the patient's vital signs. These abuses should have no place in American medicine. Every doctor knows it. Every patient knows it. And in their hearts, every Member of Congress knows it.

Almost 11 months ago, the House of Representatives passed the bipartisan Norwood-Dingell bill to end these abuses. It is endorsed by 300 groups of doctors, nurses, patients, and advocates for women, children, and families. It is supported by virtually every medical group in this country. It passed by an overwhelming bipartisan majority. It should have sailed through the Senate of the United States. But it continues to languish because the Republican leadership continues to put a higher priority on protecting industry profits than on protecting patients.

We have come close to successful passage. On June 8th, the Norwood-Dingell bill fell just one vote short of passage in the full Senate. It was supported by every Democratic Senator—and only four Republican Senators.

The American people deserve action before this Congress ends. Every day we delay, more patients suffer. The Patients' Bill of Rights is one of the most important issues facing this Congress—facing every family, too. There is no question where Vice-President AL GORE stands. If Governor Bush supported patients' rights and were willing to show the leadership that the American people have the right to expect in a Presidential candidate, this legislation would clearly pass the Senate. But on this issue, Governor Bush has failed to show the leadership we need.

I still believe that enactment of strong, effective legislation is possible this year. I am here to serve notice to the Senate today, that there will be new votes on this issue before we adjourn. I am hopeful that we will be successful. The American people are waiting for relief—and we owe it to them to act.

On Medicare prescription drugs, the second major issue of health reform facing us is insurance coverage of prescription drugs under Medicare.

After a year of full-time campaigning, Governor Bush today has finally offered a specific prescription drug plan for the consideration of the American people. Unfortunately, that plan is an empty promise for senior citizens. It is not Medicare—and it is not adequate. It is part of a broad plan to make regressive changes in Medicare that will raise premiums, force senior citizens to join HMOs, and further a radical right-wing program of privatization. And drug benefits would not even be available to most senior citizens for four years.

Senior citizens need a drug benefit under Medicare. They earned it by a lifetime of hard work. They deserve it, and it is time for Congress to enact it. The clock is running out on this Congress, but it is not too late for the House and Senate to act. The Administration and Vice President GORE have proposed one. So have Democrats in Congress. And we intend to assure that the Congress will vote on a real prescription drug program this month. The American people deserve action, and we intend to see that they get it.

Too many elderly Americans today must choose between food on the table and the medicine they need to stay healthy or to treat their illnesses. Too many senior citizens take half the pills their doctor prescribes, or don't even fill needed prescriptions—because they can't afford the high cost of prescription drugs.

Too many seniors are paying twice as much as they should for the drugs they need, because they are forced to pay full price, while almost everyone with a private insurance policy benefits from negotiated discounts.

In the face of declining coverage and soaring costs, more and more senior citizens are being left out and left behind. The vast majority of the elderly are of moderate means. They cannot possibly afford to purchase the prescription drugs they need if serious illness strikes.

The older they are, the more likely they are to be in poor health, and the more likely they are to have very limited income to meet their health needs.

Few if any issues facing this Congress are more important than giving the nation's senior citizens the health security they have been promised. The promise of Medicare will not be fulfilled until Medicare protects senior citizens against the high cost of prescription drugs, in the same way that it protects them against the high cost of hospital care and doctor care.

Vice President GORE has been fighting for prescription drug coverage under Medicare since 1993. President Bill Clinton has called for immediate action in his last two State of the Union Addresses.

The Administration has put a solid program on the table for the consideration of Congress—and their program is affordable for senior citizens and also for the federal budget—because they do not use the surplus for hundreds of billions of dollars in tax breaks for the wealthy.

The Bush plan is not adequate and it is not Medicare. In fact, he has also endorsed a regressive plan to change Medicare in a way that will raise premiums and force senior citizens to join HMOs.

That is not the kind of Medicare the American people want, and it's not the kind of prescription drug benefit they want either.

Under Bush's version of Medicare reform, the premiums paid by senior citizens for conventional Medicare could increase by as much as 47% in the first year and continue to grow over time, according to the nonpartisan Medicare actuaries. The elderly would face an unacceptable choice between premiums they can afford and giving up their family doctor by joining an HMO.

Senior citizens already have the right to choose between conventional Medicare and private insurance options that may offer additional benefits. The difference between what senior citizens have today and what George Bush is proposing is not the difference between choice and bureaucracy—it's the difference between choice and coercion—driven by a right-wing agenda of privatization. On this ground alone, it deserves rejection, regardless of its provisions for covering prescription drugs.

But the program to cover prescription drugs is equally flawed—so flawed that it is an empty promise for millions of senior citizens. To begin with, the value of the Bush program to senior citizens is only one-half of what Vice President GORE has proposed. The reason is obvious—after massive tax breaks for the wealthy, there is not room in the Bush budget for adequate prescription drug coverage for senior citizens.

The Bush plan provides little help to the vast majority of senior citizens who are not poor, but are of modest means and cannot afford large drug expenses or large increases in Medicare premiums. Under the Bush plan, these seniors have to pay three-quarters of the cost of their prescription drug coverage—and the coverage is not even adequate.

In the entire history of Medicare, senior citizens have never been asked to pay such a high share of the cost of the premiums for any benefit.

The defects in the Bush plan go far beyond the inadequacy of the benefits. It is a program that only a drug company executive could love. For the first four years, there is no Medicare benefit at all, just a program of block grants to the states for providing coverage for low income senior citizens. Senior citizens want Medicare, not welfare, and they deserve Medicare, not welfare.

When the Bush plan finally becomes available to all seniors, it does not provide a real Medicare benefit—or any other adequate benefit. Instead, it gives senior citizens what is, in effect, a voucher—and it tells them to go out and buy their own coverage from a private insurance company. If the price is too high in the area in which they live, they are out of luck. If the drug company's list of approved drugs does not include the medicine they need, their only recourse is a time-consuming appeal. There is no defined benefit—senior citizens are not even guaranteed the same coverage in Missouri that they would get in Mississippi. It is all up to the insurance company.

The nonpartisan Congressional Budget Office has estimated that under the similar Republican plan passed by the House of Representatives, benefits would be so inadequate and costs so high that less than half of the senior citizens who need help the most—those who have no prescription drug coverage today—will even participate.

A prescription drug benefit that leaves out half of the senior citizens who need protection the most is not a serious plan to help senior citizens.

It is ironic that in offering this inadequate plan, Mr. Bush has criticized Vice President GORE for a ''big-government, one-size-fits-all'' solution. The Gore plan covers prescription drugs under Medicare in exactly the same way that Medicare covers doctor and hospital costs. Mr. Bush obviously feels this is a one-size-fits all solution. That is why he has endorsed an extreme restructuring of the Medicare program. He may favor forcing the elderly into HMOs, but that is not what Democrats in Congress support. That's not what Vice President GORE supports. Most important, that's not what the American people support.

There is still time for Congress to enact a genuine prescription drug benefit under Medicare. The Administration has presented a strong proposal. Let's work together to enact it this year. It is not too late. The American people are waiting for an answer.

I am hopeful we will pass that legislation. Again, I am strongly committed, as I believe my colleagues, Senator DASCHLE and others are, to ensure we will have an opportunity to vote on that measure before we adjourn.

I thank the Chair, and I yield the floor.

TO AUTHORIZE EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PEOPLE'S REPUBLIC OF CHINA—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The distinguished Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, we started earlier today the initial discussion of what I call the China trade bill, the Senate by law ratifying the agreement that has been worked out by this administration and the Government of China to level the playing field for trade between the United States and China.

In a simple form, the bill before us will give access for U.S. exporters—meaning manufacturing, services and agriculture—to China on the same basis that China has had access to our markets for the last 15 to 20 years.

When you have an opportunity for our people to export to China, to sell to China, on the same basis that China has been able to do with the United States, it is a win-win situation. My Midwestern common sense tells me this is a good situation for America. So that debate has started today.

We are on the question of the motion to proceed. I support this motion. I hope we get to a final vote on the bill, because I think it will pass by an overwhelming margin, not the very narrow margin that it passed in the House of Representatives. This will give us an enhanced opportunity to do business with 20 percent of the world's population.

There are many reasons I support this bill, which is probably one of the most important matters to come before the Senate this session. But today, I would like to address just two reasons. The first is the issue of jobs, a very positive aspect to this legislation. The second is human rights, which some people view as a reason for being against this legislation. I suggest to you that even though the human rights situation in China is not good, trade gives us an opportunity to improve that human rights situation.

In each case, I want to address concerns of real people in a commonsense way. Too often, when we talk about major policy changes, we do so in lofty terms, not connected to the people's concerns and their interests, and what is important to everyday working Americans.

Today, I would like to talk about how real people will be affected by making it possible for the United States to take advantage of China's pending accession to the World Trade Organization.

Lowering protectionist tariffs and tearing down trade barriers that discriminate against American products will create many thousands of new American jobs. A new era of free trade with China, under the WTO World Trade Organization disciplines, will help us continue to build the tremendous prosperity that we enjoy as a direct result—a very direct result—of the success of our postwar trading system; going back to 1947, as we have used the gradual freeing up of trade around the world to expand the world economic pie. Because of free trade, with a population that is now about double what it was back then, we now have more prosperity for more people. If we had not expanded the world economic pie, we would, in fact, have less for our increased world population. So think in terms of the economic enhancement of individuals and the political stability that comes from it.

In my State of Iowa, we know our economic interdependence with the rest of the world is not a policy choice; it is a fact. Trade means jobs anywhere, but particularly in my State. In just 5 years, Iowa's merchandise export to China has soared 35 percent.

In the Waterloo-Cedar Falls area—that is close to where I was born, and where I have lived my entire life—recent merchandise sales to China have surged 806 percent. Iowa's trade-related jobs mean that a young couple can afford their first home. They can afford tuition for school. They can afford to buy a car. They can afford to care for their families, the way working people want to care for their families.

But unless we seize this moment, this opportunity will pass us by. When China enters the World Trade Organization, which it will do regardless of the outcome of this vote on the Senate floor—and if we do not remove all of our current conditions on trade with China, which this bill does—other countries will reap the rewards of a trade deal that we helped negotiate. American companies then would be forced to sit on the sidelines as companies from the European Union or Asia or Africa or elsewhere take our business and ultimately take our jobs because we have not assumed this opportunity of freer trade with China.

If we pass up this opportunity, America will be at the end of the line of the 137 other WTO countries, that will be standing in front of us, trading with China.

I want to give my colleagues two real-life examples from my State of Iowa.

Tucker Manufacturing Company is a family-owned business in Cedar Rapids, Iowa, that has developed a unique window-washing system which it makes and sells around the world. Tucker has made a few small sample sales to China and has found a distributor that would like to make a large order. Tucker knows that in the past state-owned distribution companies in China have dictated commercial terms that have often harmed exporting companies like Tucker. They would like to see China become a World Trade Organization member so that distribution rights are no longer strictly controlled by the state, meaning the country and Government of China, and so that any new transactions in China then are protected by the rule of law, which is what the World Trade Organization regime is all about—the rule of law, predictability in international trade, the resolving of disputes in international trade.

A second example from Cedar Rapids, Iowa, is the Diamond V Mills Company, which I visited just last week. I had the opportunity to present it with the Commerce Department's E-Star Award for excellence in exports. They had already received the E award, now they have the E-Star award that indicates they have been highly successful in international trade on an ongoing basis.

Diamond V Mills has exported its yeast culture feed ingredients to China since 1996, but they did it by operating through a local distributor. The company wants to sell directly to its end user but has not been able to do so—until this agreement goes through—due to China's current restrictions on a foreign company's rights to distribute its products in China.

Under the WTO accession agreement, China has committed to opening its markets to the private distribution networks that Diamond V Mills of Cedar Rapids needs. If Diamond V Mills can get access to new distribution networks in China, it will generate more sales, earn more revenue, provide more jobs in Iowa, create more opportunity and more prosperity for everybody.

These are only two examples of how Iowa's manufacturing sector will benefit through expanded trade with China. There are many more. We have Iowa's farmers and agricultural producers seeing tremendous benefits from this proposal as well because China's World Trade Organization accession agreement will dramatically lower agricultural tariffs and eliminate many nontariff trade barriers. As a result, our farmers will sell more soybeans and more soy oil to China than ever before.

After the United States, China is the second largest consumer of corn and corn products in the world. As the distinguished Presiding Officer knows, my State is No. 1 in the production of corn in the United States, as his State is No. 1 in the production of wheat.

China's WTO commitments will create a great export opportunity for Iowa's corn growers and for corn growers across the United States.

Iowa State University professor Dermot Hayes recently told my international trade subcommittee that if China fully implements its WTO accession commitments we could see hog prices rise by as much as $5 per head. That is a larger benefit than any of the Government support programs we have heard about lately.

Unlike some of the proposals I have heard, we would not have to impair our obligations under the WTO's subsidies agreement, or the WTO agriculture agreement, to do it.

Second, I want to discuss the issue of human rights and political freedoms in China because this is a legitimate issue, even though I disagree with the argument that killing this bill is going to help human rights in China. I wish to make it clear I don't find fault with those who bring it up as part of this debate because I think wherever we can try to say to China that they are going down the wrong road on human rights, they are hurting their country, not us.

Like all Americans, Iowans care deeply about the struggle for liberty. Many have family members who have given their lives in freedom's cause, or they know someone who has. It hurts us to hear horrible accounts of repression. We are rightly repelled. We don't understand why it happens, and we want it to change because we think freedom is an innate right for the Chinese as well as for Americans. But the fact is, we can never turn China into a model of constitutional democracy if we isolate them economically. However, we can help bring about fundamental reform in China's economy and political structure through enforceable WTO rules that do not discriminate and are consistent and are not arbitrary.

In addition, I have a firm conviction that regardless of how necessary a political and rule of law environment is for trade to take place and political leaders such as the President of the United States and other people negotiating with the Chinese, none of those efforts, as important as they are, can compare to the opportunities for advancing political freedom and human rights that will come when millions of American businesspeople interact with millions of Chinese businesspeople on a day-to-day basis. That is going to do more to improve human rights than anything else.

When it comes to making decisions, the WTO applies the democratic principle of consensus rule. All of these principles—democratic decision-making, nondiscrimination, nonarbitrary regulation—are also the obvious, essential ingredients of political freedom. The process of economic reform, guided by China's WTO commitments, will mean that China will become more open. They will eventually become more free. We know, perhaps better than any nation on Earth, that economic and political freedoms share deep roots.

That economic and political rights go hand in hand is at the heart of America's constitutional heritage. Many in

China know that economic and political reform are closely linked as well. That is why many of China's military hardliners oppose China's entry into the World Trade Organization.

Perhaps it is this inevitable linking between economic reform and political freedom that has inspired the Dalai Lama, no stranger to China's religious repression, to say:

> I have always stressed that China should not be isolated. China must be brought into the mainstream of the world community. . . .

To those who doubt that economic reform has occurred in China, or that it is significant, I ask them to consider how much has changed in the last half century. You will remember that in 1952, China's Communist government mounted a wide-ranging crusade to undermine private entrepreneurs, businesspeople were commonly condemned as ''counterrevolutionaries,'' and many were assessed large fines and forced out of business.

In fact, by 1956, China required all private firms to be jointly owned and, in fact, run by the government. In practice, this meant that we had state control of all private enterprise in China. It wasn't until the early 1980s that private enterprise began to reemerge in China. More significantly, it wasn't until 1988 that the private economy even had a defined legal status in China.

Today, 12 years later, China is a different country. Today, young Chinese engineers who studied and worked in California's Silicon Valley are going back to China, lured by entrepreneurial opportunities that didn't even exist a few years ago.

The number of individuals employed by the private sector in China has soared by over 31 percent in the last 3 years. That is bad news for China's state-owned enterprises. That happens to also be bad news for China's People's Liberation Army, which depends on many state-run businesses for revenue and have opposed these reforms that are going on within China, including this agreement before the Senate.

But this development is good news for the cause of freedom. As the number of individuals employed in the private sector rises, the state will have less and less direct control over how people think and how people react to political change.

Massachusetts Institute of Technology professor Edward Steinfeld is one of our country's keenest scholars on what goes on in China. This is what he had to say about the meaning of China's World Trade Organization concessions on China's direction as a country:

> The concessions of 1999 represented a thorough reversal of course. Instead of reform serving to sustain the core, the core itself would be destroyed to save reform, along with the growth, prosperity, and stability reform has brought to China.
>
> In the new view, instead of using market forces to save state socialism, state socialism itself would have to be sacrificed to preserve the market economy.

I agree with Professor Steinfeld. China's membership in the World Trade Organization will require it to reform a very large portion of its economy, and not only to comply with WTO rules, but to be able to compete internationally.

With a ''yes'' vote on the motion to proceed and a ''yes'' vote on approving permanent normal trading status for China, we can help change the world. China constitutes one-fifth of the world's population. We can be on the right side of history. We ought to be on the right side of history. I urge a vote for this motion to proceed and a vote of yes on final passage.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I would like to use an amount of my leader time prior to the time we go to the energy and water bill to speak on an unrelated matter.

The PRESIDING OFFICER. The Democratic leader is recognized.

FIREFIGHTING HELP IN SOUTH DAKOTA

Mr. DASCHLE. Mr. President, I haven't had the opportunity yet today to welcome all of our colleagues back and to express my hope that we use this next period as productively and as successfully as we can.

As have most of my colleagues, I had the opportunity to spend a good deal of time at home in South Dakota for the last 3 weeks.

I especially want to commend the Forest Service for the extraordinary job they have done in fighting historically the most consequential fire we have had in the State now, with 85,000 acres of timberland burned. I am grateful for the response we have had from people all over the country. I especially thank the Forest Service, the Governor of the State of South Dakota, William Janklow, for the remarkable job he has done, the National Guard for their response, and the volunteer fire departments from all over the State of South Dakota and surrounding region.

We are grateful for their extraordinary response, and we are grateful as well for the effort that has been made to contain the fire which is now 85-percent contained.

I thank the volunteer ambulance personnel whom I met from all over the State. We are experiencing what many of our colleagues are experiencing with volunteer ambulance service. Many of them are on the verge of going out of business because of reimbursement schedules for Medicare and Medicaid. Without those, especially in rural areas, we are in a very serious set of circumstances involving the health and in many cases the lives of people who live in rural areas today.

I thank those in schools all over South Dakota who opened their doors and their offices to me in Kadoka, White River, Lemmon, and most of our Indian reservations in Belle Fourche. I thank them.

I thank those who especially were willing to meet with me on hospital reimbursement and appreciate very much their willingness to talk about how serious the circumstances were with regard to Medicare reimbursement for hospitals and clinics throughout our State.

I must say, at virtually every one of our stops we had occasion to talk about the unfinished agenda here in the Senate. I want to talk just briefly about that prior to the time we turn to another important piece of legislation, the energy and water bill.

UNATTENDED LEGISLATION

Mr. DASCHLE. Mr. President, there is great concern about unattended legislation, legislation having to do with health care, education, meaningful gun safety, and minimum wage. There is no legitimate reason we could not have accomplished something on each of the issues I have mentioned and many more.

There is no legitimate reason this Congress couldn't have passed a real Patients' Bill of Rights long before this.

There is no good reason we couldn't have added a voluntary Medicare prescription drug benefit.

There is no reason we couldn't have agreed by now to strengthen our children's schools. We have had many opportunities. There are those who say that passing bills is hard work.

If you want to see real hard work, go to Murdo, South Dakota some day. Talk to Cathy Cheney and the five other members of her volunteer ambulance squad.

They are on call 24 hours a day, seven days a week. When a call comes in—even if it's in the middle of the night—they drop whatever they're doing, leave their jobs and families, and go. Most times, they are not back for at least 3 hours.

When they're not answering calls, they're studying for certification tests. And they don't get paid a dime for any of it. That is hard work, Mr. President. And it is not just South Dakotans who face challenges like this.

Go to any community in any state in America, and you'll find people who are working hard—some of them are working two and three jobs—to make a decent life for themselves and their families, and to give something back to their communities.

You will find older people who worked hard for 40 and 50 years, who are retired now. They are not asking us to do the impossible.

They are not asking us to make unreasonable concessions. All they are asking is that we make a good-faith effort to solve the problems these families are dealing with today and who face the challenging months and years when they must examine, address, and answer problems in their own lives.

When the 106th Congress began, many of us had great hopes about what we could accomplish.

We had had budget surpluses 2 years in a row and were on our way to a third year—something that hadn't happened in 50 years. The economy was setting record after record.

After years of having to downsize our dreams because of the deficit, Americans were finally in a position to start hoping again, and tackling some of the big challenges facing working families.

Nearly 2 years later, almost none of those hopes has been met.

As we near the end of this Congress, it appears increasingly likely that they will not be met. One reason for that is, frankly, our less than ambitious legislative schedule. If we adjourn, as planned, on October 6, the Senate will have been in session for a total of just 115 days this year. That is 115 out of 365.

By any objective measure, that is not exactly breaking a sweat. In fact, it is the lightest Senate schedule since 1956. It is only 2 days more than the infamous do-nothing Congress of 1948. But the calendar is not the only reason we have achieved so little.

A more significant, and troubling, reason for this Congress' inaction has been the absolute refusal by Republican leaders in both houses to pass the people's agenda.

For 2 years, majority leaders in both houses have used their numerical advantage, and every parliamentary trick they could find, to prevent us from passing a real Patients' Bill of Rights.

Despite the fact that there is an overwhelming majority in the Congress and an overwhelming majority of the American people who want campaign finance reform, Republican leaders in both Houses have prevented us from passing the McCain-Feingold bill.

Despite pleas from the victims of the Columbine tragedy and more than a million moms who came to Washington to petition Congress, Republican leaders have repeatedly refused to pass reasonable gun safety measures.

They oppose our plan for affordable prescription drug coverage. They oppose our plan to strengthen our children's schools by making classes smaller and schools safer and setting higher standards.

For 2 years, they even opposed raising the minimum wage by $1 over 2 years. Now some of our Republican colleagues in the other body say they might be willing to do this but only if we include tens of billions of dollars worth of tax cuts for the wealthiest in the country. Why can't we just do the right thing? Why can't we just raise the minimum wage $1 an hour over 2 years without having to spend tens of billions of dollars on new tax breaks for people who need them the least?

Instead of working to pass a people's agenda, our Republican colleagues have spent most of the last 2 years pursuing one goal: Cutting taxes the wrong way, creating huge new tax breaks at the expense of everything and everyone else.

This week we will lose more time and more opportunities because they insist on trying to override the President's vetoes on their so-called marriage penalty and estate tax bills. Never mind that 60 percent of the cost of their marriage penalty has nothing to do with fixing the marriage penalty. Never mind their estate tax bill benefits only the wealthiest 2 percent of estates. Never mind that neither bill will help middle-class families. In fact, they will hurt ordinary Americans by eating up the expected surplus, money we need for other things.

Our friends on the other side of the aisle clearly think their tax cuts are good politics. They just hope the American people accept their spin and don't check the facts.

Despite the history of this Congress, my colleagues and I have not given up hope for its future. Five weeks is not a lot of time, but it is enough time. Even given the time we must spend on appropriations bills and the China trade legislation, there is still enough time for this Congress to solve some of the problems real people talk about and worry about outside of Washington.

In 1948, Republicans held their Presidential nominating convention in Philadelphia. At that convention they endorsed a platform filled with all kinds of measures a Republican Congress had spent the previous 2 years blocking. Back then there was no September session of Congress. It went from the convention to the campaign trail. President Truman was so amazed by what he heard in Philadelphia, he ordered Congress back for a special session. He told Members: There is still time before the election. If you really believe what you say, pass your platform and I will sign it.

Last month, our Republican friends held another nominating convention in Philadelphia, the first time they have been back since 1948. Once again, they claim to support all kinds of things Republicans in this Congress have spent the last 2 years fighting. We have a request for our friends across the aisle, right now, tonight. There are still 5 weeks left in this Congress. Let's use this time to do the things you said in Philadelphia you support. Let's pass a responsible budget that pays down the debt, protects Social Security and Medicare, and invests in America's future. Let's cut taxes for working families. Let's strengthen our children's schools and protect our children from gun violence. Let's raise the minimum wage $1 an hour over 2 years. Let's finally pass a prescription drug benefit and a real Patients' Bill of Rights.

We were pleased by what we heard in Philadelphia about prescription drugs and a Patients' Bill of Rights. We are more pleased with the commercial running in Rhode Island. That commercial, paid for by the Republican Senate Committee, praised Senator CHAFEE for.

> . . . voting against his own party and for a real Patients' Bill of Rights . . . and a prescription-drug benefit that gives seniors the drugs they need at a price they can afford.

Both of those plans referred to in that ad are our plans. We intend to give our colleagues a chance to make that record match the rhetoric before this Congress ends. We will start by offering the bipartisan Norwood-Dingell Patients' Bill of Rights the first chance we get. There is no reason the American people should have to wait until next Congress for a real Patients' Bill of Rights. It is time to stop stalling. It is time for an up-or-down vote in this Senate on the Dingell-Norwood Patients' Bill of Rights bill. We also intend to give our colleagues the chance to support a voluntary affordable prescription drug benefit. If they really believe in these things, they will have the opportunity to work with this side to pass them. Let's schedule the vote. We will support them, and the President will sign them.

We spend far too much time in this Congress talking about things that don't matter for working families and avoiding the problems that do matter. The progress we had hoped to make at the beginning of this Congress is still within our reach. Let's not waste another day. Let's work hard in these next 5 weeks on the issues I have mentioned, into the night and through the weekends if we have to. Let's not give up until we have honestly said we have done what the American people sent us here to do.

I yield the floor.

Mr. DOMENICI. I ask unanimous consent for 3 minutes to comment on the comments of Senator DASCHLE after a few brief remarks.

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

Mr. DOMENICI. Mr. President, clearly I appreciate the distinguished minority leader's cooperation in getting this bill up. I appreciate the tone of his comments in that he desires apparently to get this bill and other bills passed. I hope that is true. I say to the Senate, I will do my best to try to finish this bill tomorrow night. I don't know of a lot of real difficult amendments. There are some important amendments for regions of the country and otherwise. Clearly, I have seen no amendments thus far that attack the substance of this bill which I will explain shortly.

Mr. President, what is not said by the minority leader, in an effort to analyze the entire Presidential election and

what is going on here in the Congress as of this moment, first, on tax reform measures that the Republicans have proposed, call them what you may. Of course, the distinguished Senator, minority leader, chooses to call them so-called marriage penalty reform.

Between 35 and 45 million American couples are affected by that bill. Affected how? Their taxes will go down for no other reason than we will eliminate a penalty currently imposed just because they are married. Whether we have some other people covered in it or not, let me suggest we know what it will cost in 5 years. We know what it will cost in 10 years to the Treasury if we give back a little bit of money to the married couples in America who are getting taxed extra just because they are married.

What else did we pass? We passed a 10-year phase-in of the death tax. Surely those on the other side know that by definition the only people who pay a death tax—that is, a tax on death—are people who have accumulated some assets. So they could all be called rich. Essentially, the current law of America says if, after your mother and father have worked their whole lives and have acquired four drugstores and own a house and have invested in a piece of property, if that ends up being $10 million—I am speaking to Americans who might have worked 40 years—right now the Government can take as much as 65 percent of it upon their death.

That is the question. Is that right? Does America want that? Or should we ask our President to sign a bill that phases that out over 10 years?

I happen to have looked at numbers to see how they relate one to another in this budget process. My estimates are as follows: Both of those taxes combined cannot be risky to America.

Why can't they be? Because they amount to somewhere between 10 percent and 12 percent of the surplus—10 percent to 12 percent of the surplus, the non-Social Security surplus which is $3.4 trillion.

The same people who say that is risky have on the table at least five new programs that will spend more of the surplus than those two tax cuts. Are those programs therefore risky, because they spend more of the Federal surplus than these two tax reform measures? No. But neither are the tax cuts, just because they are tax reform measures. They are not risky just because they give people back some of their money. To those on the other side and the Vice President, who is running for President, they must be risky because they give back to the American people some real tax reform money.

If we want to go on to debate whether the Vice President even has a plan to give Americans back any of their tax money, we can do that at any time. I am not on the tax writing committee, but I will volunteer. I will be here. And I can tell you right up front, very little of what the President proposes goes to taxpayers for tax relief. Almost all of it goes to Americans whom the Vice President chooses to give back money, by way of just giving them a check that matches or exceeds their own money, in a huge way. The largest transfer of wealth that we probably have ever seen is tucked away in what the Vice President calls tax cuts for the American people.

Read the Washington Post editorial of 4 days ago. While they are quick to criticize Republicans, they have a very good paragraph in the middle of their editorial saying: Mr. Vice President, Democrats, why do you insist on telling the taxpayers, including middle income taxpayers, how they should spend the tax dollars you want to give them back? The Washington Post says: If you want to give them a tax cut give them a tax cut. They don't do that. They create some new targeted programs. If you want to use them, you have to use it for college tuition. If you want to use it, you have to use it for this, that, or the other.

Question: Don't some Americans have more concern about how to use it and where to use it, and would do that right, rather than to have the Government do that for you while making the Tax Code more complicated and claiming they are giving you tax relief?

Frankly, I could answer many more of the questions but I will just do the issues raised by the minority leader, and I will only address one.

The President of the United States has never attempted to seriously do a bipartisan Medicare prescription bill—never. He has sent us his own, but never has negotiated with Republicans. The one time we had a bipartisan committee, since you required a supermajority, he pulled his support so it would not have a supermajority—yet it had a majority, bipartisan, for a major reform and prescription drug bill. So one of the reasons most of the things not getting done are not getting done is because they have become so partisan that the other side of the aisle says, ''Our way or no way.'' The President says, ''My way or no way.'' The Vice President says, ''I am running for President and here is what I propose. It will be that way or no way.''

That is what the American people will find out, I hope, as we debate these issues in an effort in the next 5 weeks to resolve many of them. And I hope we do.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. Under the previous order, the clerk will report the bill.

The bill clerk read the title as follows:

A bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent—and this has been approved by the other side—that the committee amendment to H.R. 4733 be adopted and that the bill as amended be considered as original text for the purpose of further amendments, provided that no points of order are waived by this request.

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

Mr. DOMENICI. Mr. President, the Committee on Appropriations favorably reported H.R. 4733 by a vote of 28 to 0 on Tuesday, July 18.

Senator REID and I have worked very hard this year to put together a fair bill under extremely difficult circumstances. As reported by the committee, the recommendation would provide $22.470 billion in new budget authority for fiscal year 2001. That total is broken out between a defense allocation that is pretty good, and a non-defense allocation that is extremely limited.

The Defense BA allocation is $13.484 billion. That is $400 million over the President's request and $1.384 billion over last year. The committee requested the additional money to address some very serious needs in the nuclear weapons complex, defense environmental clean-up, and in ongoing international nonproliferation programs.

However, the BA allocation on the non-defense side of the bill is much more difficult—it provides $8.986 billion, which is $603 million below the President's request and $73 million below the current year level.

In order to accommodate some serious shortfalls in the President's request, and some very legitimate requests from Members, we have had to cut a significant amount more than the $603 million we are short from the request.

The allocation has also forced the committee to make very difficult choices, and we have tried to do that on as fair a basis as possible. We have followed certain criteria. In the water accounts for example:

No. 1, we have tried to focus available funding, to the greatest extent possible, to ongoing studies and construction projects.

No. 2, we have included no new construction starts or new initiatives in fiscal year 2001, and only a very limited number of new studies or planning projects.

No. 3, we have not included unauthorized projects or water and sewer infrastructure projects contained in the Water Resources Development Act of 1999.

No. 4, numerous projects budgeted at or near the Corps' capability have been reduced in order to pick-up funds for congressional priorities and to restore funding not requested by the administration for flood control and inland navigation projects.

No. 5, given these constraints, we have been limited to accommodating

only the highest priority requests of Members where possible.

Having said that, the recommendation for the U.S. Army Corps of Engineers totals $4.104 billion. This is $41 million above the budget request and $22 million below the FY 2000 enacted level. The following is a highlight of the recommendation of the Corps Budget for FY 2000:

General Investigations totals $139 million, down $23 million below the current year.

Construction General totals $1.361 billion, down $24 million below the current year.

Operation and Maintenance totals $1.862 billion which is $8 million over the current year.

Moving on to the Bureau of Reclamation, the recommendation before the committee totals $753 million. This is $48 million below the budget request and $13 million below the current year level. The recommendation includes:

Six hundred and fifty-five million dollars for Water and Related Resources which includes both construction and operation and maintenance of Bureau projects. This is $50 million over the current year level.

None of the $60 million requested for the California Bay-Delta Restoration program is provided in the bill, as the authorization for this program expires in fiscal year 2000.

Thirty-eight million dollars for the Central Valley Project Restoration Fund a reduction of $4 million from the current year.

For the Department of Energy's non-defense accounts, we have proposed some substantial reductions from the President's request. However, in many cases, those reductions appear large only because the President proposed large increases we will not be able to accommodate, given our non-defense allocation.

In other accounts such as Nuclear Energy R&D, the administration request was 4 percent below current year. Therefore, the committee has tried to balance the Department's research efforts by providing reasonable increases to these important research efforts.

For the Science programs at the Department of Energy, the committee recommends $2.870 billion, an increase of $82 million over last year, but still $292 million below the request.

Over half of the total proposed increase to Science was in one construction project, the Spallation Neutron Source in Tennessee. The committee strongly supports this project and has provided $240 million, an increase of $140 million over current year.

The allocation forced the committee into some very difficult decisions regarding many otherwise outstanding programs and initiatives under the Office of Science. For example, although the committee has traditionally provided strong support to High Energy Physics, Nuclear Physics and Fusion Energy, all are funded at below last year's level.

Within the defense allocation, we have been able to add significant funds to some very pressing problems.

Within Weapons Activities, the committee has provided $4.883 billion, an increase of $244 million over the budget request. The committee is very concerned about the state of the science based Stockpile Stewardship Program. As it is now, the program is not on schedule, given the current budget, to develop the tools, technologies and skill-base to refurbish our weapons and certify them for the stockpile. For example, we are behind schedule and over cost on the production of both pits and secondaries for our nuclear weapons. The committee has provided significant increases to these areas.

Furthermore, DOE has failed to keep good modern facilities and our production complex is in a terrible state of disrepair. To address these problems, the mark provides an increase of over $100 million for the production plants in Texas, Missouri, Tennessee, and South Carolina.

But it is not just the physical infrastructure that is deteriorating within the weapons complex, morale among the scientists at the three weapons laboratories is at an all-time low. For example, the last two years at Los Alamos have witnessed security problems that greatly damaged the trust relationship between the government and its scientists. Additionally, research funds have been cut and punitive restrictions on travel imposed.

As a result, the labs are having great difficulty recruiting and retaining America's greatest scientists. To help address this problem, the bill has increased the travel cap from $150 million to $200 million, and increased Laboratory Directed Research and Development. And I intend to offer additional amendments to increase LDRD and travel.

For security, the committee recommends $336 million for the Department's security office, an increase of $213 million over last year. This is in addition to the $45 million for increased Cyber Security that was just enacted as part of the fiscal year 2000 Supplemental. In addition, the committee has made sure General Gordon, as the new head of the NNSA, will have the resources and the authority to take care of security throughout the weapons complex.

The Department has experienced tremendous difficulty in constructing its special experimental and computational facilities within budget and within schedule. The National Ignition Facility is only the most recent example, and on that issue, Senator REID and I have agreed to recommend at this time only the $74 million requested by the administration, recognizing that much more money will be required this year if this project is to continue.

Regarding accelerator production of tritium, the committee has combined that with other programs to begin an exciting new program called Advanced Accelerator Applications. The committee recommendation includes $60 million to continue the important work on a back-up tritium source for defense purposes, but will also fund important work on accelerator transumutation of waste and other accelerator applications.

The committee continues its strong tradition of support for nuclear nonproliferation issues. We recommend $909 million, an increase of $43 million over the request, and $180 million more than last year.

For Defense Environmental Management, the committee recommends $6.042 billion, a $326 million increase over last year. To the extent possible, we have tried to address the needs of Members with environmental management sites. We have provided increases at Savannah River and the Hanford site, and provided additional funds for environmental science and technology research at Idaho and other labs.

In summary, the recommendation before you is for $22.47 billion, a reduction of $225 million from the request. Within that amount, non-defense programs are reduced $603 million while defense accounts increase $400 million. This is going to be a difficult year, but I look forward to consideration by the full Senate.

It is our intention to work hard over the next few evenings to complete work on the bill. It is my intention to seek a unanimous consent that all amendments be filed by noon on Wednesday. We will be here all evening, and I urge my colleagues to bring any amendments they may have to the floor so we can consider them. It is my intention, shortly after all amendments have been filed, to act on a package of managers amendments.

Before I yield back, I would like to thank Chairman STEVENS for the strong support he has given to the energy and water bill, particularly on the defense funding side. I would also like to thank my ranking member, senator REID, for all the effort he has put forth in working together on this bill.

Mr. JEFFORDS. Mr. President, I wonder if the Senator from New Mexico will allow me to add a glowing statement about the bill he is about to speak to?

Mr. DOMENICI. I would be pleased to do that even if it were not glowing but, since it is, I am delighted.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I rise today to praise the managers of this bill for their commitment to renewable energy. I particularly want to thank Senator HARRY REID for his leadership in bringing additional funding to advance the cause of clean energy in this nation.

Earlier this year the Senate renewable energy caucus, led by Senators ROTH, BINGAMAN, ALLARD and myself, sent a letter to the bill managers asking that they put the U.S. Senate on

record in support of wind, solar, biomass, geothermal and other renewable energy resources.

Mr. President, 54 of our colleagues signed that letter and they should know that the bill before us today boosts funding for renewable energy by $87 million over last years levels. This is a great achievement. And unlike in past years, I come to the Senate floor without the annual renewable energy funding amendment but with what will hopefully be an annual effort praising the managers of this bill.

We thank you Senator REID for your vision and commitment to reducing this nation's reliance on foreign oil and advancing our investment in clean, domestic energy resources.

This increase puts our country back onto the path of a sustainable energy policy.

In recent years, the U.S. trade deficit has soared. The number one contributor to the trade deficit is imported foreign oil—and its contribution has reached record levels.

Since the oil embargo of 1973–74, imports of foreign oil have risen from a little over 30 percent to 55 percent, and will hit 65 percent in a decade. By then, most of the world's oil will come from potentially unstable Persian Gulf nations.

These imports account for over $60 billion. That is more than 36 percent of the U.S. trade deficit. These are U.S. dollars being shipped overseas to the Middle East when they could be put to better use here at home.

In 1976, myself and a number of freshmen Members of the House of Representatives proposed such a provision and nearly passed it to the exact same 10 percent. Unfortunately, that failed. But at that time we, a number of us working together, did start the wind energy program, which is now blossoming, with Vermont being the leader in that field, and also, with a very good amendment I was able to get on, we started, really, the solar voltaic program at that particular time. During the period since that time, a couple of times we have come very close to putting into a mandatory situation where we would decrease the consumption of oil by 10 percent through renewables.

Now we are on our way, finally. Hopefully, this bill will pass.

We are lowering our balance of payments.

We are providing an invaluable insurance policy to enhance our national security.

And we are protecting our environmental and reducing air pollution.

Federal support for renewable energy research and development has been a major success story in the United States. Costs have declined, reliability has improved, and a growing domestic industry has been born.

Through this boost in the renewables budget, we are building upon our successes. We are helping to develop industries which reduce our trade deficit and boost national security. We are helping farmers, ranchers, rural communities, and small businesses.

The 54 Senators who signed this letter—and in particular—Senator REID, deserve a great deal of credit for protecting the environment, promoting job growth, and advancing America's future.

Again, I thank the two sponsors of the bill, Senators REID and DOMENICI. I praise them for their efforts and helping in any way possible. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, if I can respond before the Senator from Vermont leaves the floor, this has been a very difficult issue for Senator DOMENICI and me for a number of years. We acknowledge the leadership of the Senator from Vermont on this issue. But for him, we probably would not be in the position we are now. I appreciate his nice words and recognize his leadership on this issue over the many years.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I thank the distinguished Senator from Nevada, Mr. REID, for what he has said, and I echo the compliments. I think the Senator from Vermont understands the delicate position we are in this year in that the nondefense portion of this appropriations bill is inadequate to cover the nondefense research and water projects we ought to be covering in the bill.

I believe when we were able to almost match the Senator's and his cosponsors' request on solar and wind, they understand we are hopeful when we get to conference of getting some additional money from the budget and the appropriators for the nondefense portion of this bill which will make it easier for us to keep this and hold it all the way through. I have been sure and careful to explain that to the Senator from Vermont. I am sure he is aware of it. I wanted to put it in the RECORD.

Mr. JEFFORDS. Mr. President, if the Senator will yield, I agree with him 100 percent, and I am going to do all I can to assist him.

Mr. DOMENICI. Mr. President, while Senators are going to talk about projects, programs, activities, and amendments to add $5 million here or $7 million there, I want to break this appropriations bill into two parts—I wish I had it on a chart, and maybe I will have it the next time we are on this bill—so that when anybody offers an amendment that costs money, if it is in the nondefense part, whatever it is for, maybe some science research, maybe a water project that we did not fund, maybe operation and maintenance for some part of the Mississippi, a levy system, we are going to try to show you where we are really hurting for money is the nondefense part of this budget, the water projects and the nondefense science.

As a matter of fact, the allocation is about $604 million below the President's request in the nondefense part of this appropriations bill. That is $73 million less than last year's appropriations. It is not a question only of not being able to meet the President's request. We are, in essence, below last year's appropriated number, which many people say isn't realistic unless you are prepared to take some programs out of the Department—and we can hardly do that. That is a negative $73 million.

Fortunately, on the defense side, we have talked our way through all these different hurdles of how much defense money is available, and I am very appreciative of the fact that through the efforts of our chairman of the Appropriations Committee, the appropriators who spend defense money—that is the big defense bill, the smaller bill on military construction and a very small bill on Commerce that spends some money on defense—they have left, as part of the increase, sufficient money to cover the defense in this bill, which is $13.5 billion.

I regret to say the problem we have is when we go to the House, we have to raise the House's number because they are about $600 million below us on the defense side of their bill. It is a difficult problem.

I do believe the allocation that both chairmen of the House and Senate Appropriations Committees are going to ultimately come up with will make us whole at the Senate level on defense. I just explained why. The money is there, and I hope before this is over, we will convince everyone we are in an area where we have to be very concerned how much money we are spending on the defense side because the morale and capability of our National Laboratories to maintain our nuclear weapons activities is getting very close as to whether it can continue in a manner we have expected over the years.

When somebody says it is only $7 million and I need it for a levy and I need to start a program even though we said no new starts, I want to keep in front of everybody that we are $604 million below the President on nondefense, and the House is $600 million below ours on defense, and we are $500 million higher than the President's on defense. Those will be put up here for everybody to see.

If anybody wants an interpretation of what is in this bill, I tried very hard in a nonpartisan way to explain it in my earlier statement. I have given full credit to the magic of bipartisanship when it comes to writing a bill like this. We have to try to work together. Maintaining our nuclear capacity through science and research and nonproliferation should not be a partisan issue. Thanks to Senator REID, it is not. There are a few disagreements he and I have. We will iron them out on the floor.

I want to make sure everybody understands that right now, this day, 5 weeks before the new fiscal year, the nuclear defense laboratories, which essentially are made up of a piece of the

National Laboratory in Tennessee called Oak Ridge, called Y–12, plus Los Alamos National Laboratory, Sandia National Laboratories in Albuquerque and Livermore, and Lawrence Livermore National Laboratory, are the laboratories that maintain our nuclear weapons activities that measure the performance and ability of our nuclear weapons, and their safety and reliability.

Right now, they are fragile because the morale is low. Throughout this short debate, I will keep mentioning to Senators that we better be careful with reference to the scientists who have done the big defense work who we must retain at these laboratories to perfect our Stockpile Stewardship Program, which allows no weapons testing while we are still going to protect the reliability of our weapons. We need to retain the old heads who have done this work for so long. At Los Alamos there are about 40 of them who are in the X division, including NEST or the Nuclear Emergency Search Team.

Their morale is very low because, my colleagues will recall, that is the area where that hard drive was found behind a machine, and they did not know how it got there. They have now been under investigation for 14 weeks. Fourteen weeks is a long time to have the very best scientists in the world who have maintained our nuclear capacity, some of them for 30 years, some for 25, some more 40, under investigation. We do not want them to leave the laboratories, and we want to attract the best new scientists to follow in their footsteps and have them educated by the other scientists. We are not succeeding at either.

The new recruits of the very best scientists are at an all-time low, and that is measurable. In other words, we know how many scientists we invited to work and how many accepted. I will put that in the RECORD. It is very low compared to 5 years ago. We also know how many are planning to leave, and it is very high compared to other years.

Everybody knows I have a parochial interest. At least they would assume that. If one of my colleagues had a laboratory like Los Alamos in his or her State, I say to any Senator, I assume they would be concerned about it. If they had a Sandia National Laboratory, which is the engineering laboratory for nuclear weapons, I assume they would be concerned.

I am concerned, and I have to try to convince the Senate that we have to put back some money in terms of morale builders, and we have to start telling those great scientists that they have done a wonderful job for America.

So something got messed up. If you can't prove there is spying or espionage, pretty soon you ought to get off their backs and you ought to say to them: We are going to fix this administratively.

I could go on tonight and tell you how we are going to do that because we have a new administrative approach to running the nuclear weapons activities of America. We have a great man, General Gordon, heading it. Give him a chance. Give him a chance to restructure. At the same time, let somebody who knows their problems lead this effort. He is about as knowledgeable as anyone we could get to head the NNSA, the National Nuclear Security Administration. It is hard to remember that name, but it will not be hard in a couple years because this general is going to make sure we know about it.

He is already showing some real leadership in terms of our understanding what NNSA is. It is the entire package of activities for our nuclear safety as far as our weapons and nonproliferation. We know he is going to fix this morale issue if we give him a chance.

For now we have to be very careful. For instance, the House limits their travel again, even lower than the President recommends. Does it ever occur to anyone that the great scientists travel? Was that ever an astonishing conclusion? If you did not know it, let me tell you: Great scientists travel. They love to go to conventions and conferences to share ideas. And if you say to a young crop of the best scientists in America: Come and work at Los Alamos, but you had better remember that you can only make one trip a year—well, what they are telling us already is: Hey, I have a company that doesn't limit me. They are offering me some stock options. They want me to come.

Pay isn't a problem. We pay our scientists pretty well at these laboratories, as a matter of fact. I must tell you, if they like their work they will stay there.

So my concern is a very serious one. We could not do what I think we must do and live with the House number on defense in this bill. We are $600 million higher than the House. We tell the Senate that with much pride because you have to give these laboratories what they need.

Let me give you just one area. The National Laboratory structure, with reference to nuclear weapons, is in need of an entire new, let's say, 10-year plan for rebuilding ancient buildings. I use the word ''ancient'' because some of them are so old that if you could apply the historic preservation statutes in the State of New Mexico, some of them would be untouchable because they are too old. That is how old they are. I do not want to tell you how old. But it is not very old to be labeled ''old'' anymore if you are a building.

But we started a plan. We started an approach for $100 million in this bill, to start some of that—for lack of a better word, we will call it infrastructure. But it is buildings; it is equipment. We must go on beyond that for a few years and get the nuclear weapons complex, so to speak, built up or decide we are going to have an inferior one. We would not be able to tell Americans the best people work there.

The best brainpower of America is devoted to making sure our nuclear weapons are right and safe. As we lower the numbers—which we are going to be doing; that, we can all say—even with lower numbers, we know what we are doing. We do not have to have tests because we know they are safe.

If we do not, I am going to support people who come to the floor and say: Let's start testing again. Have no doubt about it. We voted in the Mark Hatfield amendment to start a moratorium. We are doing it unilaterally. They are saying: Why don't we sign the treaty? We are not doing any testing by statute right now.

So these great scientists have to substitute brainpower and equipment for what underground testing used to give them, with information about the adequacy, the safety, the reliability.

Now we have to do it by computers, by new machines, new, fantastic x-ray machines that look inside bombs. We had better have the very best people in America working there, wouldn't you think? I would.

My distinguished friend from Nevada wants to speak.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. It is my understanding the Senator from Maine wishes to make a relatively short statement. I do not want to impose upon her time because we have to be here anyway.

I believe the Senator from New Mexico wishes to be recognized.

Mr. DOMENICI. I had indicated I wanted to send an amendment to the desk so we have one pending.

AMENDMENT NO. 4032

Mr. DOMENICI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] proposes an amendment numbered 4032.

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

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

The amendment is as follows:

Starting on page 64, line 24, strike all through page 66, line 7.

Mr. DOMENICI. The amendment removes from the bill an environmental provision that I had put in there prior to a successful discussion of the issues and termination of the issues temporarily in the State of New Mexico. So I do not need the amendment. Senator REID knows about it. That is what this amendment is.

Mr. REID. The amendment is pending; is that right?

The PRESIDING OFFICER. The amendment is pending.

Mr. REID. Mr. President, I ask unanimous consent that the amendment be set aside so the Senator from Maine can speak.

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

The Senator from Maine.

Mr. SCHUMER addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

AMENDMENT NO. 4033

Mr. SCHUMER. Mr. President, I thank the Senator from New Mexico, the Senator from Nevada, and most particularly, the Senator from Maine for helping arrange time so she and I can discuss the amendment that we are about to send to the desk. I request its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], for himself and Ms. COLLINS, proposes an amendment numbered 4033.

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

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

The amendment is as follows:

On page 93, between lines 7 and 8, insert the following:

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 4 ~~PRESIDENTIAL~~ ENERGY COMMISSION.

(a) FINDINGS.—Congress finds that—

(1) crude oil and natural gas account for two-thirds of America's energy consumption;

(2) in May 2000, United States natural gas stocks totaled 1,450 billion cubic feet, 36 percent below the normal natural gas inventory of 2,281 billion cubic feet;

(3) in July 2000, United States crude oil inventories totaled 298,000,000 barrels, 11 percent below the 24-year average of 334,000,000 barrels;

(4) in June 2000, distillate fuel (heating oil and diesel fuel) inventories totaled 103,700,000 barrels, 26 percent below the 24-year average of 140,000,000 barrels;

(5) combined shortages in inventories of natural gas, crude oil, and distillate stocks, coupled with steady or increased demand, could cause supply and price shocks that would likely have a severe impact on consumers and the economy; and

(6) energy supply is a critical national security issue.

(b) PRESIDENTIAL ENERGY COMMISSION.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The President shall establish, from among a group of not fewer than 30 persons recommended jointly by the Speaker and Minority Leader of the House of Representatives and the Majority Leader and Minority Leader of the Senate, a Presidential Energy Commission (referred to in this section as the ''Commission''), which shall consist of between 15 and 21 representatives from among the following categories:

(i) Oil and natural gas producing States.

(ii) States with no oil or natural gas production.

(iii) Oil and natural gas industries.

(iv) Consumer groups focused on energy issues.

(v) Environmental groups.

(vi) Experts and analysts familiar with the supply and demand characteristics of all energy sectors.

(vii) The Energy Information Administration.

(B) TIMING.—The appointments of the members of the Commission shall be made not later than 30 days after the date of enactment of this Act.

(C) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(D) CHAIRPERSON.—The members of the Commission shall appoint 1 of the members to serve as Chairperson of the Commission.

(E) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(F) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(2) DUTIES.—

(A) IN GENERAL.—The Commission shall—

(i) conduct a study, focusing primarily on the oil and natural gas industries, of—

(I) the status of inventories of natural gas, crude oil, and distillate fuel in the United States, including trends and projections for those inventories;

(II) the causes for and consequences of energy supply disruptions and energy product shortages nationwide and in particular regions;

(III) ways in which the United States can become less dependent on foreign oil supplies;

(IV) ways in which the United States can better manage and utilize its domestic energy resources;

(V) ways in which alternative energy supplies can be used to reduce demand on traditional energy sectors;

(VI) ways in which the United States can reduce energy consumption;

(VII) the status of, problems with, and ways to improve—

(aa) transportation and delivery systems of energy resources to locations throughout the United States;

(bb) refinery capacity and utilization in the United States; and

(cc) natural gas, crude oil, distillate fuel, and other energy-related petroleum product storage in the United States; and

(VIII) any other energy-related topic that the Commission considers pertinent; and

(ii) not later than 180 days after the date of enactment of this Act, submit to the President and Congress a report that contains—

(I) a detailed statement of the findings and conclusions of the Commission; and

(II) the recommendations of the Commission for such legislation and administrative actions as the Commission considers appropriate.

(B) TIME PERIOD.—The findings made, analyses conducted, conclusions reached, and recommendations developed by the Commission in connection with the study under subparagraph (A) shall cover a period extending 10 years beyond the date of the report.

(c) USE OF FUNDS.—The Secretary of Energy shall use $500,000 of funds appropriated to the Department of Energy to fund the Commission.

(d) TERMINATION OF COMMISSION.—The Commission shall terminate on the date that is 90 days after the date on which the Commission submits its report under subsection (b)(2)(A)(ii).

Mr. SCHUMER. Mr. President, I thank my colleagues from New Mexico and Nevada for making time. I am proud to join with Ms. COLLINS, the Senator from Maine, in offering this amendment.

The amendment is a very simple one. It calls for a Presidential commission to study and propose, hopefully, consensus recommendations on how to deal with the impending crisis we have in energy.

The crisis is easy to document. U.S. inventories of natural gas, crude oil, heating oil, and diesel fuel are all at or near 25-year historic lows. Motorists in my State of New York and throughout the country are paying gasoline prices that are hovering near record highs in absolute terms and are increasing at record levels.

The current price of heating oil is higher than consumers typically pay in the dead of winter. Natural gas prices are at twice their typical price and are the highest in history at a time when warm weather keeps demand for natural gas low.

We are on the precipice of the most serious, most expensive, and most economically devastating energy crisis since spiraling prices sent our economy into a tailspin in 1976, and, of course, in terms of electricity as well. We have real problems with greater and greater demand and not enough supply.

Alan Greenspan said last July that the high price of oil has been putting inflationary pressure on our economy and that any further market impact ''would pose a risk to America's economic outlook.''

With crude oil selling for more than $33 a barrel and natural gas selling for a record nearly $5 per billion cubic feet, we are at the point that Chairman Greenspan warned about.

This is on top of a very expensive energy season where American consumers spent more than $75 billion on energy costs over the previous year.

Everyone has their own solution to the energy crisis. I have listened to the chairman of the Energy Committee and some on that side who say we should simply pump more oil. And, in the opinion of others, we should do that despite what we do to the environment.

I have heard many on this side say we have to do many things to reduce demand, such as raise CAFE standards and include SUVs and minivans under the designation of automobiles and raise the average miles per gallon.

I have heard others talk about new types of energy sources and how we need to explore them. Probably every one of the 100 Members in this Chamber, particularly after the last 6 months, has an idea. There is one problem. Our ideas are so fractured and so lacking consensus that we have done nothing. This is not blame on the Democrats or Republicans, on the White House or the Congress. Basically, there is enough blame to go around so that everybody can point a finger.

The bottom line is simple: Our demand for energy is increasing. Our supply of energy, particularly domestic supply, is decreasing. Unless we come to some kind of national consensus, the problems we faced last winter with home heating oil and this early summer with gasoline will cause new problems.

I have a great deal of respect for the Secretary of Energy. I think he has

done a very good job under trying circumstances. I don't blame him. I don't blame the President. I don't blame the majority leader. I don't blame the chairman of the energy committee. But we have a problem. Thus far, we have been unable to deal with it.

The amendment Senator COLLINS and I have offered to the energy and water appropriations bill will create a national energy commission. The energy commission will be established jointly by the President and the majority and minority leaders of the House and Senate and will bring together representatives from the energy producing States, energy consuming States, oil and natural gas industries, consumer groups, environmental groups, and experts and analysts in the energy field. It is just the kind of group needed to bring about the consensus we so sorely lack. There may not be a consensus, but I believe we ought to try.

I, for one, am dubious of many commissions. In this case it is needed because of the paralysis in Washington in terms of addressing this issue, because of the lack of consensus throughout the land in how to deal with something that at the very least is going to cost Americans a lot more money and at its worst could take our fine economic recovery and send it into a tailspin.

The commission was designed by the Senator from Maine and myself to have a broad consensus of parties, branches of government and views and constituencies. It will conduct a study and provide a report to us on the following: the status of inventories of our energy sources; the cause for and consequences of energy supply disruption and energy product shortages nationwide and in particular regions; ways in which the United States can become less dependent on foreign oil supplies; ways in which alternate energy sources can be used to reduce demand on traditional energy sectors; ways in which the U.S. can reduce energy consumption; and ways to improve refinery capacity, utilization, and storage in the United States of natural gas, crude oil, and distillate fuel.

The commission shall provide a report within 6 months of enactment that shall include an assessment of our problems and recommendations on how to solve them.

In conclusion, last year New Yorkers and New Englanders paid more than $2 a gallon for heating oil. Home owners paid up to $1,000 more to heat their homes in my State, not because of weather but because of shortages. Motorists, people going on vacation, people driving cars and trucks for a living also paid hundreds if not thousands of dollars more out of their pockets this year.

As Chairman Greenspan warned, this is one of the few things that looms on the near horizon that could throw our economy off kilter.

Let us not get caught unprepared again. This amendment is the start of an energy policy that will protect consumers and protect our economy.

I thank the Chair and my colleagues from New Mexico and Nevada for their generosity and most particularly the Senator from Maine who is always a pleasure to work with on these and other issues.

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Maine.

Ms. COLLINS. Mr. President, I first want to thank the managers of this bill, Senator DOMENICI and Senator REID, for bringing this appropriations bill to the floor in a bipartisan fashion and for making this time available to us tonight.

I am very pleased to join with my good friend and colleague from the State of New York, Senator SCHUMER, in offering this important amendment to the Energy and Water Appropriations bill. As my colleague has explained, this amendment is straightforward. It would establish a Presidential commission to help us develop a comprehensive, sustainable energy policy. The time is long overdue for this Nation to have an energy policy. Unfortunately, the current administration has failed to develop one.

Last year when the home heating oil crisis gripped the Northeast, the Energy Secretary, Bill Richardson, was very forthright. He admitted that the Federal Government had been caught napping and said that we simply were not prepared.

Due largely to OPEC's anticompetitive manipulation of our oil markets, we have been experiencing dramatic price increases that have rippled throughout the four corners of this Nation. This year consumers have paid 47 percent more for gasoline. Truckers have paid 46 percent more for diesel fuel. And Northeasterners have paid 81 percent more for home heating oil than they did just one year earlier.

In my home State of Maine, this problem is reaching crisis proportions. Seventy-five percent of all Maine households use home heating oil, consuming an average of 800 gallons per year. Last year, the average Maine household spent $320 more than it did the previous year simply to heat with oil. Of course, heating with natural gas provided little relief as natural gas prices have also soared. And the outlook for this year is even worse.

Meanwhile, although OPEC countries sold 5 percent less oil in 1999, their profits were up by 38 percent.

Today, as a year ago, we find ourselves turning the corner toward cooler weather and another looming home heating oil price crisis. All signs indicate that this one will be even worse than last year's. Consider that crude oil closed Friday at $33 per barrel, up from $22 a year ago. Last week heating oil futures hit their highest level since October of 1990. At the same time, as my colleague has pointed out, home heating oil and natural gas inventories are down. Indeed, distillate stocks are roughly 10 million barrels lower than the administration predicted just last month. In fact, stocks of crude oil, gasoline and heating oil in the United States have not been at levels this low since the mid-1970s, when our economy was thrown into turmoil due in large measure to a volatile oil market. Compounding the problem, the demand for distillate fuel is predicted to increase significantly this winter.

In short, the fast approaching winter looks bleak. And judging from the most recent comments of OPEC officials, it is clear that we cannot expect any real relief from the cartel.

As my colleague has pointed out, there is no consensus in the Congress or in the administration about what approach we should take in developing a national energy policy. Policymakers differ on what can be done to provide relief to American consumers.

My friend from New York and I have been advocating for some time that the administration implement a responsible plan to swap oil from our well-stocked Strategic Petroleum Reserve to satisfy market demand and provide some price relief to American consumers. Others in this Chamber advocate different approaches. But I believe we can all find common ground with the notion that, in the long term, we need to conduct a comprehensive study of our oil and natural gas industries in order to develop a strategy to stabilize fuel prices, to explore alternative energy sources, and to reduce our reliance on foreign oil supplies. Our amendment would take an important first step in accomplishing these goals through the creation of a bipartisan energy commission.

I very much appreciate the fact that the managers have been working with us on this legislation, which I hope they will accept. With that, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, on behalf of myself and with the concurrence of the minority leader, I ask unanimous consent that during the consideration of the energy and water appropriations bill on Wednesday, it be in order for the minority leader, or his designee, to offer an amendment to strike relating to the Missouri River. I further ask consent that there be 3 hours for debate equally divided in the usual form on that amendment, and further, no amendments be in order to the language proposed to be stricken by a vote.

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

Mr. REID. Mr. President, as soon as there is a unanimous consent agreement, it is my understanding that what we are going to try to do—there appear to be no more amendments tonight. As soon as there is something

from the staff putting us out tonight, I will withhold.

Mr. DOMENICI. The Senator is correct.

MORNING BUSINESS

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

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

THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000

Mr. THURMOND. I rise today to express reservations about S. 2869, the Religious Land Use and Institutionalized Persons Act of 2000, and the larger issue of the impact of religious liberty legislation in the context of prisons and the military.

One of the founding principles of our Nation involves the freedom to worship. I have always been a strong supporter of this most basic right. For example, for many years I have introduced a constitutional amendment to permit prayer in public schools, and I would be very pleased if we could pass that amendment.

In the closing hours of the Senate before the August recess, the Senate considered the Religious Land Use and Institutionalized Persons Act, which is essentially an attempt to change the way the courts interpret the Free Exercise Clause of the Constitution regarding prisons and land use regulations throughout the Nation. Ever since the Supreme Court held the Religious Liberty Protection Act unconstitutional as applied to the states, supporters of this legislation have tried to reverse that decision. Just as the Religious Liberty Protection Act has been held unconstitutional as applied to the states and its legality is still unclear regarding the federal government, there are legitimate issues regarding whether S. 2869 is constitutional. Moreover, there are serious questions about whether this bill is good public policy, especially as it relates to the prisons and jails across America.

I first wish to note what this bill is not. It is not directed at laws that intentionally discriminate against a particular religion or even all religions. We all recognize that laws that intentionally discriminate against religious groups cannot be tolerated, and the courts already routinely invalidate such laws. Rather, this bill is directed at laws that apply to everyone equally, but have the effect of burdening someone's exercise of his or her religion. It is this indirect impact that the supporters are trying to address. However, in the process, the bill is entirely inconsistent with the principles of federalism, and it creates significant problems in many areas.

I would like to specifically address prisons. The safe and secure operation of prisons is an extremely difficult and complex task. I fear that establishing new legal rights for inmates through this law will only make that job more difficult and more dangerous.

The Supreme Court under O'Lone and other cases established a reasonable standard for evaluating religious freedom claims in prison, balancing the needs of inmates and the institution. Then, in 1993, the Religious Freedom Restoration Act imposed a very difficult burden on correctional officials when prisoners made demands that they claimed were based on their religious faith. Although R.F.R.A. was held unconstitutional a few years later, the bill will again upset the balance.

Applying this legislation in prison has the real potential to undermine safety and security. Inmates have used religion as a cover to organize prison uprisings, get drugs into prison, promote gang activity, and interfere in important prison health regulations. Additional legal protections will make it much harder for corrections officials to control these abuses of religious rights.

One example of a successful prisoner lawsuit before R.F.R.A. was held unconstitutional concerns an inmate who refused to take a tuberculosis test in Jolly v. Coughlin. The New York prison system wished to prevent the spread of T.B. to staff and inmates, so it implemented a mandatory testing program to screen inmates for T.B. so the disease could be treated before it became active and contagious. The plaintiff refused to take the test based on his religious beliefs, and won. The courts permitted the inmate to violate this very reasonable health policy. This is a clear interference with prison safety and security. There is no excuse for courts to allow inmates to tell authorities what health policies they will or will not follow.

This case is just an example of how S. 2869 has the potential to put courts back in the business of second-guessing correctional officials and micromanaging state and local jails. There should be deference to the expertise and judgement of prison administrators. These professionals know what is needed to protect the safety and security of inmates, staff, and the public.

The possibilities for inmate demands for religious accommodation under S. 2869 are limited only by the criminal's imagination. As the Attorney General of Ohio said in a letter last year, ''We have seen inmates sue the states for the 'right' to burn Bibles, the 'right' to engage in animal sacrifices, the 'right' to burn candles for Satanist services, the 'right' to certain special diets, or the 'right' to distribute racist materials.''

There was a large increase in prisoner demands and a rise in lawsuits based on religious liberty while R.F.R.A. was in effect. The Solicitor of Ohio testified a few years ago that there were 254 inmate R.F.R.A. cases in the Lexis computer database during the three years the law applied to the states. This does not include cases that were not included in the database, and some of the cases listed actually included many inmates because the cases were class action suits.

Winning lawsuits will encourage inmates to challenge authority more and more often in day to day prison life, and S. 2869 will make it much more likely that they will win. However, even if a prisoner's claim fails, it costs the prison much time and money to defend, at a time when prison costs are rising. The new legal standard will make it much harder to get cases dismissed before trial, greatly increasing the diversion of time and resources.

As former Senator Alan Simpson said during the debate on R.F.R.A. in 1993, applying this legislation to prisons will impose ''an unfunded Federal mandate requiring the State and local governments to pay for more frequent, expensive, and protracted prisoner suits in the name of religious freedom.''

Some have argued that the fact that S. 2869 must comply with the Prison Litigation Reform Act solves any problems regarding inmates. Unfortunately, as the National Association of Attorneys General has recognized, this is incorrect. It is true that the P.L.R.A. has limited the number of frivolous lawsuits inmates can bring. However, under this new legislation, lawsuits that formerly were frivolous now will have merit because this bill changes the legal standard under which religious claims are considered. Because S. 2869 makes it much easier for prisoners to win their lawsuits, the P.L.R.A. will be of little help.

Not all prisoners abuse the law. Indeed, it is clear that religion benefits prisoners. It helps rehabilitate them, making them less likely to commit crime after they are released. In fact, it is ironic that S. 2869 may actually diminish the quality and quantity of religious services in prison. If R.F.R.A. is any indication, requests for religious accommodation will rise dramatically for bizarre, obscure or previously unknown religious claims. These types of claims divert the attention and resources of prison chaplains away from delivering religious services. The great majority of inmates who legitimately wish to practice their religious beliefs will be harmed by this law.

I am pleased that the General Accounting Office will be conducting a study regarding the impact of religious liberty legislation in the prison environment. We must continue to review this important issue very closely.

Additionally, I wish to discuss my concerns regarding the effect of religious rights legislation in the military. While S. 2869 does not directly impact the Armed Services, the Administration considers the predecessor to S. 2869, the Religious Freedom Restoration Act, to be constitutional and binding on all of the federal government,

including the military. I strongly believe that the military should be excluded from any legislation creating special statutory religious rights.

In discussing religious rights, it is important to note that the Free Exercise Clause of the Constitution has never provided individuals unlimited rights. The Free Exercise Clause must be balanced against the interests and needs of society in various circumstances.

Government interests are especially significant outside of general civilian life, and the military is the best example. Here, governmental interests are paramount for a variety of reasons that the courts have always recognized. The courts have always been tasked with balancing the rights of individuals against the interests of society. In this area, I believe the courts have struck a good balance.

In Goldman v. Weinberger, the key legal authority on this issue, the Supreme Court reaffirmed its long-standing position and made clear that courts must defer to the professional judgment of the military regarding the restrictions it places on religious practices. The military, not the courts, generally should decide what is permitted and what is not permitted.

This does not mean that soldiers have no religious rights under the Constitution, but the courts generally must defer to the professional judgement of the military on applying these rights in the military. This is essential because of the military's need to foster discipline, unity, and respect in achieving its mission of protecting America's national security.

As the court in Goldman explained, ''The military is, by necessity, a special society separate from civilian society. . . . The military must insist upon a respect for duty and a discipline without counterpart in civilian life. . . . The essence of military service is the subordination of the desires and interest of the individual to the needs of the service.''

The R.F.R.A. entirely rejected this approach. It put the courts in the business of deciding what religious activities should be permitted in the military and what should not. It does this by establishing a very high legal standard, called the strict scrutiny test, that must be met before the government, including the military, may enforce a law or regulation that interferes in any person's exercise of their religious rights. Under this test, a restriction on religious practices is permitted only if it is narrowly tailored to achieve a compelling governmental interest. This is a very difficult legal standard to meet and is an unrealistic and dangerous burden for the military. However, under this law, the courts must treat all requests for religious practice under the same standard, whether it is the Armed Forces or anywhere else in society.

The R.F.R.A. does not in any way recognize the special circumstances of the military. This is a serious mistake. There is simply no reason why the courts should be in the business of second-guessing how the military handles these matters.

In the past, the Department of Defense has recognized this problem. A comprehensive Defense Department study of religion in the military in 1985 concluded that the ''strict scrutiny'' test should not apply to the military. It concluded that adopting this standard ''would be a standing invitation to a wholesale civilian judicial review of internal military affairs. . . . It would invite use of the results in civilian cases as a model for the military context when, in fact, the differences between civilian and military society are fundamental. Adoption of the civilian 'strict scrutiny' standard poses grave dangers to military discipline and interferes with the ability of the military to perform its mission.''

The Armed Forces today fully accommodates religious practices. In fact, I have concerns about whether the Defense Department is too generous in what it is permitting on military bases today. For example, as reported last year in the Washington Post, Army soldiers who consider themselves to be members of the Church of Wicca are carrying out their ceremonies at Fort Hood in Texas. The Wiccas practice witchcraft. At Fort Hood, they are permitted to build fires on Army property and perform their rituals involving fire, hooded robes, and nine inch daggers. An Army chaplain is even present.

More recently, I read about an ongoing case where a Marine soldier disobeyed a direct order against leaving his military base because the date fell on the new moon, a holy day for Wiccas, and he said he needed to get copper sulfate to perform a ritual. This is just the type of case that a soldier could win under R.F.R.A.

I do not believe that the Armed Forces should accommodate the practice of witchcraft at military facilities. The same applies to the practices of other fringe groups such as Satanists and cultists. Racist groups could also claim religious protection. For the sake of the honor, prestige, and respect of our military, there should be no obligation to permit such activity.

Members of some groups, such as the Native American Church and Rastafarians, use controlled substances in their religious ceremonies. The military today broadly allows the use of the drug peyote for soldiers who claim to be members of the Native American Church. Peyote, a controlled substance, is a hallucinogenic drug. According to a 1997 letter from the National Institute on Drug Abuse, peyote appears to cause an acute psychotic state for up to four hours after it is ingested. The long term effects of its use, especially its repeated use, are simply not known, including the possibility of flashbacks and mood instability. As part of the Authorization Bill for the Department of Defense, I am requiring that the Defense Department conduct a study on this drug. It simply has no legitimate place within our Armed Forces. This is an excellent example of the military going too far today in its efforts to accommodate religious practices.

Another problem from the military's efforts to accommodate fringe groups is that it can harm recruitment. Last year, various religious organizations called for a boycott of the Armed Forces because of its accommodation of these fringe religious groups. The military is having significant difficulty today with recruitment for our all-volunteer force, and the accommodation of groups such as the Wiccas further complicates this problem.

Without R.F.R.A., it is clear that the military could severely limit or prevent practices such as these if it wished. It is less clear exactly what limits the military can impose under R.F.R.A., to the extent that the law is constitutional as applied to the Federal Government.

When I have raised concerns about these matters with Defense Department officials, I have been told that the military will not permit soldiers to practice beliefs that pose a threat to good order and discipline. Unfortunately, that is not the legal standard the Department is faced with under R.F.R.A. Under religious liberty laws, the courts make the decision based on whether the religious restriction is the least restrictive means to accomplish a compelling governmental interest, not whether the restriction is based on good order and discipline.

Religious liberty legislation could cause many problems for the military that have not been considered. Although there have been few claims under R.F.R.A. in the military to date, this could easily change in the future. Soldiers who adhere to various faiths, including many established religions, could make claims that violate important, well-established military policies. For example, soldiers who are Rastafarian can claim protection to wear beards or dread-locks, and Native Americans can claim protection for long hair. Also, Rastafarians may claim an exemption from routine medical care that require injections, such as immunizations. Although it is my understanding that the military does not accommodate exemptions from grooming standards or receiving health care, soldiers could bring such claims and likely win. To date, inmates or guards in prisons have won cases similar to these in court, and there is little reason to expect that cases brought by soldiers would turn out any differently.

Soldiers brought lawsuits in the 1960s seeking exemptions from immunizations and exemptions from work on certain days based on religious practices, but these claims failed under the deferential standard. However, under R.F.R.A., there are endless opportunities for religious practices to interfere

in important military policies and practices, and it is much more likely that such cases would be successful.

One such matter arose during the Persian Gulf War. At the time, the military imposed restrictions on Christian and Jewish observances and the display of religious symbols for soldiers stationed in Saudi Arabia. This was important so that our troops would not violate the laws and religious decrees of the host nation. There was some talk of lawsuits against our military because of these restrictions. Although this matter arose before R.F.R.A. was enacted, such a lawsuit is much more likely to be successful today.

In short, it is not in the best interest of our nation and national security for religious liberty legislation to apply to our Armed Forces. Decisions about religious accommodation should be left to the military, not the courts.

I will continue to monitor this most serious matter. It is my sincere hope that the next Administration will recognize the seriousness of this issue and support excluding the military from legislation that creates special religious rights.

VICTIMS OF GUN VIOLENCE

Mr. DURBIN. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

September 5, 1999:

Andre P. Bacon, 21, Chicago, IL;

Agron Berisha, 18, Miami, FL;

Mark Douglas, 34, Fort Wayne, IN;

Princeton L. Douglas, 18, Chicago, IL;

Willie Lassiter, 20, Atlanta, GA;

Denkyira McElroy, 24, Chicago, IL;

Jerry Ojeda, 23, Houston, TX;

Rodney Prince, 18, Baltimore, MD;

Jarhonda Snow, 4, Miami, FL;

Unidentified Female, San Francisco, CA.

One of the gun violence victims I mentioned, 23-year-old Jerry Ojeda from Houston, was drinking with friends when they began taking turns shooting a 9-millimeter pistol into the air. After firing several shots, Jerry took the gun and turned it on himself.

We cannot sit back and allow such senseless gun violence to continue. The deaths of these people are a reminder to all of us that we need to enact sensible gun legislation now.

BUDGET SCOREKEEPING REPORT

Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the budget through July 26, 2000. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2001 Concurrent Resolution on the Budget (H. Con. Res. 290), which replaced the 2000 Concurrent Resolution on the Budget (H. Con. Res. 68).

The estimates show that current level spending is above the budget resolution by $17.5 billion in budget authority and by $20.6 billion in outlays. Current level is $28 million below the revenue floor in 2000.

Since my last report, dated June 20, 2000, the Congress has cleared, and the President has signed, the Military Construction Appropriations Act, fiscal year 2001 (P.L. 106–246). This action changed the 2000 current level of budget authority and outlays.

I ask unanimous consent to have a letter dated July 27, 2000 and its accompanying tables printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 27, 2000.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed tables show the effects of Congressional action on the 2000 budget and are current through July 26, 2000. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 290, the Concurrent Resolution on the Budget for Fiscal Year 2001, which replaced H. Con. Res. 68, the Concurrent Resolution on the Budget for Fiscal Year 2000.

Since my last report, dated June 20, 2000, the Congress has cleared, and the President has signed, the Military Construction Appropriations Act, FY2001 (Public Law 106–246). This action changed budget authority and outlays.

Sincerely,

DAN L. CRIPPEN,
Director.

Enclosures.

TABLE 1.—FISCAL YEAR 2000 SENATE CURRENT LEVEL REPORT, AS OF JULY 26, 2000

[In billions of dollars]

	Budget resolution	Curent level [1]	Current level over/under resolution
On-budget:			
Budget Authority	1,467.3	1,484.8	17.5
Outlays	1,441.1	1,461.7	20.6
Revenues	1,465.5	1,465.5	(2)
Debt Subject to Limit	5,628.3	5,584.5	−43.8
Off-budget:			
Social Security Outlays	326.5	326.5	0.0
Social Security Revenues	479.6	479.6	0.0

[1] Current level is the estimated revenue and direct spending effects of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest information from the U.S. Treasury.

[2] Less than $50 million.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE FISCAL YEAR 2000 SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES, AS OF JULY 26, 2000

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues	n.a	n.a	1,465,480
Permanents and other spending legislation	876,140	836,751	n.a.
Appropriation legislation	869,318	889,756	n.a.
Offsetting receipts	−284,184	−284,184	n.a.
Total, enacted in previous sessions	1,461,274	1,442,323	1,465,480
Enacted this session:			
Omnibus Parks Technical Corrections Act of 1999 (P.L. 106–176)	7	3	0
Wendell H. Ford Aviation Investment and Reform Act (P.L. 106–181)	2,805	0	0
Trade and Development Act of 2000 (P.L. 106–200)	53	52	−8
Agricultural Risk Protection Act of 2000 (P.L. 106–224)	5,500	5,500	0
Military Construction Appropriations Act, FY 2001 (P.L. 106–246)	15,173	13,799	0
Total, enacted this session	223,538	19,354	−8
Entitlements and mandatories: Adjustments to appropriated mandatories to reflect baseline estimates	−35	0	n.a.
Total Current Level	1,484,777	1,461,677	1,465,472
Total Budget Resolution	1,467,300	1,441,100	1,465,500
Current Level Over Budget Resolution	17,477	20,577	n.a.
Current Level Under Budget Resolution	n.a	n.a	28
Memorandum: Emergency designations for bills enacted this session	11,163	2,078	0

Source: Congressional Budget Office.
Notes: P.L. = Public Law; n.a. = not applicable.

THE PROJECT ON GOVERNMENT OVERSIGHT

Mr. BINGAMAN. Mr. President, on July 24, the chairman of the Committee on Energy and Natural Resources, brought before the Senate a report on payments made by the Project on Government Oversight, a public interest group commonly called ''POGO,'' to two federal employees. Unfortunately, the chairman referred to the report in his remarks as a ''committee report.'' It is not, and I think we need to set the record straight on that point.

The rules of the Senate give the Committee on Energy and Natural Resources, like all our standing committees, broad authority to ''make investigations into any matter within its jurisdiction.'' But the power to make investigations rests with the Committee

as a whole. It is not vested in the chairman or any one Senator.

In January, at the chairman's request, the Comptroller General detailed an employee of the General Accounting Office, Mr. Paul Thompson, to the committee to conduct a ''preliminary inquiry'' into the payments. In February, the chairman informed the committee that the inquiry was underway and that he would ''make recommendations'' to the committee ''as soon as we have something tangible.''

The chairman has leapt from ''preliminary inquiry'' to a final report without any intervening action or consideration by the committee. The committee never authorized Mr. Thompson's investigation and it never approved his report. I first learned about it after the chairman posted it on the Internet.

Nor was the report written or approved by the General Accounting Office. Although Mr. Thompson is a GAO employee, he was detailed to the committee. So far as I can tell, no one at the General Accounting Office participated in the investigation or in writing the report. Mr. Thompson's activities were not subject to the professional standards of conduct that govern GAO investigations, and his report was not subject to review and approval by senior GAO officials.

If the chairman had asked the committee to approve Mr. Thompson's report, I would have voted against it. If a majority of the committee had agreed to adopt the report as its own, I would have filed minority views. Since I was not given that opportunity, I will state my views for the RECORD.

POGO's payments to Mr. Berman and Mr. Speir cannot be understood in isolation. They must be viewed in the larger context of the ongoing controversy over federal oil and gas royalties.

Oil companies that produce oil on federal land are, by law, required to pay royalties to the Federal Government based on the value of the oil they produce from federal leases. Many of the major oil companies have been accused of undervaluing and, thus, underpaying the royalties they owe to the American people. The alleged underpayments total many hundreds of millions of dollars.

A few years ago, POGO and various private individuals sued the oil companies under the False Claims Act. The False Claims Act allows a private citizen to sue anyone who has defrauded the Government. If successful, the person bringing the suit, known as a ''relator,'' is entitled to a share of the money recovered by the Government as a result of the suit.

The essential facts surrounding the POGO payments are not in dispute. POGO asked Robert A. Berman, an employee at the Department of the Interior, and Robert A. Speir, an employee at the Department of Energy, to join its False Claims Act suit. Neither man agreed. POGO then offered to share any money it received from its suit with the two men and they agreed. In January 1998, they put their agreement in writing. In August 1998, Mobil Oil Corporation settled the claims against it by paying the Government and the relators a total of $45 million. In November 1998, POGO got about $1.2 million from the settlement and it paid Mr. Berman and Mr. Speir $383,600 apiece out of its share.

The current dispute centers on why POGO made those payments. POGO characterized the payments as ''awards'' for the two men's ''decade-long public-spirited work to expose and stop the oil companies' underpayment of royalties for the production of crude oil on federal and Indian lands.'' POGO's opponents believe POGO had sinister motives.

Mr. Thompson's report attempts to substantiate the opponents' suspicions. I am troubled by Mr. Thompson's report for several reasons.

First, I am troubled by the very nature of Mr. Thompson's report. In his letter of transmittal to Chairman MURKOWSKI, Mr. Thompson makes very serious charges against POGO; its chairman, Mr. Banta; its executive director, Ms. Brian; and the two federal employees who received the payments, Mr. Berman and Mr. Speir. He accuses POGO of paying the two men ''to influence the Department [of the Interior] toward taking actions and adopting policies'' benefiting both POGO and the two employees. Without saying so directly, Mr. Thompson's report insinuates that POGO and the two employees may have broken federal criminal laws against bribery, the payment and acceptance of gratuities, and the payment and acceptance of private compensation for government service.

Yet nowhere in his 42-page report does Mr. Thompson present the evidence necessary to back up his charges. In place of evidence, he offers only theories, speculation, suspicions, circular reasoning, and his personal conviction that all assertions of innocence from Ms. Brian and Messrs. Banta, Berman, and Speir are untrustworthy.

Second, I am troubled by the report's lack of a coherent theory of the case. Mr. Thompson laboriously rebuts the explanations offered by POGO, but never meets his own burdens of production and persuasion.

Part of his problem may stem from the fact that the chairman never defined the scope of the inquiry. Mr. Thompson states that the ''chief concern'' behind the inquiry was ''whether the payments represent an improper influence upon the Department of the Interior's development of its new oil royalty valuation policy,'' but his report focuses little attention on this issue.

Whether the payments improperly influenced the Department of the Interior's oil valuation rule is, of course, a legitimate concern of the Committee on Energy and Natural Resources. In his transmittal letter, Mr. Thompson concludes that the rule ''may have been improperly influenced by'' the payments. Yet his own report fails to support that conclusion. The report states that the two men's involvement in the rulemaking ''terminated'' around December 1996, before the Department of the Interior published its proposed rule in January 1997. After Mr. Berman and Mr. Speir stopped working on the rule, it was substantially revised over the course of 8 public comment periods, 20 public meetings and workshops, the review of thousands of pages of testimony, and close congressional oversight. Mr. Thompson's assertion that POGO's payments may have ''improperly influenced'' the final rule simply is not supported by the rulemaking record.

The bulk of Mr. Thompson's report is devoted to his search for an improper motive for the payments. I do not believe that this is an appropriate use of the committee's investigative powers. The matter is now under investigation by the Inspector General of the Department of the Interior and the Public Integrity Section of the Department of Justice—as it should be. The appearance of impropriety created by the payments warrants investigation, but by the proper authorities. It is for the appropriate law enforcement agencies and, ultimately, the courts, not the Committee on Energy and Natural Resources, to decide if any laws were broken.

This is particularly the case where, as here, the targets of the committee's investigation are not senior policy officials, but private citizens or low-ranking civil servants, and where, as here, the committee has shown a strong bias against the targets of its probe. The chairman of the Energy Subcommittee publicly declared the payments to be ''grossly unethical'' soon after they came to light in May 1999, and the chairman of the full committee publicly declared them to involve ''apparent gross impropriety'' only a month after Mr. Thompson began his investigation.

The Framers wisely kept law enforcement and judicial powers out of Congress's hands, because, as Alexander Hamilton said, ''of the natural propensity of [legislative] bodies to party divisions,'' and their fear that ''the pestilential breath of [party] faction may poison the fountains of justice.'' The strong political feelings recently displayed in the House Committee on Resources over this matter bear this out.

Over two centuries ago, Benjamin Franklin observed that ''There is no kind of dishonesty into which otherwise good people more easily and frequently fall than that of defrauding the Government.'' All too often, otherwise good people are tempted to cheat their Government because they think they can get away with it. All too often, they do, because most fraud against the Government goes unreported. Most federal employees are reluctant to report fraud because they believe nothing

will be done if they do report it, or because they are afraid of reprisal.

For this reason, Congress amended the False Claims Act in 1986, in the words of the Judiciary Committee, ''to encourage any individual knowing of Government fraud to bring that information forward.'' The 1986 amendments offer large rewards to whistleblowers who bring a successful false claims action and afford new protections against employer retaliation. While the amendments do not expressly authorize federal employees to file whistleblower suits, the courts have generally read the amended law to permit them to, since the courts recognize that federal employees are often in the best position to uncover and report government fraud.

What happened here seems fairly clear. Two federal employees had information they believed showed that oil companies were defrauding the Government. They brought it forward to their agencies. They also, it seems likely, may have shared some of that information with POGO. They could have openly joined POGO's False Claims Act suit but, for whatever reason, they chose not to. They chose instead to become, in effect, silent partners in POGO's suit. POGO generously, if foolishly, shared its windfall with them.

Probably all concerned would now agree that this arrangement was a serious mistake. POGO has handed its opponents a powerful weapon with which to wound its credibility and its effectiveness. It has not only brought down a world of trouble on itself, Mr. Berman, and Mr. Speir, but it has deflected attention away from the question of whether the oil companies defrauded the Government to the matter before us.

At the very least, the payment of large sums of money by an outside source to a federal employee for work related activities creates an appearance of impropriety. If the appropriate authorities ultimately determine that the payments to Mr. Berman and Mr. Speir were not unlawful, then Congress may need to tighten the conflict of interest laws to more clearly bar federal employees from accepting such payments in the future, or to amend the False Claims Act to prevent federal employees from aiding or benefiting from False Claims Act suits. Crafting a legislative solution that would prevent a recurrence of this problem in the future would, in my view, be a more constructive—and far more appropriate—use of the Senate's time and energy than trying to build a case against POGO and Messrs. Berman and Speir.

Any changes in the current laws should, however, be carefully drawn to avoid shutting off the legitimate flow of allegations and information about government fraud and corruption from federal employees to organizations like POGO. These organizations play a valuable role in exposing government fraud and corruption. They offer a safe harbor to federal employees who may be unable or unwilling to come forward publicly on their own. We may not always agree with the causes they espouse or the allegations they make, but we would make a terrible mistake if we were to choke off the flow of allegations and information to them or still their voice.

They must, of course, operate within the law. Good intentions do not give them, or the people that come to them, free rein to violate federal conflict of interest laws, agency ethnic rules, or the protective orders of the courts. If anything like that happened in this case, then POGO and the two federal employees should be held accountable by the appropriate law enforcement officials and the courts. But, as the Supreme Court has admonished us in the past, Congress is not a law enforcement agency or a judicial tribunal, and we should not presume to be one in this case.

The Committee on Energy and Natural Resources, like most of the Senate's standing committees, from time to time, has to conduct investigations into certain matters to do its job. The Energy Committee has, in recent years, conducted a number of sensitive investigations into serious allegations of wrongdoing leveled against senior Administration officials whose nominations were pending before the committee. Each of these investigations was handled very thoroughly and professionally on a bipartisan basis by the committee's own lawyers.

Special, partisan investigations like Mr. Thompson's carry with them special problems. By focusing exclusively on proving the guilt of their chosen target, they tend to lose sight of the larger picture and their sense of proportion. Justice Robert Jackson warned us of this danger in the case of prosecutors who ''pick people'' they think they ''should get rather than cases that need to be prosecuted.''

With the law books filled with a great assortment of crimes, [Justice Jackson said,] a prosecutor stands a fair chance of finding at least a technical violation of some act on the part of almost anyone. In such a case, it is not a question of discovering the commission of a crime and then looking for the man who has committed it, it is a question of picking a man and then searching the law books, or putting investigators to work, to pin some offense on him. It is in this realm—in which the prosecutor picks some person he dislikes or desires to embarrass, or selects some group of unpopular persons and then looks for an offense, that the great danger of abuse of prosecuting power lies. It is here that law enforcement becomes personal, and the real crime becomes that of being unpopular with the predominant or governing group, being attached to the wrong political views, or being personally obnoxious to or in the way of the prosecutor himself.

Sadly, I fear that has happened in this case.

COST OF REPORTED BILLS BY THE CONGRESSIONAL BUDGET OFFICE

Mr. SMITH of New Hampshire. Mr. President, Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of reported bills, prepared by the Congressional Budget Office, be included in Senate reports. On July 27, 2000, the Committee on Environment and Public Works filed Senate Report 106–362, accompanying S. 2796, the Water Resource Development Act of 2000, and Senate Report 106–363, accompanying S. 2979, Restoring the Everglades, An American Legacy Act. The cost estimates were not available at the time of filing. The information subsequently was received by the committee and I ask unanimous consent to print it in the CONGRESSIONAL RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 18, 2000.

Hon. ROBERT C. SMITH,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2796, the Water Resources Development Act of 2000.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Rachel Applebaum, who can be reached at 226–2860.

Sincerely,

DAN L. CRIPPEN.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 2796, Water Resources Development Act of 2000, as ordered reported by the Senate Committee on Environment and Public Works on June 28, 2000

Summary

S. 2796 would authorize the Secretary of the Army, acting through the Army Corps of Engineers (Corps), to undertake projects specified in title I of the bill for inland navigation, flood control and damage reduction, environmental restoration, and shore protection. CBO estimates that the bill would authorize about $2 billion (in 2000 dollars) for these projects.

Other provisions of the bill would authorize the Secretary to conduct studies on water resources needs and feasibility studies for specified projects; authorize the Secretary to convey or exchange certain properties; renew, end, or modify previous authorizations for certain projects; and authorize new programs or pilot projects to develop water resources and protect the natural environmental, including a program to restore the natural environment of the south Florida ecosystem. For these activities, CBO estimates that S. 2796 would authorize the appropriation of about $1.7 billion.

Assuming the appropriation of the necessary amounts, including adjustments for increases in anticipated inflation, CBO estimates that implementing S. 2796 would cost about $1.6 billion over the 2001–2005 period, and another $2.5 billion over the following 10 years for the projects that would be authorized by the bill. (Some construction costs and operations and maintenance would occur after this period.) CBO estimates that enacting S. 2796 would increase certain offsetting receipts to the Federal Government by about $3 million over the 2001–2003 period. Because enacting the bill would affect direct spending, pay-as-you-go procedures would apply.

S. 2796 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

State and local governments would incur some costs as a result of the bill's enactment, but these costs would be voluntary.

Estimated Cost to the Federal Government

The estimated budget impact of S. 2796 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and the environment).

[By fiscal year, in millions of dollars]

	2000	2001	2002	2003	2004	2005
Changes in Spending Subject to Appropriation						
Estimated Authorization Level	315	373	357	317	367	.....
Estimated Outlays	223	340	350	341	372	.....
Changes in Direct Spending						
Estimated Budget Authority	−1	a	−2	(1)	(1)	.....
Estimated Outlays	−1	a	−2	(1)	(1)	.....

[1] Less than $500,000.

Basis of Estimate

For this estimate, CBO assumes that S. 2796 will be enacted by the beginning of fiscal year 2001 and that all amounts authorized by the bill will be appropriated for each fiscal year.

Spending Subject to Appropriation

For projects specified in the bill the Corps provided estimates of annual budget authority needed to meet design and construction schedules. CBO adjusted those estimates to reflect the impact of anticipated inflation during the time between authorization and appropriation. Estimated outlays are based on historical spending rates for activities of the Corps.

Direct Spending (including Offsetting Receipts)

Land Exchange in Pike County, Missouri. S. 2796 would authorize the Secretary to receive about 9 acres of land from S.S.S. Lumber, Inc. and convey another 9 acres to the company. If the land the government receives is less valuable than the land the company receives, then the bill would require the company to pay the difference. The bill also requires the company to pay the administrative costs of the exchange. After the exchange is completed, the Federal Government would forgo a small amount of offsetting receipts that are currently collected for the use of this land.

Joe Pool Lake, Trinity River Basin, Texas. S. 2796 would authorize the Secretary to enter into an agreement with the city of Grand Prairie, Texas, to transfer maintenance of Joe Pool Lake from the Trinity River Authority to the city. The bill would relieve the Trinity River Authority of its remaining obligation to repay the Federal Government for construction of the lake, and it would require the city to pay the Federal Government about $2 million in both 2001 and 2003 as a condition of the agreement. Based on information from the Corps, CBO expects the Trinity River Authority will pay its current obligation of about $1 million for 2001, but will default on its subsequent obligations to the government, which total about $14 million over the next 39 years. Because the government would receive more money under S. 2796 than under current law, the agreement with the city would increase offsetting receipts by $1 million in 2001 and $2 million in 2003.

Pay-As-You-Go Considerations

The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting spending or receipts. The net changes in outlays that are subject to pay-as-you-go procedures are shown in the following table. For the purposes of enforcing pay-as-you-go procedures, only the effects in the current year, the budget year, and the succeeding 4 years are counted.

[By fiscal year, in millions of dollars]

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Changes in outlays	0	−1	0	−2	0	0	0	0	0	0	0
Changes in receipts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Estimated Impact on State, Local, and Tribal Governments

S. 2796 contains no intergovernmental mandates as defined in UMRA. State and local governments probably would incur some costs to meet the matching requirements for water resources development projects and other programs authorized by this bill, but these costs would be voluntary. Some State and local governments would benefit from provisions in the bill that would alter cost-sharing obligations.

CBO estimates that non-Federal entities (primarily State and local governments) that choose to participate in the projects and programs authorized by S. 2796 would spend about $2.5 billion (in 2000 dollars) to match the authorized Federal funds. These estimates are based on information provided by the Corps. In addition to these costs, non-Federal entities would pay for the operation and maintenance of many of the projects after they are constructed.

S. 2796 would authorize new environmental restoration programs in several areas of the country. Under these programs, the Secretary of the Army would select projects and enter into agreements with local interests to carry them out and share in the costs. Generally, the non-Federal share of these costs would be 35 percent. The bill also would direct the Corps to carry out a number of projects in support of a plan to restore the Florida Everglades. Non-Federal participants in these projects would pay 50 percent of the project costs.

One section of this bill would benefit non-Federal participants in Corps projects by broadening an existing provision, which requires the Corps to consider the ability of non-Federal participants to pay their share of project costs. Under current law, cost-sharing agreements for flood control projects and agricultural water supply projects are subject to this ''ability to pay'' provision. S. 2796 would add other types of projects, including feasibility studies and projects for environmental protection and restoration, navigation, storm damage protection, shoreline erosion, and hurricane protection.

Estimated Impact on the Private Sector: The bill contains no new private-sector mandates as defined in UMRA.

Estimate Prepared by: Federal Costs: Rachel Applebaum (226–2860); Impact on State, Local, and Tribal Governments: Marjorie Miller (225–3220); Impact on the Private Sector: Sarah Sitarek (226–2940).

Estimate Approved by: Peter H. Fontaine Deputy Assistant Director for Budget Analysis.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 11, 2000.

Hon. ROBERT C. SMITH,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2797, the Restoring the Everglades, an American Legacy Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Rachel Applebaum, who can be reached at 226–2860.

Sincerely,

DAN L. CRIPPEN.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 2797, Restoring the Everglades, an American Legacy Act, as reported by the Senate Committee on Environment and Public Works on July 27, 2000

Summary

S. 2797 would authorize the Secretary of the Army, acting through the Army Corps of Engineers (Corps), to establish a program for protecting the natural environment, providing flood control, and increasing the water supply for the south Florida ecosystem. The bill would authorize appropriations for projects estimated to cost $791 million (at 2000 prices). S. 2797 would require the Secretary to fund 50 percent of the operations and maintenance costs for the specified projects, and to provide administrative support for this effort.

Assuming appropriations for the authorized projects and adjusting their estimated costs for anticipated inflation. CBO estimates that implementing S. 2797 would cost $254 million over the 2001–2005 period, and $665 million over the succeeding 5 years. After 2010, program administration, operations, and maintenance for the specified projects would cost about $12 million annually, S. 2797 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 2797 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). State and local governments might incur some costs to match the Federal funds authorized by this bill, but those costs would be voluntary.

Estimated cost to the Federal Government

The estimated budgetary impact of S. 2797 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and the environment).

[By fiscal year, in millions of dollars]

	2001	2002	2003	2004	2005
Changes in Spending Subject to Appropriation					
Estimated Authorization Level	20	38	49	61	154
Estimated Outlays	15	29	44	57	109

Basis of Estimate

The Corps provided estimates of annual budget authority needed to meet design and construction schedules for projects that would be authorized by the bill. CBO adjusted the estimated project costs to reflect the impact of anticipated inflation during the time between authorization and appropriation. That adjustment brings projected funding for project design and construction to about $900 million.

Estimated outlays are based on historical spending rates for construction projects of the Corps. Outlays are projected to increase significantly after 2004 as design and preliminary work would be completed and major construction work would begin. CBO also estimated the Corps' administrative expenses under the bill (about $3 million a year), as well as operations and maintenance costs ($11 million from 2007 to 2010), and the cost

to the Department of the Interior to purchase certain land specified in the bill ($2 million).

Pay-As-You-Go Considerations: None.

Intergovernmental and Private-Sector Impact

S. 2797 contains no intergovernmental or private-sector mandates as defined in UMRA. The bill would require matching funds from the State of Florida equal to half the cost of the authorized projects, including costs to operate and maintain those projects. Any such expenditures by the State would be voluntary.

Estimate Prepared by: Federal Costs: Rachel Applebaum (226–3220); Impact on the Private Sector: Sarah Sitarek (226–2940).

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

SUBMITTING CHANGES TO THE BUDGETARY AGGREGATES AND APPROPRIATIONS COMMITTEE ALLOCATION

Mr. DOMENICI. Mr. President, section 206(b) of H. Con. Res. 290 (the FY2001 Budget Resolution) requires the Chairman of the Senate Budget Committee to adjust the allocation for the Appropriations Committee and the appropriate budgetary aggregates when the requirements of that section are met. Sec. 5108 of P.L. 106–246, the 2001 Military Construction Appropriations bill, and Sec. 8150 of P.L. 106–259, the 2001 Department of Defense Appropriations bill, satisfy the requirements of section 206(b) of H. Con. Res. 290.

I hereby submit revisions to the 2001 Senate Appropriations Committee allocations, pursuant to section 302 of the Congressional Budget Act, in the following amounts:

	Budget authority	Outlays
Current Allocation:		
General purpose discretionary	$541,738,000,000	$554,360,000,000
Highways		26,920,000,000
Mass transit		4,639,000,000
Mandatory	327,787,000,000	310,215,000,000
Total	869,525,000,000	896,134,000,000
Adjustments:		
General purpose discretionary	+58,558,000,000	+38,413,000,000
Highways		
Mass transit		
Mandatory		
Total	+58,558,000,000	+38,413,000,000
Revised Allocation:		
General purpose discretionary	600,296,000,000	592,773,000,000
Highways		26,920,000,000
Mass transit		4,639,000,000
Mandatory	327,787,000,000	310,215,000,000
Total	928,083,000,000	934,547,000,000

I hereby submit revisions to the 2001 budget aggregates, pursuant to section 311 of the Congressional Budget Act, in the following amounts:

	Budget authority	Outlays	Surplus
Current Allocation:			
Budget Resolution	$1,467,843,000,000	$1,453,081,000,000	$50,119,000,000
Adjustments:			
Sec. 206(b) of H. Con. Res. 290 adjustment	+$58,558,000,000	+$38,413,000,000	−$38,413,000,000
Revised Allocation:			
Budget Resolution	$1,526,401,000,000	$1,491,494,000,000	$11,706,000,000

THE DESIGNATION OF WILSON CREEK IN NORTH CAROLINA AS A WILD, SCENIC, AND RECREATIONAL RIVER

Mr. EDWARDS. Mr. President, I rise today to say how pleased I am that the President recently signed into law H.R. 1749, legislation that designates Wilson Creek in North Carolina as a wild and scenic river. This legislation passed the House of Representatives without opposition, and I was proud to support it here in the Senate and to see it pass just prior to the August recess.

The designation of Wilson Creek as a wild and scenic river is critically important to the local community. It will protect Wilson Creek for use by those who seek a relaxing hike in the woods or an exciting rafting experience. The scenic and recreational areas along Wilson Creek are also some of the most beautiful and ecologically valuable countryside in all of North Carolina. In a time when all of us have so much going on in our lives, Wilson Creek will provide us with a place to relax and enjoy a bit of the natural world.

Wilson Creek is truly a national treasure. It possesses remarkable scenic and recreational value and is home to a wide variety of plant and animal species. It is designated as an Outstanding Resource Water, indicating its exceptional recreational and ecological significance and high level of water quality. It winds its way through rare geologic rock formations that are also quite beautiful. The pools and rapids along Wilson Creek provide opportunities for canoe and kayak enthusiasts to test their skills or take a relaxing paddle. For years, visitors have camped, hiked, fished and played along Wilson Creek, and this designation will ensure that they will continue to enjoy all that the area has to offer for years to come.

I would also like to say a few words about the history of this legislation and the impressive effort that has led us to this important point. It is not enough to say that this measure was a bipartisan effort. This law is the result of a cooperative effort spearheaded by the Caldwell County Commissioners, in which every interested party had a voice. Working with the Forest Service, the Avery County Commissioners, the Caldwell County Chamber of Commerce, the Caldwell County Economic Development Commission, local landowners and the local community, the Commissioners helped develop this important plan to protect permanently Wilson Creek. That this legislation has had such strong local support is a testament to the hard work put forward by all of these groups and individuals. The collaborative effort to craft and pass this legislation will serve as a model for other communities that may have similar projects. They are to be commended for their efforts. I would also like to thank other local officials, citizens, the Forest Service, and everyone else who dedicated so much time, effort, and heart to get us to this point.

Many portions along Wilson Creek exist much as they did more than 100 years ago, and I believe we must do all we can to preserve them. We have a rare opportunity to protect a critically important waterway for future generations, and I am so pleased to see it become law.

ADDITIONAL STATEMENTS

DEVILS LAKE OUTLET

• Mr. DORGAN. Mr. President, I have spoken many times about the need for an emergency outlet for Devils Lake. An article from the Fargo Forum reaffirms the need to act expediently to build an emergency outlet for Devils Lake before a catastrophic natural spill occurs.

Mr. President, I ask that the article be printed in the RECORD.

[From the Fargo Forum, Aug. 22, 2000]

USGS ADDS EVIDENCE FOR OUTLET

A little-noticed report from the U.S. Geological Survey adds more to the vast body of evidence that the Devils Lake, N.D., area is in a wet cycle and will remain in a wet cycle for some time to come.

And that means Devils Lake, which rose 25 feet from February 1993 to August 1999, likely will continue to rise. The lake's elevation today is about 1446.3 feet, or slightly down

from last year's 130-year high. The lake naturally discharges into Stump Lake to the east at level 1447 feet, and into the Tolna Coulee and Sheyenne River at elevation 1459 feet.

Given the USGS conclusions that the wet conditions which have dominated the region since 1977 will continue for at least another decade, it is not unreasonable to assume the lake will rise to the breakout level of 1459 feet.

What happens then?

USGS research suggests a spill into the Sheyenne River would be catastrophic downstream. A discharge would erode sediments in the natural drainage pathways and dump up to 2 million acre feet of water into the river, or about four times the volume of the 1997 flood at Lisbon, N.D. That incredible flood of water would be in addition to normal flows in the Sheyenne.

Opponents of a Devils Lake outlet refuse to recognize the potential of a lake breakout. Like blissful Pollyannas, they don't believe the worst can happen.

It can. If wet conditions persist and nothing is done to control the lake's level, it will.

USGS also says a properly managed outlet would moderate the effects of a catastrophic natural lake breakout. An outlet might not prevent a natural spill into the Sheyenne, but USGS believes chances of a damaging spill would be reduced. Spill volumes and durations would be reduced, thus reducing downstream damage.

An outlet remains the best option for managing the lake's level and protecting downstream interests on the Sheyenne River. The USGS report is the latest evidence supporting an outlet.

Flood prevention is better than reacting to a disaster. The permanent flood at Devils Lake has caused more than its share of personal heartache and property damage. As the lake rises—it will—the potential for disaster will rise with it. Building an outlet now at least will put in place a tool to moderate the effects of the rising water.●

AMERICANS FAVOR DEATH-TAX REPEAL

● Mr. KYL. Mr. President, a number of Senators who opposed the Death Tax Elimination Act have spoken on the Senate floor in recent weeks, suggesting that only a few people care about the unfairness of the tax.

During the death-tax repeal debate back in July, one of the tax's proponents went so far as to question ''whose side are you on?'' if you favor repeal. I have no difficulty answering that at all. We are on the side of the American people.

A June 22–25 Gallup poll found that 60 percent of the people support repeal, even though about three-quarters of those supporters do not think they will ever have to pay a death tax themselves.

A poll conducted by Zogby International on July 6 found that, given a choice between a candidate who believes that a large estate left to heirs should be taxed at a rate of 50 percent for anything over $2 million, and a candidate who believes that the estate tax is unfair to heirs and should be eliminated, 75 percent of the people prefer the person supporting death-tax repeal.

Other polls similarly put support for repeal at between 70 and 80 percent.

Some issues are simply about fairness. It does not matter who benefits. Death-tax proponents just cannot seem to understand that, but the American people do.

The American people have an unwavering sense of fairness. They recognize that there is something terribly wrong when, despite having taxed someone for a lifetime, the federal government can come back one more time when a person dies and take more than half of whatever is left. That is not only unfair, it threatens the American dream.

That is why repeal scores high with the American people in public-opinion polls. It is why repeal is supported by a broad coalition of small business, minority, environmental, family, and seniors organizations. Among those groups are the U.S. Hispanic Chamber of Commerce, the National Indian Business Association, the National Black Chamber of Commerce, the American Farm Bureau Federation, and the National Federation of Independent Business, to name just a few.

Fairness, that is what the effort to repeal the death tax is all about.●

LOCAL RABBI SHEDS TEARS OF JOY

● Mr. ROBB. Mr. President, Rabbi Israel Zoberman, the leader of Congregation Beth Chaverim in Virginia Beach and President of the Hampton Roads Board of Rabbis, recently offered some inspirational comments on the selection of our colleague, Senator JOSEPH I. LIEBERMAN, as the Democratic Nominee for Vice President of the United States. I ask that Rabbi Zoberman's comments be printed in the RECORD.

[From the Virginian-Pilot, Aug. 28, 2000]

JEWISH CANDIDATE FOR VP: LOCAL RABBI SHEDS TEARS OF JOY

(By Rabbi Israel Zoberman)

The Jewish response to events tends to fluctuate from the extreme of elation, of mazal tov!, to the extreme of despair, of oy vey! It is no wonder since the Jewish condition poignantly reflects the tension between the two poles of the human experience; bringing about either a Messianic exaltation concerning sheer survival or a painful note acknowledging a harsh reality.

Former Secretary of State Henry Kissinger is quoted as saying in the past that when you give a Jew optimistic news he turns pessimistic. This exaggeration by the hitherto highest ranking Jewish American, a refugee from Nazi Germany, who lacks Senator Joseph Lieberman's proud religious attachment, is rooted in Jewish caution given the trying lessons of its historical experience. It was no surprise then that upon Senator Lieberman's nomination to the National Democratic ticket, there were those Jews who felt that the ever feared specter of anti-Semitism of pre-World War II days might rear its ugly head again. However, the hard-core anti-Semites on the very fringes of society, already assert that the Jews control the world.

There were those whose first impulse was to give thanks for the ''miracle'' of finally removing a remaining barrier carrying much symbolism. Since American Jews have already made it in our great land, it serves as a significant reminder that not all doors have been fully open. For most Jews, it probably was a mixed response, weighing all possible consequences to the historic act.

Who could remain neutral to Senator Lieberman's own genuine joy mingled with deep, though inclusive, religious expression, and his wife Hadassah's touching sharing of her family Holocaust background. I myself, son of survivors who spent his early childhood in a Displaced Persons Camp in Germany, was moved to tears witnessing a great American drama unfold, reaching a new high.

Indeed we have reason to rejoice in America moving closer to fulfilling its promise to all its citizens with renewed hope now that the highest offices in the land will be available to qualified minority candidates of all groups.

At this turning point, America has the curiosity and opportunity to learn more about the heritage of its fellow Jewish citizens, with its various spiritual movements, in the way that only this breakthrough event can provide. American Jews, at the same time, are poised to hopefully become more reassured about their own religious and ethnic affiliation in a country where their major challenge is not being rejected as Americans in this, our most hospitable home, but rather retaining their Jewish identity in face of unprecedented easy assimilation into the mainstream.

The possible reinvigoration of the political process because of the presently injected excitement, in spite of yet to be proved American response and maturation over the religious factor, is certainly a worthy plus. What our nation urgently needs is less apathy and more involvement by all in an environment with diminished interest in politics and an embarrassing low voting record, which ultimately are the dangers facing our democracy. Civil disagreement, too, on important issues ought to replace the evident cultural war which threatens to tear apart the precious pluralistic fabric of the enviable American quilt—with church and State separation the golden thread keeping it together.●

WILLIAM MAXWELL

● Mr. MOYNIHAN. Mr. President, William Maxwell has left us. As he once put it, an afternoon nap into eternity. Wilborn Hampton, in his wonderful obituary in The New York Times, ends with Bill wondering what he would do there where there was nothing to read!

His list of books ends with the Autobiographies of William Butler Yeats. It would be appropriate to add Yeats' account of a contemporary: ''He was blessed, and had the power to bless.''

He was surely such to this senior Senator. I was a ragamuffin of a lad some fifty–sixty years ago. He suggested to me that I might one day write for The New Yorker. I took the compliment with as much credence as if he had said I might one day play for the Yankees. But then, many years later, I did write for The New Yorker. He had the power to bless.

I ask that a copy of Wilborn Hampton's obituary from the August 1st edition of The New York Times be printed in the RECORD.

[From The New York Times Obituaries, Tues. Aug. 1, 2000]

WILLIAM MAXWELL, 91, AUTHOR AND LEGENDARY EDITOR, DIES

(By Wilborn Hampton)

William Maxwell, a small-town boy from Illinois who edited some of the century's literary lions in 40 years at The New Yorker while also writing novels and short stories that secured his own place in American letters, died yesterday at his home in Manhattan. He was 91.

John Updike, whose early stories for The New Yorker were edited by Mr. Maxwell, said in an interview several years ago: ''They don't make too many Bill Maxwells. A good editor is one who encourages a writer to write his best, and that was Bill.''

''A lot of nice touches in my stories belong to Bill Maxwell,'' Mr. Updike said. ''And I've taken credit for them all.''

In addition to Mr. Updike, Mr. Maxwell, in his career as a fiction editor at The New Yorker, worked with writers like John Cheever, John O'Hara, J.D. Salinger, Shirley Hazzard, Vladimir Nabokov, Mary McCarthy, Eudora Welty, Harold Brodkey, Mavis Gallant, Isaac Bashevis Singer and Frank O'Connor.

Polishing their manuscripts exerted an influence on his own writing, which included six novels, three collections of short stories, a memoir (''Ancestors,'' 1971), a volume of essays and fantasies for children. ''I came, as a result of being an editor, to look for whatever was unnecessary in my own writing,'' he said in a 1995 interview. ''After 40 years, what I came to care about most was not style, but the breath of life.''

William Keepers Maxwell Jr. was born in Lincoln, Ill., on August 16, 1908, one of three sons of William Keepers Maxwell, an insurance executive, and the former Eva Blossom Blinn. When he was 10, his mother died in the influenza epidemic of 1918–19, a shattering experience that he would revisit in ''They Came Like Swallows'' (1937), his second novel and the one that established him as a writer. His 14 years in Lincoln (sometimes called Draperville or Logan in his books), would provide, as Mr. Maxwell later put it, ''three-quarters of the material I would need for the rest of my writing life.''

Lincoln was a postcard Midwestern town with tree-shaded streets and a courthouse square where an annual carnival was held and people paraded on patriotic holidays. In 1992 Mr. Maxwell wrote a reminiscence (in ''Billy Dyer and Other Stories'') of the ''many marvels'' of Lincoln:

''No house, inside or out, was like any other house, and neither were the people who lived in them. Incandescent carbon lamps, suspended high over the intersections, lighted the way home. The streets were paved with brick, and elm trees met over them to provide a canopy of shade. There were hanging baskets of ferns and geraniums, sometimes with American flags, suspended from porch ceilings. The big beautiful white horses in the firehouse had to be exercised, and so on my way to school now and then I got to see the fire engine when nobody's house was on fire.''

After Mr. Maxwell's mother died, he went to live with an aunt and uncle in Bloomington, Ill., which, compared with Lincoln, was a metropolis and ''where something was always going on, even if it was only the cat having kittens.''

From his earliest years, he loved reading. As David Streitfeld put it in an article in The Washington Post, ''Maxwell requires printed matter the way other people need oxygen.'' Mr. Maxwell said ''Treasure Island'' was the first work of literature he ever read. ''At the last page, I turned back to the beginning,'' he said. ''I didn't stop until I had read it five times. I've been that way ever since.''

Mr. Maxwell's father eventually remarried and moved to Chicago, taking his family with him. Mr. Maxwell earned a bachelor's degree at the University of Illinois and a master's at Harvard and taught in Illinois for two years. As a youth he wanted to be a poet, but realized early that he did not have that gift and so started writing stories. He had published one novel, ''Bright Center of Heaven'' (1934), and had a second in his typewriter when he moved to New York with the $200 advance and applied for a job at The New Yorker.

There was a vacancy in the art department, and Mr. Maxwell was hired at $35 a week to fill it. ''I sat in on meetings and then told artists what changes were wanted,'' he said. He eventually moved to the fiction department, where he worked with Katharine White, with whom he formed a lifelong friendship, though one that was always circumscribed by their professional status. Long after both retired, they still wrote letters that began, ''Dear Mrs. White,'' and ''Dear Mr. Maxwell.''

One day during World War II he interviewed a young woman who had applied for a job as poetry editor at The New Yorker. The magazine did not have a separate poetry editor in those days, and Mr. Maxwell had been doubling in that capacity. ''She was very attractive,'' he would succinctly explain later, ''and I pursued the matter.''

The woman did not get the job, but on May 17, 1945. Emily Gilman Noyes and Mr. Maxwell were married. The couple had two daughters, Kate Maxwell and Brookie Maxwell, both of whom live in Manhattan. Mrs. Maxwell died on July 23, in Manhattan. Besides his daughters, Mr. Maxwell is survived by a grandson and a brother, Robert Blinn Maxwell, of Oxnard, Calif.

Mr. Maxwell's last book was ''All the Days and Nights,'' a collection of stories of fables. In a radio interview he said he began the book ''because my wife liked to have me tell her stories when we were in bed in the dark before falling asleep.''

As an editor, Mr. Maxwell was known for his tact in dealing with authors with reputations for being headstrong. He didn't always succeed. Brendan Gill wrote in his memoir, ''Here at The New Yorker,'' that Mr. Maxwell once took the train to Ossining, N.Y., to tell John Cheever that the magazine was rejecting one of his stories. Cheever became furious, not so much at the rejection, but that his courtly editor felt it necessary to come tell him in person.

On another occasion, Mr. Maxwell again boarded a train, this time to go read three new stories by John O'Hara in the presence of the author. It was a command performance and he was nervous. The first two stories he read were not acceptable to The New Yorker, and Mr. Maxwell started reading the third with trepidation. Fortunately, the third turned out to be ''Imagine Kissing Pete,'' one of O'Hara's best.

Some of Cheever's later stories caused consternation at The New Yorker because of the erotic content. When William Shawn, then the editor, objected to a reference to lust, ''I was beside myself,'' Mr. Maxwell said, ''It seems very old-fashioned now, but then it was unacceptable, and there was nothing I could do about it.''

When John Updike has his own editorial battles at The New Yorker, he said he always found an ally in Mr. Maxwell. ''There was always a lot of fiddling, and a lot of the fiddles came from Shawn. And Bill would assist me in ignoring them.''

Sometimes it was the editor who benefited from the advice of the writter. Mr. Maxwell has been working for eight years on a novel that was eventually titled ''The Chateau'' (1961), which he has set in France rather than in the familiar territory of the American Midwest. But it was not coming together. He showed the manuscript to Frank O'Connor, who read it and advised him that there were, in fact, two novels there. ''My relief was immense,'' Mr. Maxwell said, ''because it is a lot easier to make two novels into one than it is to make one out of nothing whatever. So I went ahead and finished the book.''

The letters of Frank O'Connor and Mr. Maxwell from 1945 to 1996, the year of O'Connor's death, were published in 1968 under the title ''The Happiness of Getting It Down Right.'' O'Connor, a prolific contributor to The New Yorker, revised endlessly, and after his death left 17 versions of one story that the magazine had eventually rejected.

Mr. Maxwell's lack of celebrity never disturbed him. ''Why should I let best-seller lists spoil a happy life?'' he said.

Among his novels are ''Time Will Darken It'' (1948) and ''So Long, See You Tomorrow'' (1980). His story collections included ''The Old Man at the Railroad Crossing and Other Tales'' (1966), ''Over by the River, and Other Stories'' (1977) and ''Billy Dyer and Other Stories'' (1992). A collection of essays was published as ''The Outermost Dream'' in 1989.

The 1995 Alfred A. Knopf published a collection of his stories under the title ''All the Days and Nights,'' and Mr. Maxwell gained some long overdue public recognition. Jonathan Yardley, writing in The Washington Post, said the volume showed that ''Maxwell has maintained not merely a high level of consistency but has, if anything, become over the years a deeper and more complex writer.''

His honors included the American Book Award, the Brandeis Creative Arts Medal and the William Dean Howells Medal of the American Academy of Arts and Letters. (He was elected to the academy in 1963.)

In March 1997 Mr. Maxwell wrote an article for The New York Times Magazine in which he talked about his life as a writer and the experiences of age:

''Out of the corner of my eye I see my 90th birthday approaching. I don't yet need a cane, but I have a feeling that my table manners have deteriorated. My posture is what you'd expect of someone addicted to sitting in front of a typewriter.

''Because I actively enjoy sleeping, dreams, the unexplainable dialogues that take place in my head as I am drifting off, all that, I tell myself that lying down to an afternoon nap that goes on and on through eternity is not something to be concerned about,'' he continued. ''What spoils this pleasant fancy is the recollection that when people are dead, they don't read books. This I find unbearable. No Tolstoy, no Chekhov, no Elizabeth Bowen, no Keats, no Rilke.

''Before I am ready to call it quits I would like to reread every book I have ever deeply enjoyed, beginning with Jane Austen and going through shelf after shelf of the bookcases, until I arrive at the 'Autobiographies' of William Butler Yeats.''●

EASTER SEALS OF SOUTHEASTERN MICHIGAN

● Mr. LEVIN. Mr. President, I rise to honor Easter Seals of Southeastern Michigan. On Saturday, September 9, 2000, Easter Seals of Southeastern Michigan will celebrate 80 years of service to the residents of Southeastern Michigan.

Since June 21, 1920, Easter Seals of Southeastern Michigan has been assisting individuals with disabilities and

their families. During this time, Easter Seals of Southeastern Michigan has remained committed to treating every person it serves with equality, dignity and independence.

Guided by these principles, Easter Seals of Southeastern Michigan seeks to provide creative solutions that assist the thousands of families it provides with therapy and support services each year. Nationwide, Easter Seals serves 1 million people annually.

For eight decades, Easter Seals of Southeastern Michigan has served children and adults with disabilities. While September 9, 2000, commemorates these efforts, it is also a day of high hopes and expectations. September 9, 2000, marks the official unveiling of the new Easter Seals facility in Southfield, Michigan. I am confident that this facility will enable Easter Seals of Southeastern Michigan to complete their mission for another 80 years and beyond.

Mr. President, I know my colleagues join me in offering congratulations and best wishes for continuing success to the Easter Seals of Southeastern Michigan, as they celebrate 80 years of service to disabled individuals and their families.●

TRIBUTE TO DOLORES HUERTA

● Mr. KENNEDY. Mr. President. I come here to pay tribute to the remarkable career of one of our nation's most influential labor and civil rights leaders, Dolores Huerta, who has retired as Secretary-Treasurer of the United Farm Workers of America.

Dolores Huerta is a true national treasure. For half a century, the great victories for farm workers, the advances for these hardworking and proud families, would not have been possible without the able leadership and vision of Dolores Huerta. When farm workers marched, Dolores led the way. When farm workers struck for better wages and working conditions, Dolores was at the front of the line. In all of the great boycotts for better jobs for farm workers and their families, it was Dolores who pulled it all together.

Farm workers are her family. And all of us in public life soon learned that if something was wrong with her brother and sisters in the field, Dolores would be knocking on doors to set things right. Her activism was ignited when as a teacher, many of her students came to school suffering from hunger and without adequate clothing. Frustrated by the plight of these children, Dolores decided that she could best serve her community by working as a grass roots advocate and refocused her life to the economic empowerment of the parents of her students—the farm workers.

In 1955, she founded the Stockton, California chapter of the Community Service Organization. There, she began to develop her leadership skills through the organization's advocacy work to end segregation and police brutality, promoting voter registration, and improving public services for the disenfranchised.

The plight of migrant farm workers always remained a central part of her public service. She soon met her kindred spirit in the cause for farm worker rights, Cesar Chavez. Dolores and Cesar embarked on a new path to bring the plight of farm workers in our national consciousness. In 1962, they founded the National Farm Workers Association, the predecessor to the United Farm Workers. Never before did farm workers have a voice in the political process. Under her leadership as Political Director, farm workers began to understand that they could achieve social justice by organizing strikes, boycotts, and voter registration drives. Through Dolores' leadership, once invisible farm workers were now given a human face and became an integral part of the struggle to gain civil rights and equal justice for people of all colors and economic backgrounds.

Dolores will always hold a special place in the hearts of the Kennedy family. Dolores and Cesar Chavez developed a special relationship with my brother Bobby for John F. Kennedy's 1960 presidential campaign. Together, they established the ''Viva Kennedy'' voter registration drive for Hispanic voters in California. That effort was revived in 1968 for Bobby's presidential campaign. l will always remember how her dedication and hard work were instrumental to my brother's California primary victory. Dolores made it possible for Bobby to reach out to Mexican-Americans and convey the message of a common vision for equal justice. She encouraged those who believed that they were disenfranchised to come to the polls for the first time to join in the fight for civil rights and human dignity. My family will always remember and respect Dolores for her strong and skillful efforts as well as her commitment to the great goals that we share.

1973 was yet another turning point for the farm worker movement. When grape growers decided to discontinue the collective bargaining agreements with the United Farm Workers, Dolores organized a national boycott and public education campaign to inform consumers of the poor working conditions and unfair wages that farm workers endured from the agricultural industry. The striking farm workers were subjected to severe harassment and violence. Many of them lost their lives in the struggle. But they would not give up until justice was won. In the end, the California legislature enacted the Agricultural Labor Relations Act. For the first time, farm workers were granted the right to collectively organize and bargain for better wages and working conditions.

Cesar Chavez passed on seven years ago, but the struggle of the farm workers continues. At a time in which most people settle into the slower pace of their golden years, Dolores keeps on fighting the battles that have not yet been won. I am delighted to hear that she will still be on the ramparts and in the trenches for workers in need of her help. Dolores continues to do all she can to empower future generations of Americans to carry the torch that she let so brightly shine over these challenging years. She will also continue her efforts to increase Latino voter participation and develop strong leadership opportunities for Hispanic women around the country, and advocate for the rights of immigrants and working people, speak on behalf of working people across America.

Millions of Americans enjoy a higher quality of life because of her skillful efforts. No one has fought harder for civil rights of people of color, for worker's rights, for environmental rights, for women's and children's rights, for quality education and health care, and for economic empowerment for the poor. The Kennedy family is proud to consider Dolores a friend.

Dolores Huerta is a living legend and a true American hero. Her vision, compassion, and tireless commitment to all Americans is never ending. Nothing we can say or do can truly repay her for all she has done to make our country the strong and more just nation that it is today. From all of us who love and respect her, we say, ''Job well done!''●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting five treaties which were referred to the Committee on Foreign Relations.

MESSAGES FROM THE HOUSE RECEIVED DURING THE ADJOURNMENT OF THE SENATE

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on July 28, 2000, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill:

S. 2869. An act to protect religious liberty, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution:

S. Con. Res. 132. A concurrent resolution providing for a conditional adjournment or recess of the Senate and conditional adjournment of the House of Representatives.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 3519) to provide for negotiations for the creation of a trust fund to be administered by the International Bank for Reconstruction and Development or the

International Development Association to combat the AIDS epidemic.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on August 21, 2000, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

S. 2869. An act to protect religious liberty, and for other purposes.

H.R. 4040. An act to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees, members of the uniformed services, and civilian and military retirees, provide for the correction of retirement coverage errors under chapters 83 and 84 of such title, and for other purposes.

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on August 23, 2000, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 8. An act to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period.

Under the authority of the order of the Senate of January 6, 1999, the enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

Under the authority of the order of the Senate of January 6, 1999, the following enrolled bill, previously signed by the Speaker of the House, was signed on July 28, 2000, by the President pro tempore (Mr. THURMOND):

H.R. 4576. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other puposes.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 728. An act to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resource projects previously funded by the Secretary under such Act or related laws.

H.R. 1102. An act to provide for pension reform, and for other purposes.

H.R. 1264. An act to amend the Internal Revenue Code of 1986 to require that each employer show on the W–2 form of each employee the employer's share of taxes for old-age, survivors, and disability insurance and for hospital insurance for the employee as well as the total amount of such taxes for such employee.

H.R. 2348. An act to authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins.

H.R. 3048. An act to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their families, and for other purposes.

H.R. 3468. An act to direct the Secretary of the Interior to convey to certain water rights to Duchesne City, Utah.

H.R. 4033. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify the procedures and conditions for the award of matching grants for the purchase of armor vests.

H.R. 4079. An act to require the Comptroller General of the United States to conduct a comprehensive fraud audit of the Department of Education.

H.R. 4201. An act to amend the Communications Act of 1934 to clarify the service obligations of noncommercial educational broadcast stations.

H.R. 4923. An act to amend the Internal Revenue Code of 1986 to provide tax incentives for the renewal of distressed communities, to provide for 9 additional empowerment zones and increased tax incentives for empowerment zone development, to encourage investments in new markets, and for other purposes.

H.R. 4846. An act to establish the National Recording Registry in the Library of Congress to maintain and preserve recordings that are culturally, historically, or aesthetically significant, and for other purposes.

H.R. 4888. An act to protect innocent children.

H.R. 4700. An act to grant the consent of the Congress to the Kansas and Missouri Metropolitan Culture District Compact.

H.R. 4681. An act to provide for the adjustment of status of certain Syrian nationals.

H.J. Res. 72. Joint resolution granting the consent of the Congress to the Red River Boundary Compact.

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–10051. A communication from the Director of the Office of Civilian Radioactive Waste Management, Department of Energy, transmitting, pursuant to law, the annual report for fiscal year 1999; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committees on Energy and Natural Resources, and Environment and Public Works.

EC–10052. A communication from the Chief of the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; LAKE ERIE, Red, White and Blues Bang, Huron, OHIO (CGD09–00–020)'' (RIN2115–AA97 (2000–0039)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10053. A communication from the Chief of the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; LAKE ERIE, PORT CLINTON, OHIO (CGD09–00–021)'' (RIN2115–AA97 (2000–0040)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10054. A communication from the Chief of the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; LAKE ERIE, Maumee River, Ohio (CGD09–00–022)'' (RIN2115–AA97 (2000–0041)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10055. A communication from the Chief of the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; LAKE ERIE, Huron River Fest, Huron, OHIO (CGD09–00–023)'' (RIN2115–AA97 (2000–0042)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10056. A communication from the Chief of the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Hill Bay, VA (CGD05–00–020)'' (RIN2115–AA97 (2000–0043)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10057. A communication from the Chief of the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Fireworks Display, Provincetown Harbor, Provincetown, MA (CGD01–00–022)'' (RIN2115–AA97 (2000–0044)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10058. A communication from the Chief of the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Tongass Narrows, Ketchikan, AK (COTP Southeast Alaska 00–008)'' (RIN2115–AA97 (2000–0045)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10059. A communication from the Chief of the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Kill Van Kull Channel, Newark Bay Channel, South Elizabeth Channel, Elizabeth Channel, Port Newark Channel, and New Jersey Pierhead Channel, New York and New Jersey (CGD01–98–165)'' (RIN2115–AA97 (2000–0046)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10060. A communication from the Chief of the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments; Organizational Changes; Miscellaneous Editorial Changes and conforming Amendments (USCG–2000–72233)'' (RIN2115–ZZ02 (2000–0001)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10061. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments (27); Amdt. No. 423 [7–6/7–13]'' (RIN2120–AA63 (2000–0004)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10062. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Aircraft Company 17, 18, 19, 23, 24, 33, 35, 36/A36, A36TC/B36TC, 45, 50, 55, 56, 58, 58TC, 60, 65, 70, 76, 77, 80, 88, and 95 Series Airplanes; docket no. 98–CE–61 [6–12/6–13]'' (RIN2120–AA64 (2000–0368)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10063. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Rolls-Royce plc. RB211 Trent 768–60; Trent

772–60, and Trent 772B–60 Turbofan Engines; docket no. 2000–NE–05 [7–3/7–13]'' (RIN2120–AA64 (2000–0369)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10064. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: ''GE Company Model CF6–80C2A1/A2/A3/A5/A8/D1F Turbofan Engines; docket no. 99–NE–45 [6–27/7–13]'' (RIN2120–AA64 (2000–0370)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10065. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Allison Engine Company Inc. AE007A and AE 3007C Series Turbofan; docket no. 99–NE–15 [7–3/7–13]'' (RIN2120–AA64 (2000–0371)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10066. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A330 and A340 Series Airplanes; docket no. 99–NM–196 [7–3/7–13]'' (RIN2120–AA64 (2000–0372)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10067. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Saab Model 2000 Series Airplanes; docket no. 99–NM–368 [7–7/7–13]'' (RIN2120–AA64 (2000–0373)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10068. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Barrow, AK; docket no. 00–AAL–1[7/5–7/13]'' (RIN2120–AA66 (2000–0166)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10069. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Fairfield, IA; docket no. 00–ACE–13 [7–3/7–13]'' (RIN2120–AA66 (2000–0167)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10070. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Oelwein, IA; docket no. 00–ACE–12 [7–3/7–13]'' (RIN2120–AA66 (2000–0168)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10071. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Albion, NE; docket no. 99–ACE–30 [7–12/7–13]'' (RIN2120–AA66 (2000–0169)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10072. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Hugoton, KS; docket no. 00–ACE–18 [7–12/7–13]'' (RIN2120–AA66 (2000–0170)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10073. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Walnut Ridge, AR; docket no, 2000–ASW–14 [7–12/7–13]'' (RIN2120–AA66 (2000–0171)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10074. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; McPherson, KS; docket no. 00–ACE–17 [7–12/7–13]'' (RIN2120–AA66 (2000–0172)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10075. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class E Airspace; Freeport TX; docket no, 2000–ASW–11; direct final rule; confirmation of effective date 1 [7–12/7–13]'' (RIN2120–AA66 (2000–0173)) received on July 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10076. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Removal of Vessel Moratorium of the GOA and BSAI'' (RIN0648–A000) received on July 19, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10077. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Eastern Aleutian District of the Bering Sea and Aleutian Islands'' received on July 19, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10078. A communication from the Surface Transportation Board, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Carload Waybill Sample and Public Use File Regulations'' received on July 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10079. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Halibut Bycatch Mortality Allowance in the Bering Sea and Aleutian Islands Management Area'' received on July 19, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10080. A communication from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Planning'' received on July 19, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10081. A communication from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Security Requirements for Unclassified Information Technology Resources'' received on July 19, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10082. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (29); amdt. no. 2000 [7–13/7–117]'' (RIN2120–AA65 (2000–0037)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10083. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (42); amdt. no. 1999 [7–13/7–117]'' (RIN2120–AA65 (2000–0038)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10084. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A319, A320, and A321 Series Airplanes; docket no. 99–NM–351[6–19/6–26]'' (RIN2120–AA64 (2000–0346)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10085. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300–600 Series Airplanes; docket no. 98–NM–164 [6–19/6–26]'' (RIN2120–AA64 (2000–0347)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10086. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Saab Model SF340A and 340B Series Airplanes; docket no. 2000–NM–23 [7/13–7/20]'' (RIN2120–AA64 (2000–0377)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10087. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–600, –700, and –800 Series Airplanes; docket no. 2000–NM–209 [7–13/7–20]'' (RIN2120–AA64 (2000–0378)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10088. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Series Airplanes; docket no. 2000–NM–206 [7–13/7–20]'' (RIN2120–AA64 (2000–0379)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10089. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 727 Series Airplanes; docket no. 99–NM–75 [7–13/7–20]'' (RIN2120–AA64 (2000–0381)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10090. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Series Airplanes; Docket no. 99–NM–192 [7–13/7–20]'' (RIN2120–AA64 (2000–0382)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10091. A communication from the Legal Technician of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Transition to New National Driver Register'' (RIN2127–AG68) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10092. A communication from the Assistant Administrator for Satellite and Information Services, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Licensing of Private Remote–Sensing Space Systems'' (RIN0648–AC64) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10093. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Oakley, KS; docket no. 00–ACE–20 [7–14/7–20]'' (RIN2120–AA66 (2000–0176)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10094. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Columbia, MO; docket no. 00–ACE–21 [7–14/7–20]'' (RIN2120–AA66 (2000–0178)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10095. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Carrizo Springs, Glass Ranch, TX; docket no. 2000–ASW–12 [7–18/7–20]'' (RIN2120–AA66 (2000–0179)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10096. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Atwood, KS; docket no. 00–ACE–19 [7–14/7–20]'' (RIN2120–AA66 (2000–0180)) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10097. A communication from the Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Restrictions Applicable to Shrimp Trawl Activities'' (RIN0648–AN30) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10098. A communication from the Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Restrictions to Fishing Activities'' (RIN0648–A019) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10099. A communication from the Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Restrictions Applicable to Shrimp Trawl Activities; Leatherback Conservation Zone'' (RIN0648–A022) received on July 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10100. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Closes Central Regulatory Area of the Gulf of Alaska for Pacific Ocean Perch'' received on July 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10101. A communication from the Assistant Administrator For Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''To Implement Collection of Information Requirements Approved Under Framework 33 to the Northeast Multispecies Fishery Management Plan'' (RIN0648–AN51) received on July 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10102. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Freight Forwarding Facilities for DEA Distributor Registrants'' (RIN117–AA36) received on July 19, 2000; to the Committee on the Judiciary.

EC–10103. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Exempt Anabolic Steroid Products'' (RIN1117–AA51) received on July 27, 2000; to the Committee on the Judiciary.

EC–10104. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report relative to the operation of the premerger notification program; to the Committee on the Judiciary.

EC–10105. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Listed Chemicals; Final Establishment of Thresholds for Iodine and Hydrochloric Gas (Anhydrous Hydrogen Chloride)'' (RIN117–AA43) received on August 21, 2000; to the Committee on the Judiciary.

EC–10106. A communication from the Director of the Administrative Office of the United States Courts, transmitting, pursuant to law, the report relative to capital habeas corpus proceedings for the period of July 1, 1999 through June 30, 2000; to the Committee on the Judiciary.

EC–10107. A communication from the Associate Director of the Office of Legislative, Intergovernmental and Public Affairs, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, the notification of a violation of the Antideficiency Act; to the Committee on Appropriations.

EC–10108. A communication from the Administrator of the Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Food Distribution Program on Indians Reservations—Income Deductions and Miscellaneous Provisions'' (RIN0584–AC81) received on August 21, 2000; to the Committee on Indian Affairs.

EC–10109. A communication from the Director of the Executive Office of the President, Office of Management and Budget, transmitting, pursuant to law, the pay-as-you-go report dated August 9, 2000; to the Committee on the Budget.

EC–10110. A communication from the Secretary of Defense, transmitting the report of a retirement; to the Committee on Armed Services.

EC–10111. A communication from the Associate Bureau Chief of the Wireless Telecommunication Bureau, Federal Communications Commissions, transmitting, pursuant to law, the report of a rule entitled ''Amendments of Parts 0, 80, and 90 of the Commission's Rules to Make the Frequency 156.250 MHz Available for Port Operations Purposes in Los Angeles and Long Beach, CA Ports'' (WT Docket No. 99–332, FCC 00–220) received on July 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10112. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Closes Central Aleutian District of the Bering Sea and Aleutian Islands for Pacific Ocean Perch'' received on July 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10113. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Closes West Yakutat District of the Gulf of Alaska for Pacific Ocean Perch'' received on July 24 , 2000; to the Committee on Commerce, Science, and Transportation.

EC–10114. A communication from the Assistant General Counsel for Regulatory Law, Office of Environmental Management, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Operations Assessments'' (DOE–EM–STD–5505–96) received on July 27, 2000; to the Committee on Energy and Natural Resources.

EC–10115. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Safety of Magnetic Fusion Facilities: Guidance'' (DOE–STD–6003–96) received on July 27, 2000; to the Committee on Energy and Natural Resources.

EC–10116. A communication from the General Counsel of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Final Rule on Well Category Determinations'' (RIN1902–AB98) received on July 27, 2000; to the Committee on Energy and Natural Resources.

EC–10117. A communication from the Acting Director of the Office of Policy, Department of Energy, transmitting, a report entitled ''The Northeast Heating Fuel Market: Assessment and Options''; to the Committee on Energy and Natural Resources.

EC–10118. A communication from the Assistant Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, the report on a rule entitled ''Reexports to Serbia of Foreign Registered Aircraft Subject to the Export Administration Regulations'' (RIN0694–AC26) received on July 25, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10119. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations 65 FR 38212 06/20/2000'' received on July 21, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10120. A communication from the Secretary of the Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Commission Guidance on Mini-Tender Offers and Limited Partnership Tender Offers'' received on July 25, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10121. A communication from the Managing Director of the Office of the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled ''Federal Home Loan Bank Acquired Member Assets, Core Mission Activities, Investments and Advances''

(RIN3069–AA98) received on July 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10122. A communication from the Managing Director of the Office of the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled ''Powers and Responsibilities of Federal Home Loan Bank Boards of Directors and Senior Management'' (RIN3069–AA90) received on July 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10123. A communication from the Fiscal Assistant Secretary of the Department of the Treasury, transmitting, pursuant to law, a notice concerning an annual report on material violations of regulations; to the Committee on Banking, Housing, and Urban Affairs.

EC–10124. A communication from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Amendments to HUD's Mortgagee Review Board and Civil Money Penalty Regulations'' (RIN2501–AC44 (FR–4308–F–02)) received on July 21, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10125. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of the transmittal of the certification of the proposed issuance of an export license relative to Australia, Austria, Canada, Finland, French Guiana, Germany, Italy, Japan, Kourou, NATO, New Zealand, Norway, Russia, Saudi Arabia, Sea Launch, Spain, Sweden, Switzerland, Thailand, and the United Kingdom; to the Committee on Foreign Relations.

EC–10126. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–10127. A communication from the Acting Executive Director of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Civil Monetary Penalties for Inflation'' (RIN3038–AB59) received on July 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10128. A communication from the Under Secretary for Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, a copy of a final rule entitled ''Recipient Claim Establishment and Collection Standards'' received on July 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10129. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Irradiation in the Production, Processing, and Handling of Food'' (Docket No. 98F–0165) received on July 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10130. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Veterinary Services User Fees; Pet Food Facility Inspection and Approval Fees'' (Docket No. 98–045–2) received on July 21, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10131. A communication from the Employee Benefits Manager, Farm Credit Bank, transmitting, pursuant to law, the annual reports of Federal Pension Plans for the plan year January 1, 1999, through December 31, 1999; to the Committee on Governmental Affairs.

EC–10132. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Pre–Tax Allotments for Health Insurance Premiums'' (RIN3206–AJ16) received on July 27, 2000; to the Committee on Governmental Affairs.

EC–10133. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Health Insurance Premium Conversion'' (RIN3206–AJ17) received on July 27, 2000; to the Committee on Governmental Affairs.

EC–10134. A communication from the Executive Director of the Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on July 27, 2000; to the Committee on Governmental Affairs.

EC–10135. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Administrative Claims Under the Federal Tort Claims Act'' (RIN3206–AI70) received on July 27, 2000; to the Committee on Governmental Affairs.

EC–10136. A communication from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting, the report of three items; to the Committee on Environment and Public Works.

EC–10137. A communication from the Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Final Rule To List the Short-tailed Albatross as Endangered in the United States'' received on July 26, 2000; to the Committee on Environment and Public Works.

EC–10138. A communication from the Secretary of Defense, transmitting, a notice relative to a retirement received on July 27, 2000; to the Committee on Armed Services.

EC–10139. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance on section 403(b) plans'' (Revenue Ruling 2000–35) received on July 21, 2000; to the Committee on Finance.

EC–10140. A communication from the Director of Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Delegation of the adjustment of certain temporary agricultural worker (H–2A) petitions, appellate and revocation authority for those petitions to the Secretary of Labor'' (RIN1115–AF29 INS. No. 1946–98) received on July 21, 2000; to the Committee on the Judiciary.

EC–10141. A communication from the Director of the Office of Wage Determinations, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Service Contract Act; Labor Standards for Federal Service Contracts'' (RIN1215–AB26) received on July 26, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10142. A communication from the Chief of the 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 2000–18) received on July 28, 2000; to the Committee on Finance.

EC–10143. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Procedure 2000–32'' (RP–111202–00) received on July 27, 2000; to the Committee on Finance.

EC–10144. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 2000–34 Losses by Blue Cross Blue Shield Organizations'' (Notice 2000–34) received on July 27, 2000; to the Committee on Finance.

EC–10145. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 2000–38 Withholding and Reporting Requirements for section 457(b) plans'' (Notice 2000–38) received on August 1, 2000; to the Committee on Finance.

EC–10146. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''T.D. 8894 Loans From a Qualified Employer Plan to Plan Participants and Beneficiaries'' (RIN1545–AE41) received on July 28, 2000; to the Committee on Finance.

EC–10147. A communication from the Social Security Regulations Officer, transmitting, pursuant to law, the report of a rule entitled ''Revised Medical Criteria for Evaluating Mental Disorders and Traumatic Brain Injury'' (RIN0960–AC74) received on July 31, 2000; to the Committee on Finance.

EC–10148. A communication from the Secretary of Health and Human Services, transmitting, a report relative to establishing minimum nurse staffing ratios in nursing homes; to the Committee on Finance.

EC–10149. A communication from the Associate Administrator of the Tobacco Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Amend Regulations for Tobacco Inspection'' (Docket Number TB–99–02 RIN0581–AB75) received on July 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10150. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A319, A320 and A321 Series Airplanes, 2000NM55'' (RIN2120–AA64 (2000–0384)) received on July 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10151. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: BF Goodrich Main Brake Assemblies as Installed on Airbus Model A319 and A320 Series Airplanes; docket no. 2000–NM–210; [7–21/7–26]'' (RIN2120–AA64 (2000–0385)) received on July 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10152. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD–11 Series Airplanes; docket no. 99–NM–246 [7–19/7–27]'' (RIN2120–AA64 (2000–0386)) received on July 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10153. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–200 and –300 Airplanes, docket no. 2000–NM–216 [7–20/7–27]'' (RIN2120–

AA64 (2000–0387)) received on July 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10154. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–400 Series Airplanes equipped with P & W PW4000 Series Engines; docket n. 99–NM–66 [7–8/7–27]'' (RIN2120–AA64 (2000–0388)) received on July 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10155. A communication from the Attorney–Advisor of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Incentive Grants for Alcohol-Impaired Driving Prevention Programs'' (RIN2127–AH42) received on July 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10156. A communication from the Attorney–Advisor of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Child Restraints Anchorage Systems—response to petitions for reconsideration (second notice)'' (RIN2127–AH86) received on July 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10157. A communication from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Procedural Revisions for Awards Resulting from Broad Agency Announcements'' received on July 28, 2000 ; to the Committee on Commerce, Science, and Transportation.

EC–10158. A communication from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Contract Bundling'' received on July 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10159. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna Specifications and Regulatory Amendment'' (RIN0648–AO03; I.D. 041200D) received on July 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10160. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Black Sea Bass Fishery; Commercial Quota Harvested for Quarter 3 Period'' received on July 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10161. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands'' received on July 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10162. A communication from the Under Secretary for Oceans and Atmosphere, Department of Commerce, transmitting, pursuant to law, the annual report of the Coastal Zone Management Fund for the National Oceanic and Atmospheric Administration for fiscal year 1999; to the Committee on Commerce, Science, and Transportation.

EC–10163. A communication from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, the report on Auction expenditures for fiscal year 1999; to the Committee on Commerce, Science, and Transportation.

EC–10164. A communication from the Deputy Chief of the Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Federal-State Joint Board on Universal Service, CC Docket Nos. 96–45 and 97–21'' (FCC 00–180, CC Docs. 96–45, 97–21) received on July 31, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10165. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Stemme GmbH & Co. KG Models S10–V and S10–VT sailplanes; docket no. 99–CE–25 [7–26/7–31]'' (RIN2120–AA64 (2000–0390)) received on July 31, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10166. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Series Airplanes; docket no. 99–NM–335 [7–19/7–31]'' (RIN2120–AA64 (2000–0391)) received on July 31, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10167. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC 10 –10, –5, 30, and 40 Series Airplanes; Model MD–10–10F and 30F Series Airplanes; and KC 10A Airplanes; docket no. 98–NM–228 [7–19/7–31]'' (RIN2120–AA64 (2000–0392)) received on July 31, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10168. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Series Airplanes; docket no. 99–NM–64 [7–19/7–31]'' (RIN2120–AA64 (2000–0393)) received on July 31, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10169. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–200, 300, 400, and 500 Series Airplanes; docket no. 2000–NM–103 [7–19/7–31]'' (RIN2120–AA64 (2000–0394)) received on July 31, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10170. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Short Brothers Model SD3–60 Series Airplanes; docket no. 2000–NM–12 [7–19/7–31]'' (RIN2120–AA64 (2000–0395)) received on July 31, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10171. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (45); amdt no. 2001 [7–27/7–31]'' (RIN2120–AA65 (2000–039)) received on July 31, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10172. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (46); amdt no. 2002 [7–27/7–31]'' (RIN2120–AA65 (2000–0040)) received on July 31, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10173. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska'' received on August 1, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10174. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Closes Central Regulatory Area of the Gulf of Alaska for Northern Rockfish'' received on August 1, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10175. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Closes Central Regulatory Area of the Gulf of Alaska for Pelagic Shelf Rockfish'' received on August 1, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10176. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Closes West Yakutat District of the Gulf of Alaska for Other Rockfish'' received on August 1, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10177. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish by Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska'' received on August 1, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10178. A communication from the Assistant General Counsel for Regulatory Law, Office of Field Integration, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Implementation Guide for Surveillance and Maintenance During Facility Transition and Disposition'' (DOE G 430.1–2) received on July 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10179. A communication from the Assistant General Counsel for Regulatory Law, Office of Field Integration, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Deactivation Implementation Guide'' (DOE G 430.1–3) received on July 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10180. A communication from the General Counsel of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Optional Certificate and Abandonment Procedures for Applications for New Service Under Section 7 of the Natural Gas Act'' (RIN1902–AB96) received on August 1, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10181. A communication from the Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Repeal of Reporting Requirements Under Public Law 85–804'' (DFARS Case 2000–D016) received on July 28, 2000; to the Committee on Armed Services.

EC–10182. A communication from the Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Streamlined Payment Practices'' (DFARS Case 98–D026) received on July 28, 2000; to the Committee on Armed Services.

EC–10183. A communication from the Secretary of Defense, transmitting, a notice relative to a retirement received on July 28, 2000; to the Committee on Armed Services.

EC–10184. A communication from the Deputy Executive Secretary, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Application Deadline for the Substance Abuse Prevention and Treatment (SAPT) Block Grant Program'' (RIN0930–AA04) received on July 26, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10185. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to emergency funds available to eight states that have been impacted by the heat wave in the South this summer and to Alaska due to the recent fisheries disaster; to the Committee on Health, Education, Labor, and Pensions.

EC–10186. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, transmitting, pursuant to law, the report of a rule entitled ''Secondary Direct Food Additives permitted in Food for Human Consumption; Correction'' (Docket No. 00F–0786) received on August 1, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10187. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the transmittal of the certification of the proposed issuance of an export license relative to Egypt; to the Committee on Foreign Relations.

EC–10188. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the notification of intent to obligate funds for purposes of Nonproliferation and Disarmament Fund activities; to the Committee on Foreign Relations.

EC–10189. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report relative to the physicians comparability allowance (PCA) program; to the Committee on Governmental Affairs.

EC–10190. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 13–375 entitled ''Fiscal Year 2001 Budget Support Act of 2000'' adopted by the Council on June 6, 2000; to the Committee on Governmental Affairs.

EC–10191. A communication from the Executive Director of the Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on August 1, 2000; to the Committee on Governmental Affairs.

EC–10192. A communication from the Director of the Office of Government Ethics, Office of General Counsel and Legal Policy, transmitting, pursuant to law, the report of a rule entitled ''Exemption Under 18 U.S.C. 208(b)(2) for Financial Interests of Non–Federal Government Employers in the Decennial Census'' (RIN3209–AA09) received on August 1, 2000; to the Committee on Governmental Affairs.

EC–10193. A communication from the Comptroller General, transmitting, pursuant to law, a report relative to General Accounting Office employees as of July 14, 2000; to the Committee on Governmental Affairs.

EC–10194. A communication from the Investment Manager, Treasury Division, Army and Air Force Exchange Service, transmitting, pursuant to law, the Annual Report Federal Pensions Plans for calendar year 1999; to the Committee on Governmental Affairs.

EC–10195. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Spanish Pure Breed Horses from Spain'' (Docket no. 99–054–2) received on July 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10196. A communication from the Administrator of the Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Fee Increase for Egg Products Inspection—Year 2000'' (RIN0583–AC71) received on July 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10197. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Brucellosis in Cattle; State and Area Classifications; Louisiana'' (Docket no. 99–052–1) received on July 31, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10198. A communication from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting, pursuant to law, the report of four rules entitled ''Fenpropathrin; Extension of Tolerance for Emergency Exemptions'' (FRL6597–9), ''Diflubenzuron; Pesticide Tolerance'' (FRL6596–3), ''Cerfentrazone–ethyl; Pesticide Tolerance'' (FRL6597–7), and ''Avermectin; Extension of Tolerance for Emergency Exemptions'' (FRL6598–8) received on August 1, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10199. A communication from the Under Secretary for Domestic Finance , Department of the Treasury, transmitting, pursuant to law, the report on the Resolution Funding Corporation for calendar year 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–10200. A communication from the Deputy Secretary of the Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Exemption From Section 101(c)(1) of the Electronic Signatures in Global and National Commerce Act for Registered Investment Companies'' (RIN3235–AH93) received on July 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10201. A communication from the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the report relative to observed trends in the cost and availability of retail banking services; to the Committee on Banking, Housing, and Urban Affairs.

EC–10202. A communication from the President of the United States, transmitting, pursuant to law, the six month periodic report on the national emergency with respect to Iraq; to the Committee on Banking, Housing, and Urban Affairs.

EC–10203. A communication from the President of the United States, transmitting, pursuant to law, a notice relative to the continuation of the Iraqi emergency; to the Committee on Banking, Housing, and Urban Affairs.

EC–10204. A communication from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Approval of Revisions to COMAR 26.11.12 Control of Batch Type Hot-Dip Galvanizing Installations'' (FRL6838–3) and ''Preliminary Assessment Information Reporting; Addition of Certain Chemicals'' (FRL6597–3) received on July 18, 2000; to the Committee on Environment and Public Works.

EC–10205. A communication from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled ''Approval and Promulgation of Implementation Plans; Oklahoma; Revised Format for Materials Being Incorporated by Reference'' (FRL6727–1) and ''Redefinition of the Glycol Ethers Category Under Section 112 (b) (1) of the CAA And Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act'' (FRL6843–3) received on July 27, 2000; to the Committee on Environment and Public Works.

EC–10206. A communication from the Director of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revised, Final Policy Statement on Medical Use of Byproduct Material'' (RIN3150–AF74) received on August 1, 2000; to the Committee on Environment and Public Works.

EC–10207. A communication from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled ''Drinking Water State Revolving Funds'' (FRL6846–5) and ''Identification of Approved and Disapproved Elements of the Great Lakes Guidance Submissions From the States of Michigan, Ohio, Indiana, and Illinois, and Final Rule'' (FRL6846–3) received on August 1, 2000; to the Committee on Environment and Public Works.

EC–10208. A communication from the Deputy Assistant Administrator for Fisheries, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Species; Final Rule Governing Take of 14 Threatened Salmon and Steelhead Evolutionarily Significant Units (ESUs)'' (RIN0648–AK94) received on August 1, 2000; to the Committee on Environment and Public Works.

EC–10209. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the pay-as-you-go reports dated August 4, 2000 and received on August 8, 2000; to the Committee on the Budget.

EC–10210. A communication from the Assistant Secretary of the Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Nationally Recognized Testing Laboratories—Fees; Public Comment Period on Recognition Notices'' (RIN1218–AB57) received on August 7, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10211. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives for Coloring Sutures; D&C Violet No.

2'' (Docket No. 99C–1455) received on August 7, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10212. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products for Over-the-Counter Human Use; Amendment of Final Monograph for OTC Antitussive Drug Products'' (RIN0910–AA01) received on August 8, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10213. A communication from the Secretary of Defense, transmitting, a notice relative to a retirement of a Superintendent of the Air Force Academy; to the Committee on Armed Services.

EC–10214. A communication from the Secretary of Defense, transmitting, a notice relative to a retirement of a Chief of Engineers/Commanding General; to the Committee on Armed Services.

EC–10215. A communication from the Chief of the Programs and Legislation Division, Office of the Legislative Liaison, Department of the Air Force, transmitting, a report relative to cost comparison at Willow Grove Air Reserve Station; to the Committee on Armed Services.

EC–10216. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Enhancement of Dental Benefits under the TRICARE Retiree Dental Program (TRDP)'' received on August 8, 2000; to the Committee on Armed Services.

EC–10217. A communication from the Comptroller General, transmitting, pursuant to law, the June 2000 report; to the Committee on Governmental Affairs.

EC–10218. A communication from the District of Columbia Auditor, transmitting, pursuant to law, the report entitled ''Current Status of the Contract for the District's Consolidated Real Property Inventory System''; to the Committee on Governmental Affairs.

EC–10219. A communication from the Director of Employee Benefits, AgriBank, transmitting, pursuant to law, the report relative to the Seventh Farm Credit District; to the Committee on Governmental Affairs.

EC–10220. A communication from the Director of the Workforce Compensation and Performance Service, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate System; Miscellaneous Changes to Certain Federal Wage System Wage Areas'' (RIN3206–AJ21) received on August 8, 2000; to the Committee on Governmental Affairs.

EC–10221. A communication from the Director of the Workforce Compensation and Performance Service, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Pay Administration; Back Pay; Holidays; and Physicians' Comparability Allowances'' (RIN3206–AI76) received on August 8, 2000; to the Committee on Governmental Affairs.

EC–10222. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report entitled ''Statistical Programs of the United States Government: Fiscal Year 2001''; to the Committee on Governmental Affairs.

EC–10223. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Harbour Town Fireworks Display, Calibogue Sound, Hilton Head, SC (CGD07–00–062)'' (RIN2115–AE46 (2000–0006)) received on August 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10224. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Manchester Fourth of July Fireworks, Manchester, Massachusetts (CGD01–00–157)'' (RIN2115–AA97 (2000–0047)) received on August 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10225. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Seafair Blue Angels Performance, Lake Washington, WA (CGD13–00–022)'' (RIN2115–AA97 (2000–0048)) received on August 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10226. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; United States Army Bridge Exercise across the Arkansas River'' (RIN2115–AA97 (2000–0049)) received on August 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10227. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; USS JOHN F. KENNEDY, Boston Harbor, Boston, Massachusetts (CGD01–00–130)'' (RIN2115–AA97 (2000–0050)) received on August 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10228. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Gastineau Channel, Juneau, AK (COTP Southeast Alaska 00–005)'' (RIN2115–AA97 (2000–0051)) received on August 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10229. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; New York Harbor, Western Long Island Sound, East and Hudson Rivers Fireworks (CGD01–00–004)'' (RIN2115–AA97 (2000–0052)) received on August 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10230. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Air Tractor, Inc. Models AT–501, AT–502, and AT–5–2A Airplanes—docket no. 2000–CE–40 [7–31/8–3]'' (RIN2120–AA64(2000–0397)) received on August 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10231. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD–11 Series Airplanes; docket no. 2000–NM–30 [7–27/8–3]'' (RIN2120–AA64(2000–0398)) received on August 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10232. A communication from the Acting Director of the Office of Sustainable Fisheries, Domestic Fisheries Division, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Summer Period'' received on August 7, 2000; to the Committee on Commerce , Science, and Transportation.

EC–10233. A communication from the Acting Director of the Office of Sustainable Fisheries, Domestic Fisheries Division, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock for Processing by the Inshore Component in the Bering Sea Subarea'' received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10234. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Port Graham, Cook Inlet, Alaska (COTP Western Alaska 00–002)'' (RIN2115–AA97 (2000–0054)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10235. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Presidential Visit, Hudson River New York (CGD01–00–152)'' (RIN2115–AA97 (2000–0057)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10236. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Hudson Valley Triathlon, Hudson River, Ulster Landing, NY (CGD01–00–160)'' (RIN2115–AA97 (2000–0058)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10237. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Groton Long Point Yacht Club Fireworks Display, Main Beach, Groton Long Point, CT(CGD01–00–142)'' (RIN2115–AA97 (2000–0059)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10238. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; San Juan Harbor, Puerto Rico (COTP San Juan 00–065)'' (RIN2115–AA97 (2000–0060)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10239. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Mashantucket Pequot Fireworks Display, Thames River, New London, CT (CGD01–00–012)'' (RIN2115–AA97 (2000–0061)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10240. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Iron Spring Farm Fireworks Display (CGD01–00–140)'' (RIN2115–AA97 (2000–0062)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10241. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Staten Island Fireworks, Arthur Kill (CGD01–00–015)'' (RIN2115–AA97 (2000–0063)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10242. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Presidential Visit, Martha's Vineyard, MA (CGD01–00–190)'' (RIN2115–AA97 (2000–0064)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10243. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Fireworks Display, Peekskill Bay, NY (CGD01–00–184)'' (RIN2115–AA97 (2000–0065)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10244. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Dignitary Arrival/Departure and United Nations Meetings, New York, NY (CGD01–00–146)'' (RIN2115–AA97 (2000–0066)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10245. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; OPSAIL MAINE 2000, Portland, ME (CGD01–99–194)'' (RIN2115–AA97 (2000–0067)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10246. A communication from the Chief of the Office of Regulations and Administrative Law, Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Special Anchorage Areas/Anchorage Grounds Regulations; OPSAIL 2000, Port of New London, CT (CGD01–99–203)'' (RIN2115–AA98 (2000–0006)) received on August 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10247. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73 .202(b), Table of Allotments, DTV Broadcast Stations (Albany, GA)'' (MM Docket No. 99–319, RM–9756) received on August 9, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10248. A communication from the chairman of the Federal Communications Commission, transmitting, pursuant to law, the report relative to market entry barriers in the telecommunications industry; to the Committee on Commerce, Science, and Transportation.

EC–10249. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''TD: Definition of Grantor'' (RIN15450–AX25 TD8890) received on July 28, 2000; to the Committee on Finance.

EC–10250. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 2000–22 Penalty Relief for Information Reporting on Certain Discharges of Indebtedness'' (Notice 2000–22) received on July 28, 2000; to the Committee on Finance.

EC–10251. A communication from the Deputy Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities—Medicare'' (RIN0938–AJ593) received on August 7 , 2000; to the Committee on Finance.

EC–10252. A communication from the Deputy Secretary to the 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 2001 Rates (HCFA–1118–F)'' (RIN0938–AK09) received on August 7, 2000; to the Committee on Finance.

EC–10253. A communication from the Deputy Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program: Provisions of the Balanced Budget Refinement Act of 1999; Hospital Inpatient Payments and Rates and Costs of Graduate Medical Education (HCFA–1131–F)'' (RIN0938–AK20) received on August 7, 2000; to the Committee on Finance.

EC–10254. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rev. Rul. 2000–39 BLS–LIFO Department Store Indexes—June 2000'' (Rev. Rul. 2000–39) received on August 7, 2000; to the Committee on Finance.

EC–10255. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Procedure 2000–35'' (RP–117369–97) received on August 8, 2000; to the Committee on Finance.

EC–10256. A communication from the Deputy Executive Secretary to the Department, Center for Health Plans and Providers, Health Care Financing Administration, transmitting, pursuant to law, the report of a rule entitled ''Prospective Payment System for Hospital Outpatient Services: Revisions to Criteria to Define New or Innovative Medical Devices, Eligible for Pass–Through Payments and Corrections to Criteria for the Grandfather Provision for Certain Federally Qualified Health Center (RIN0939–AI56) received on August 1, 2000; to the Committee on Finance.

EC–10257. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Comprehensive Case Resolution Pilot Notice'' (Notice 2000–43, 2000–35 I.R.B.) received on August 9, 2000; to the Committee on Finance.

EC–10258. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Coordinated Issue: Life Insurance Industry—Loss Utilization in Life-NonLife Consolidated Return—Separate v. Single Entity Approach'' (UIL1503.05–00) received on August 9, 2000 to the Committee on Finance.

EC–10259. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the ''Child Welfare Outcomes 1998: Annual Report''; to the Committee on Finance.

EC–10260. A communication from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting, the report of 2 items; to the Committee on Environment and Public Works.

EC–10261. A communication from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Standards of Performance for New Stationary Sources; Monitoring Requirements (PS–1)'' (FRL6846–6) received on August 3, 2000; to the Committee on Environment and Public Works.

EC–10262. A communication from the Chief of the Terrorism and Violent Crime Section, Department of Justice and Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Accidental Release Prevention Requirements; Risk Management Programs Under the Clean Air Act Section 112(r)(7); Distribution of Off-Site Consequence Analysis Information'' (RIN1105–AA70) received on August 4, 2000; to the Committee on Environment and Public Works.

EC–10263. A communication from the Chief of the Terrorism and Violent Crime Section, Department of Justice and Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled ''Control of Emissions of Air Pollution from 2004 and Later Model Year Heavy Duty Highway Engines and Vehicles; Revision of Light-Duty On-Board Diagnostics Requirements'' (FRL6846–4) and ''Federal Plan Requirements for Hospital/Medical Infectious Waste Incinerators Constructed on or Before June 20, 1996'' (FRL6848–9) received on August 8, 2000; to the Committee on Environment and Public Works.

EC–10264. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Office of Migratory Bird Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Determination That the State Of Delaware Meets Federal Falconry Standards and Amended List of States Meeting Federal Falconry Standards'' (RIN1018–AF93) received on August 9, 2000; to the Committee on Environment and Public Works.

EC–10265. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report with respect to exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC–10266. A communication from the Chairman and President of the Export–Import Bank, transmitting, pursuant to law, a report with respect to exports to Venezuela; to the Committee on Banking, Housing, and Urban Affairs.

EC–10267. A communication from the President of the United States, transmitting, pursuant to law, a notice of the extension of the national emergency declared in Executive Order 12924; to the Committee on Banking, Housing, and Urban Affairs.

EC–10268. A communication from the Deputy Legal Counsel for the Community Development Financial Institutions Fund, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Community Development Financial Institutions Program'' (RIN1505–AA71) received on August 9, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10269. A communication from the Deputy Secretary of the Division of Corporate Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Financial Statements and Periodic Reports for Related Issuers and Guarantors'' (RIN3235–AH52) received on August 9, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10270. A communication from the General Counsel, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule

entitled ''Professional Conduct for Practitioners—Rules and Procedures'' (RIN1125–AA13) received on August 7, 2000; to the Committee on the Judiciary.

EC–10271. A communication from the Under Secretary of Commerce for Intellectual Property, Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled ''Revision of Patent Fees for Fiscal Year 2001'' (RIN0651–AB01) received on August 7, 2000; to the Committee on the Judiciary.

EC–10272. A communication from the Chair of the Sentencing Commission, transmitting, pursuant to law, the annual report for fiscal year 1999; to the Committee on the Judiciary.

EC–10273. A communication from the Acting General Counsel, Office of Government Contracting, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Government Contracting Programs; Contract Bundling Procurement Strategy'' (RIN3245–AE04) received on August 7, 2000; to the Committee on Small Business.

EC–10274. A communication from the Associate Deputy Administrator for Government Contracting and Minority Enterprise Development, Small Business Administration, transmitting, pursuant to law, a report relative to minority small business and capital ownership development for fiscal year 1999; to the Committee on Small Business.

EC–10275. A communication from the Assistant Secretary, Land and Mineral Management, Engineering and Operations Division, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Training of Lessee and Contractor Employees Engaged in Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS)'' (RIN1010–AC41) received on August 7, 2000; to the Committee on Energy and Natural Resources.

EC–10276. A communication from the General Counsel, Federal Energy Regulatory Commission, transiting, pursuant to law, the report of a rule entitled ''Depreciation Accounting, Docket No. RM99–7–000'' (RIN1902–AB85) received on August 8, 2000; to the Committee on Energy and Natural Resources.

EC–10277. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report concerning the final rule entitled ''Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates''; to the Committee on Foreign Relations.

EC–10278. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, a report concerning compliance by the Government of Cuba; to the Committee on Foreign Relations.

EC–10279. A communication from the Chief Counsel, Department of Justice, transmitting, the Foreign Claims Settlement Commission's annual report for calendar year 1999; to the Committee on Foreign Relations.

EC–10280. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–10281. A communication from the Associate Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hazelnuts Grown in Oregon and Washington; Increases Assessment Rate'' (Docket Number: FV00–982–2 FR) received on August 2, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10282. A communication from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting, pursuant to law, the report of three rules entitled ''Imidacloprid; Extension of Tolerances for Emergency Exemptions'' (FRL6736–8), ''Pymetrozine; Pesticide Tolerance'' (FRL6599–2), and ''Sodium Chlorate; Extension of Exemption from Tolerance for Emergency Exemption'' (FRL6599–3) received on August 4, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10283. A communication from the Associate Administrator of the Fruits and Vegetables—Research and Promotion Branch, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Honey Promotion, Research and Information Order; Referendum Procedures'' (Docket Number: FV–00–702–2 FR) received on August 7, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10284. A communication from the Associate Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Nectarines and Peaches Grown in California; Revision of Handling Requirements for Fresh Nectarines and Peaches'' (Docket Number: FV00–916–1 FIR) received on August 9, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10285. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Device; Anesthesiology Devices; Classification of Devices to Relieve Upper Airway Obstruction; Correction'' (Docket No. 00P–1117) received on August 11, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10286. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Loan Interest Rates, 12 CFR Section 701.21(c)(7)(ii)(C)'' received on August 11, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10287. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Air Tractor, Inc. Models AT–501, AT–502, and AT–502A; docket no. 2000–CE–40 [7–31/8–10]'' (RIN 2120–AA64 (2000–0399)) received on August 10, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10288. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace, North Bend, OR; docket no. 99–ANM–12 [7–25/8–10]'' (RIN 2120–AA66 (2000–0181)) received on August 10, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10289. A communication from the ACC for General Law, the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''State Highway Safety Data And Traffic Records Improvements'' (RIN2127–AH43) received on August 10, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10290. A communication from the Attorney of the Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Miscellaneous Amendments'' (RIN2137–AD16) received on August 10, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10291. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna; Harpoon Category Closure'' (I.D. 061500D) received on August 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10292. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Arrowtooth Flounder in the Western Regulatory Area of the Gulf of Alaska'' received on August 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10293. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Western Regulatory Area of the Gulf of Alaska'' received on August 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10294. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Quota Harvested for Period 1'' received on August 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10295. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for Connecticut'' received on August 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10296. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Adjustments'' received on August 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10297. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Emergency for the Summer Flounder Fishery'' (RIN0648–AO32) received on August 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10298. A communication from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of an interim rule entitled ''Cost Accounting Standard Waivers'' received August 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10299. A communication from the Small Business Chair of the Environmental Protection Agency, transmitting, a notice related to regulatory programs; to the Committee on Environment and Public Works.

EC–10300. A communication from the Small Business Advocacy Chair of the Environmental Protection Agency, transmitting, pursuant to law, the report of three rules entitled ''Approval and Promulgation of Air

Quality Implementation Plans; Commonwealth of Pennsylvania; Approval of Revisions to Volatile Organic Compounds Regulations [FRL#6847–3]'', ''Clean Air Act Full Approval of Operating Permit Program; Approval of Expansion of State Program Under Section 112 (1); State of Colorado [FRL#6851–3]'', and ''Fiscal Year 2001 Chesapeake Bay Program Activity Grants, Request for Proposals and Guidelines and Application Package'' received on August 10, 2000; to the Committee on Environment and Public Works.

EC–10301. A communication from the Under Secretary of Commerce for Intellectual Property and Director of the Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled ''Request for Continued Examination Practice and Changes to Provisional Application Practice'' (RIN0651–AB13) received on August 10, 2000; to the Committee on the Judiciary.

EC–10302. A communication from the Acting Assistant Attorney General, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Environmental Impact Review Procedures for the VOI/TIS Grant Program'' (RIN1121–AA52) received on August 11, 2000; to the Committee on the Judiciary.

EC–10303. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''West Virginia Regulatory Program'' (WV–085–FOR) received on August 10, 2000; to the Committee on Energy and Natural Resources.

EC–10304. A communication from the Assistant Secretary for Environmental Management, Department of Energy, transmitting, pursuant to law, a notice relative to the intention to enter into a three-year extension contract DE–AC22–96EW96405; to the Committee on Energy and Natural Resources.

EC–10305. A communication from the Assistant General Counsel for Regulatory Law, Office of Safeguards and Security, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Protective Force Program'' (DOE O 473.2) received on August 11, 2000; to the Committee on Energy and Natural Resources.

EC–10306. A communication from the Assistant General Counsel for Regulatory Law, Office of Safeguards and Security, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Protective Force Program Manual'' (DOE M 473.2–2) received on August 11, 2000; to the Committee on Energy and Natural Resources.

EC–10307. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Fire Protection Design Criteria'' (DOE–STD–1066–99) received on August 11, 2000; to the Committee on Energy and Natural Resources.

EC–10308. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Radiological Control'' (DOE–STD–1098–99) received on August 11, 2000; to the Committee on Energy and Natural Resources.

EC–10309. A communication from the Administrator of the Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Farm Loan Programs Servicing Policies—Servicing Shared Appreciation Agreements'' (RIN0560–AF78) received on August 10, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10310. A communication from the Associate Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Winter Pears Grown in Oregon and Washington; Establishment of Quality Requirements for the Beurre D'Anjou Variety of Pears'' (Docket Number FV00–927–1 FR) received on August 10, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10311. A communication from the Associate Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Cranberries Grown in States of Massachusetts, et al.; Increased Assessment Rate'' (Docket Number FV00–929–4 IFR) received on August 10, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10312. A communication from the Associate Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tart Cherries Grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin; Decreased Assessment Rate'' (Docket Number FV00–930–3 FR) received on August 10, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10313. A communication from the Associate Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon; Modification of Handling Regulations'' (Docket Number FV00–945–1 FIR) received on August 10, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10314. A communication from the Secretary of Defense, transmitting, the report of two retirements; to the Committee on Armed Services.

EC–10315. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the Defense Manpower Requirements Report for fiscal year 2001; to the Committee on Armed Services.

EC–10316. A communication from the Director of the Employment Service; Workforce Restructuring Office, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Career Transition Assistance for Surplus and Displaced Federal Employees'' (RIN3206–AI39) received on August 11, 2000; to the Committee on Governmental Affairs.

EC–10317. A communication from the Executive Director of the Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurements list received on August 11, 2000; to the Committee on Governmental Affairs.

EC–10318. A communication from the Attorney General, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–10319. A communication from the District of Columbia Auditor, transmitting a report relative to the review of metropolitan police department vehicles; to the Committee on Governmental Affairs.

EC–10320. A communication from the Director of the Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Special Procedures for Negotiation of Construction Contracts'' (DFARS Case 2000–D010) received on August 21, 2000; to the Committee on Armed Services.

EC–10321. A communication from the Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Construction and Service Contracts in Noncontiguous States'' (DFARS Case 99–D308) received on August 21, 2000; to the Committee on Armed Services.

EC–10322. A communication from the Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Contract Drawings, Maps, and Specifications'' (DFARS Case 99–D025) received on August 21, 2000; to the Committee on Armed Services.

EC–10323. A communication from the Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Mentor-Program Improvements'' (DFARS Case 99–D307) received on August 21, 2000; to the Committee on Armed Services.

EC–10324. A communication from the Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Transportation Acquisition Policy'' (DFARS Case 99–D009) received on August 21, 2000; to the Committee on Armed Services.

EC–10325. A communication from the Director of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''North American Industry Classification System'' (DFARS Case 2000–D015) received on August 21, 2000; to the Committee on Armed Services.

EC–10326. A communication from the Director of the Office of the Secretary of Defense (Administration and Management), transmitting, pursuant to law, a report relative to printing and duplicating services during fiscal year 1999; to the Committee on Armed Services.

EC–10327. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a report relative to purchases from foreign entities in fiscal year 1999; to the Committee on Armed Services.

EC–10328. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted for Direct Addition to Food for Human Consumption; Calcium Disodium EDTA and Disodium EDTA'' (Docket No. 00F–0119) received on August 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10329. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt From Certification; Luminescent Zinc Sulfide'' (Docket No. 97C–0415) received on August 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10330. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Gastroenterology and Urology Devices; Reclassification of the Extracorporeal Shock Wave Lithotripter'' (Docket No. 98N–1134) received on August 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10331. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Topical Optic Drug Products for Over-the-Counter Human Use; Products for Drying Water-Clogged Ears; Amendment of Monograph; Lift of Partial Stay of Effective Date''

(RIN0910–AA01) received on August 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10332. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''New Animal Drug Applications; Sheep as a Minor Species'' (Docket No. 99N–2151) received on August 21, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10333. A communication from the Assistant Secretary for Civil Rights, Department of Education, transmitting, pursuant to law, the Fiscal Year 1999 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC–10334. A communication form the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Comprehensive Community Mental Health Services for Children and Their Families Program; to the Committee on Health, Education, Labor, and Pensions.

EC–10335. A communication from the Deputy Director of the Office of Enforcement Policy, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Attestations by Facilities Temporarily Employing H–1C Nonimmigrant Aliens as Registered Nurses'' (RIN1205–AB27) received on August 22, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10336. A communication from the Assistant General Counsel for Regulations, Special Education & Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitative Research'' (RIN84.133G) received on August 24, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10337. A communication from the Director of the Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' received on August 23, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–10338. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a notification relative to emergency funds; to the Committee on Health, Education, Labor, and Pensions.

EC–10339. A communication from the Director of the Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Veterans Training: Vocational Rehabilitation Subsistence Allowance Rates'' (RIN2900–AI74) received on August 23, 2000; to the Committee on Veterans' Affairs.

EC–10340. A communication from the Secretary of Labor, transmitting, pursuant to law, the report describing employment and training programs for veterans during program year 1998 and fiscal year 1999; to the Committee on Veterans' Affairs.

EC–10341. A communication from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Initiation of Civil Money Penalty Action for Failing to Disclose Lead-Based Paint Hazards: Amendments Concerning Official to Initiate Action'' (RIN2501–AC74(FR–4609–F–01)) received on August 21, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10342. A communication from the Assistant General Counsel for Regulations, Office of Inspector General, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Privacy Act of 1974'' (RIN2508–AA11 (FR–4575–F–03)) received on August 21, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10343. A communication from the Deputy Secretary of the Office of General Counsel, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulation FD, Exchange Act Rules 10b5–1 and 10b5–2'' (RIN3235–AH82) received on August 15, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10344. A communication from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Regulation T—Credit by Brokers and Dealers'' received on August 21, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10345. A communication from the Director of the Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the Bank Secrecy Act Regulations—Exemptions from the Requirement to Report Transactions in Currency; Interim Rule'' (RIN1506–AA23) received on August 16, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10346. A communication from the Under Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, a report relative to the expansion of certain foreign policy-based export controls; to the Committee on Banking, Housing, and Urban Affairs.

EC–10347. A communication from the Assistant General Counsel for Regulations, Office of the Assistant Secretary for Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Public Housing Agency (PHA) Plan: Streamlined Plans'' (RIN2577–AB89 (FR–4420–F–09)) received on August 21, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–10348. A communication from the Attorney of the Office of the Secretary of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Relocation of Standard Time Zone Boundary in the State of Kentucky'' (RIN2105–AC80 (2000–0002)) received on August 15, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10349. A communication from the Acting Assistant Administrator For Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Closure of Critical Habitat Pursuant to a Court Order'' (RIN0648–AO44) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10350. A communication from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Central Contractor Registration (CCR)'' received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10351. A communication from the Chairman of the Bureau of Enforcement, Federal Maritime Commission, transmitting, pursuant to law, the report of a rule entitled ''Inflation Adjustment of Civil Monetary Penalties'' (FMC Docket No.: 00–09) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10352. A communication from the Chief of Policy and Program Planning, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket No. 98–147, Order on Reconsideration and Second Further Notice of Proposed Rulemaking, and Fifth Further Notice of Proposed Rulemaking in CC Docket No. 96–98.'' (FCC 00–297, CC DOCS. 98–147, 96–98) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10353. A communication from the Director of the Minority Business Development Agency, Department of Commerce, transmitting, pursuant to law, a notification relative to the solicitation of applications (RIN0640–ZA08) received on August 22, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10354. A communication from the Deputy Assistant Administrator, Estuarine Reserves Division, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Federal Register Notice/FY01 National Estuarine Research Reserve Graduate Research Fellowship'' (RIN0648–ZA89) received on August 22, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10355. A communication from the Assistant Administrator for Satellite and Information Services, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Office of Research and Applications Ocean Remote Sensing Program Notice of Financial Assistance'' (RIN0648–ZA90) received on August 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10356. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement Framework Adjustment 35 to the Northeast Multispecies Fishery Management Plan'' (RIN0648–AO15) received on August 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10357. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Opens Central Regulatory Area, Gulf of Alaska, for pollock catcher vessels that are non-exempt under the American Fisheries Act'' received on August 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10358. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule Implementing Amendment 12 to the Fishery Management Plan for the Snapper–Grouper Fishery of the South Atlantic Region'' (RIN0648–AN39) received on August 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10359. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–400 Series Airplanes; docket no. 2000–NM–151 [7–25/8–14]'' (2120–AA64 (2000–0400)) received on August 15, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10360. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled ''Airworthiness Directives: Boeing Model 727 Series Airplanes Modified in Accordance with Valsan Supplemental Type Certificate (STC) SA4363NM; docket no. 2000–NM–248 [7–31/8–14]'' (2120–AA64 (2000–0401)) received on August 15, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10361. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''General Rulemaking Procedures; docket no. FAA1999–6622 [8–21/8–17]'' (2120–AG95) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10362. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–8 Series Airplanes; docket no. 2000–NM–100 [8–3/8–17]'' (2120–AA64 (2000–0413)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10363. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Eurocopter France Model SA–365N, N1, AS–365N2, and N3 Helicopters; Docket no. 2000–SW–09 [8–9/8–17]'' (2120–AA64 (2000–0404)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10364. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A319, A320, and A321 Series Airplanes; docket no. 99–NM–331 [8–14/8–17]'' (2120–AA64 (2000–0403)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10365. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''AD—Bell Helicopter Textron In .–manufactured Model HH–1K, TH–1F, UH–1A, UH1B, UH–1E, UH–1F, Uh–1H, UH–1L, and UH–1P; & Southwest Florida Aviation SW–204, SW204–HP, SW–205 & SW205A–1 Helicopters; doc #2000–SW–01 [8–9/8–17]'' (2120–AA64 (2000–0405)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10366. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopter Textron Canada Model 430 Helicopters; docket no. 99–SW–84 [8–15/8–17]'' (2120–AA64 (2000–0406)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10367. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Sikorsky Aircraft Corporation Model S–76 Series Helicopters; docket no. 2000–SW–26 [8–15/8–17]'' (2120–AA64 (2000–0407)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10368. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McCauley Propeller Model 4HFR34C653/L106FA–); docket no. 2000–NE–17 [8–8/8–17]'' (2120–AA64 (2000–0408)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10369. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopter Textron Canada Model 407 Helicopters; Docket no. 2000–SW–10 [7–28/8–17]'' (2120–AA64 (2000–0409)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10370. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–10 Series Airplanes; docket no. 99–NM–215 [7–31/8–17]'' (2120–AA64 (2000–0410)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10371. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–10 Series Airplanes; docket no. 99–NM–214 [7–31/8–17]'' (2120–AA64 (2000–0411)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10372. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–10–10, –10F, –15, –30, –30F (KC–10A and KDC–10 Military), –40, and –40F Series Airplanes; docket no. 99–NM–211 [7–31/8–17]'' (2120–AA64 (2000–0412)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10373. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Honeywell International Inc. TFE31, 2, 3, 4, and 5 Series Turbofan Engines; docket no. 99–NE–10 [8–8/8–17]'' (2120–AA64 (2000–0414)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10374. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Minneapolis, Crystal Airport, MN; Correction; docket no. 00–AGL–10'' (2120–AA66 (2000–0182)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10375. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Ionia, MI; docket no. 00–AGL–13 [7–26/8–17]'' (2120–AA66 (2000–0183)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10376. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Greenwood/Wonder Lake, IL; docket no. 00–AGL–12 [7–26/8–17]'' (2120–AA66 (2000–0184)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10377. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Shelbyville, IN; docket no. 00–AGL–11 [7–24/8–17]'' (2120–AA66 (2000–0185)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10378. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Elkhart, KS ; docket no. 00–ACE–22 [7–25/8–17]'' (2120–AA66 (2000–0186)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10379. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D Airspace; Kissimmee, FL; docket no. 00–ASO–23 [8–4/8–17]'' (2120–AA66 (2000–0187)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10380. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D Airspace; Oakgrove, NC; docket no. 00–ASO–24 [8–4/8–17]'' (2120–AA66 (2000–0188)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10381. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D Airspace; Boca Raton, FL; docket no. 00–ASO–22 [8–7/8–17]'' (2120–AA66 (2000–0189)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10382. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Marquette, MI; docket no. 00–AGL–02 [7–26/8–17]'' (2120–AA66 (2000–0191)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10383. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class D Airspace; Gary, IN ; and Modification of Class E Airspace; Gary, IN; docket no. 00–AGL–16 [7–26/8–17]'' (2120–AA66 (2000–0192)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10384. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class D and Class E Airspace; Chicago, Aurora Municipal; Airport, IL; docket no. 00–AGL–15 [7–26/8–17]'' (2120–AA66 (2000–0193)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10385. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Washington, MO; docket no. 00–ACE–24 [8–11/8–17]'' (2120–AA66 (2000–0194)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10386. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Denglewod CO; correction; docket no. 00–ANM–01 [8/10–/8–17]'' (2120–AA66 (2000–0195)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10387. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled ''Modification of Class E Airspace; Wenatchee, WA; docket no. 00–ANM–07 [8–10/8–17]'' (2120–AA66 (2000–0196)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10388. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled Revocation of Restricted Area R–3302 Savanna; IL; docket no. 00–AGL–21 [8–14/8–17]'' (2120–AA66 (2000–0197)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10389. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of VOR Federal Airway V–162; docket no. 00–AEA–1 [8–9/8–17]'' (2120–AA66 (2000–0198)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10390. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Atwood, KS; correction; docket no. 00–ACE–19 [8–9/8–17]'' (2120–AA66 (2000–0199)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10391. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Realignment of Jet Route J–151; docket no. 99–ASO–12 [8–7/8–17]'' (2120–AA66 (2000–0190)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10392. A communication from the Attorney Advisor, Common Carrier Bureau, Accounting Policy Division, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Federal-State Joint Board on Universal Service, CC Docket No. 96–45, Twentieth Order on Reconsideration'' (FCC 00–126, CC Doc. 96–45) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10393. A communication from the Attorney Advisor, Common Carrier Bureau, Accounting Policy Division, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Federal–State Joint Board on Universal Service, CC Docket No. 96–45, 19th Order on Reconsideration'' (FCC 99–396, CC Doc. 96–45) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10394. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; Harford County Power Boat Regatta, Bush River, Abingdon, Maryland (CGD05–00–028)'' (RIN2115–AE46 (2000–0007)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10395. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; Eighth Coast Guard District Annual Marine Events (CGD08–99–066)'' (RIN2115–AE46 (2000–0008)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10396. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; Thunder on the Narrows Hydroplane Races, Prospect Bay, Kent Island Narrows, Maryland (CGD05–00–027)'' (RIN2115–AE46 (2000–0009)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10397. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations: Elizabeth River, NJ (CGD01–00–194)'' (RIN2115–AE47 (2000–0035)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10398. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Bayou Boeuf, LA (CGD08–00–017)'' (RIN2115–AE47 (2000–0036)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10399. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations: Atlantic Intracoastal Waterway, mile 739.2, Jacksonville, FL (CGD07–00–066)'' (RIN2115–AE47 (2000–0037)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10400. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations: Westchester Creek, Bronx River, and Hutchinson River, NY (CGD01–99–070)'' (RIN2115–AE47 (2000–0038)) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10401. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Newton Creek, Dutch Kills, English Kills and their Tributaries, NY (CGD01–99–069)'' (RIN2115–AE47 (2000–0041)) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10402. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations: Gowanus Canal, NY (CGD01–99–067)'' (RIN2115–AE47 (2000–0040)) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10403. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: Presidential Visit, Martha's Vineyard, MA (CGD01–00–189)'' (RIN2115–AA97 (2000–0068)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10404. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Guayanilla Bay, Guayanilla, Puerto Rico (San Juan 00–059)'' (RIN2115–AA97 (2000–0069)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10405. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: Saybrook Summer Pops Concert, Saybrook Point Connecticut River, CT (CGD01–00–191)'' (RIN2115–AA97 (2000–0070)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10406. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: Village of Bellport Fireworks Display (CGD01–00–186)'' (RIN2115–AA97 (2000–0071)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10407. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; U.S. Marine Corps Water Jump, Resurrection Bay, Seward, Alaska (COPT Western Alaska 00–010)'' (RIN2115–AA97 (2000–0072)) received on August 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10408. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: Fireworks Display, Hudson River, Pier 84, NY (CGD01–00–204)'' (RIN2115–AA97 (2000–0073)) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10409. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: Fireworks Display, Western Long Island Sound, Larchmont, NY (CGD01–00–192)'' (RIN2115–AA97 (2000–0074)) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10410. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: T.E.L. Enterprises, Great South Bay, Davis Park, Sayville, NY (CGD01–00–195)'' (RIN2115–AA97 (2000–0075)) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10411. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: Tampa Bay, Florida (COTP Tampa 00–061)'' (RIN2115–AA97 (2000–0076)) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10412. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Chesapeake Bay, Hampton, VA (CGD05–00–035)'' (RIN2115–AA97 (2000–0077)) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10413. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: McArdle (Meridian Street) Bridge, Chelsea River, Chelsea, Massachusetts (CGD01–00–203)'' (RIN2115–AA97 (2000–0078)) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10414. A communication from the Attorney Advisor of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Insurer Reporting Requirements for October 1999'' (RIN2127–AH62) received on August 15, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10415. A communication from the Attorney Advisor of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Insurer Reporting Requirements for October 2000'' (RIN2127–AH77) received on August 15, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10416. A communication from the Attorney Advisor of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Uniform Tire Quality Grading Standards Information'' (RIN2127–AH82) received on August 15 , 2000; to the Committee on Commerce, Science, and Transportation.

EC–10417. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna; Adjustment of General Category Daily Retention Limit on Previously Designated Restricted Fishing Days'' (I.D.072100C) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10418. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Closes Fishing for the Shallow-Water Species With Trawl Gear in the Gulf of Alaska'' received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10419. A communication from the Associate Bureau Chief, Wireless Telecommunications, Policy & Rules Branch, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the Commission's Rules Regarding a Plan for Sharing the Costs of Microwave Relocation'' (WT Docket No. 95–157; FCC 00–123) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10420. A communication from the Associate Bureau Chief, Wireless Telecommunications, Policy and Rules Branch, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of the Commission's Rules Regarding Multiple Address Systems – 47 C.F.R. Parts 22 and 101'' (WT Docket No. 97–81, FCC 99–415) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10421. A communication from the Assistant Administrator For Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Regulatory Amendment under the Fishery Management Plan for Reef Fish Resources of the Gulf of Mexico to Establish Red Snapper Management Measures for 2000'' (RIN0648–AM04) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10422. A communication from the Assistant Administrator For Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Pelagic Longline Management'' (RIN0648–AM79; I.D. 110499B) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10423. A communication from the Assistant Administrator For Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Allocation of Pacific Cod among Vessels Using Hook-and-line or Pot Gear in the Bering Sea and Aleutian Islands'' (RIN0648–AN25) received on August 23, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10424. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Pacific Junction, Iowa)'' (MM Docket No. 99–50, RM–9425) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10425. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, Stratford and Lincoln, NH'' (MM Docket No. 99–84, RM–9501, RM–9594) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10426. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of FM Allotments; FM Broadcast Stations Fountain Green and Levan, Utah'' (MM Docket No. 99–222, RM–9602, RM–9789) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10427. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Scappoose and Tillamook, OR)'' (MM Docket No. 99–276, RM–9702) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10428. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Elberton and Lavonia, Georgia); in re Application of Waves of Mercy Productions, Inc., Pendergrass, GA, for Construction Permit for New Noncommercial FM Station'' (MM Docket 99–343, RM–9750; BPED–19990630MB) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10429. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Parts 21 and 74 to Enable Multipoint Distribution Service and Instructional Television Fixed Service Licensees to Engage in Two–Way Transmissions'' (MM Docket No. 97–217; FCC 00–244) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10430. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of FM Allotments, FM Broadcast Stations Hayward, Wisconsin'' (MM Docket No. 00–23, RM–9819) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10431. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Angel Fire, Chama, and Taos, NM)'' (MM Docket No. 99–116, RM–9536) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10432. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Mason, Menard and Fredericksburg, TX)'' (MM Docket No. 99–215, RM–9337, RM–9892) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10433. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of FM Allotments, FM Broadcast Stations Saint Regis, Montana'' (MM Docket No. 99–225, RM–9635) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10434. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Keeseville and Dannemora, NY)'' (MM Docket No. 99–285, RM–9717, RM–9808) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10435. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, Minerva, NY'' (MM Docket No. 99–345, RM–9782) received on August 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10437. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Abolishment of the Philadelphia, PA, Special Wage Schedule for Printing Positions'' (RIN 3206–AJ22) received on August 21, 2000; to the Committee on Governmental Affairs.

EC–10438. A communication from the Chairman of the Broadcasting Board of Governors, transmitting, pursuant to law, a report relative to commercial activities inventory; to the Committee on Governmental Affairs.

EC–10439. A communication from the Executive Director of the Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on August 21, 2000; to the Committee on Governmental Affairs.

EC–10440. A communication from the Executive Director of the Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on August 23, 2000; to the Committee on Governmental Affairs.

EC–10441. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report relative to the waste isolation pilot plant; to the Committee on Energy and Natural Resources.

EC–10442. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Guidelines for Preparing Criticality Safety Evaluations at Department of Energy Non–Reactor Nuclear Facilities'' (DOE–STD–3007–93, Change Notice No. 1) received on July 27, 2000; to the Committee on Energy and Natural Resources.

EC–10443. A communication from the Assistant Secretary of the Policy, Management, and Budget, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, the report relative to local hire actions; to the Committee on Energy and Natural Resources.

EC–10444. A communication from the Assistant Secretary, Land and Minerals Management, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Leasing of Solid Minerals other than Coal or Oil Shale'' (RIN1004–AC49) received on August 16, 2000; to the Committee on Energy and Natural Resources.

EC–10445. A communication from the Assistant Secretary, Land and Minerals Management, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Financial Assistance, Local Governments 43 CFR Part 1880, Subpart 1881'' (RIN1004–AD23) received on August 21, 2000; to the Committee on Energy and Natural Resources.

EC–10446. A communication from the Secretary of the Interior, transmitting, pursuant to law, the report of the Office of Surface Mining for 1999; to the Committee on Energy and Natural Resources.

EC–10447. A communication from the Acting Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, the report entitled ''Annual Energy Review 1999''; to the Committee on Energy and Natural Resources.

EC–10448. A communication from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''OMB Approvals Under the Paperwork Reduction Act; Technical Amendment (FRL#6846–8) received on August 15, 2000; to the Committee on Environment and Public Works.

EC–10449. A communicaton from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Final Frameworks for Early Season Migratory Bird Hunting Regulations'' (RIN1018–AG08) received on August 17, 2000; to the Committee on Environment and Public Works.

EC–10450. A communication from the Director of the Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the repport of a rule entitled ''10CFR Part 72—Clarification and Addition of Flexibility'' (RIN3150–AG15) received on August 22, 2000; to the Committee on Environment and Public Works.

EC–10451. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, the report of two items; to the Committee on Environment and Public Works.

EC–10452. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, the report of four items; to the Committee on Environment and Public Works.

EC–10453. A communication from the Regulations Officer of the Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Payroll and Related Expenses of Public Employees; General Administration and Other Overhead; and Cost Accumulation Centers and Distribution Methods'' (RIN2125–AE74) received on August 17, 2000; to the Committee on Environment and Public Works.

EC–10454. A communication from the Regulations Officer of the Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Temporary Matching Fund Waiver'' (RIN2125–AE76) received on August 17, 2000; to the Committee on Environment and Public Works.

EC–10455. A communication from the Director of the Regulatory Management Staff, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Maintenance Plan and Designation of Area for Air Quality Planning Purpose for Carbon Monoxide; State of Arizona; Correction (FRL#6852–6) received on August 15, 2000; to the Committee on Environment and Public Works.

EC–10456. A communication from the Director of the Regulatory Management Staff, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Pharmaceuticals Production'' (FRL#6855–1) received on August 16, 2000; to the Committee on Environment and Public Works.

EC–10457. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a report of a rule relative to nonimmigrant visa fees received on August 21, 2000; to the Committee on Foreign Relations.

EC–10458. A communication from the Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule concerning the acceptance of nonimmigrant petitions received on August 21, 2000; to the Committee on Foreign Relations.

EC–10459. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–10460. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a report relative to foreign agents for the period from July 1, 1999 through December 31, 1999; to the Committee on Foreign Relations.

EC–10461. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modification of Tax Shelter Rules'' (RIN1545–AY37) received on August 11, 2000; to the Committee on Finance.

EC–10462. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance under section 108(e)(4) regarding related parties'' (Rev. Proc.. 2000–33, 2000–36 I.R.B.) received on August 16, 2000; to the Committee on Finance.

EC–10463. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 2000–44'' (RINOGI–110806–00) received on August 17, 2000; to the Committee on Finance.

EC–10464. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''September 2000 Applicable Federal Rates'' (Revenue Ruling 2000–41) received on August 17, 2000; to the Committee on Finance.

EC–10465. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 2000–45 Preproductive periods of certain plants'' (Notice 2000–45) received on August 21, 2000; to the Committee on Finance.

EC–10466. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Extension of Due Date for Electronically Filed Information Returns; Limitation of Failure to Pay Penalty for Individuals During Period of Installment Agreement'' (RIN1545–AX31 (TD8895)) received on August 21, 2000; to the Committee on Finance.

EC–10467. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rules for Property Produced in a Farming Business'' (1545–AQ91 TD8897) received on August 21, 2000; to the Committee on Finance.

EC–10468. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to child support enforcement; to the Committee on Finance.

EC–10469. A communication from the Deputy Executive Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Heath Insurance Reform: Standards For Electronic Transactions'' (RIN0938–AI58) received on August 21, 2000; to the Committee on Finance.

EC–10470. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report relative to the Temporary Assistance For Needy Families Program; to the Committee on Finance.

EC–10471. A communication from the Administrator, Farming Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Handling Payments from the Farm Service Agency (FSA) to Delinquent FSA Farm Loan Program Borrowers'' (RIN0560–AG24) received on August 16, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10472. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Regulated Areas'' (Docket #99–077–2) received on August 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10473. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Export Certification; Heat Treatment of Solid Wood Packing Materials Exported to China'' (Docket #99–100–2) received on August 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10474. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Poultry Products from Mexico Transiting the United States'' (Docket #98–094–2) received on August 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10475. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Imported Fire Ant; Quarantined Areas'' (Docket #00–007–2) received on August 21, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10476. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Pine Shoot Beetle; Regulated Articles'' (Docket #99–082–2) received on August 21, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10477. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Mexican Fruit Fly Regulations; Removal of Regulated Area'' (Docket #98–082–6) received on August 21, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10478. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Oriental Fruit Fly; Removal of Quarantined Area'' (Docket #99–076–3) received on August 21, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10479. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Change in Disease Status in Denmark Because of BSE'' (Docket #00–030–2) received on August 21, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10480. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Change in Disease Status of Portugal Because of African Swine Fever'' (Docket #99–096–2) received on August 23, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10481. A communication from the Administrator of the Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Common Crop Insurance Regulations; Fig, Pear, Walnut, Almond, Prune, Table Grape, Peach, Plum, Apple and Stonefruit Crop Insurance Provisions'' received on August 21, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10482. A communication from the Acting Executive Director of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Insider Trading Regulation'' (RIN3038–AB35) received on August 21, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10483. A communication from the Acting Executive Director of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Exemption from Certain Part 4 Requirements for Commodity Pool Operators with Respect to Offerings to Qualified Eligible Persons and for Commodity Trading Advisors with Respect to Advising Qualified Eligible Persons'' (RIN3038–AB37) received on August 21, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10484. A communication from the Acting Executive Director of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Exemption from Registration for Certain Foreign FCMs and IBs'' (RIN3038–AB46) received on August 21, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10485. A communication from the Acting Executive Director of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Minimum Financial Requirements for Futures Commission Merchants and Introducing Brokers: Amendments to the Provisions Governing Subordination Agreements Included in the Net Capital of a Futures Commission Merchant or Independent Introducing Broker'' (RIN3038–AB54) received on August 23, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10486. A communication from the Director of the Regulatory Management Staff, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dimethenamid; Pesticide Tolerances for Emergency Exemptions'' (FRL# 6738–1) received on August 22, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10487. A communication from the Associate Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Kiwifruit Grown in California; Decreased Assessment Rate'' (Docket Number: FV00–920–3 IFR) received on August 15, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10488. A communication from the Associate Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Increased Assessment Rate'' (Docket Number: FV00–905–1 FR) received on August 23, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10489. A communication from the Chief Financial Officer of the Department of Agriculture, transmitting, pursuant to law, the report of three rules entitled ''Uniform Federal Assistance Regulations'', ''Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments'' and ''Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non–Profit Organizations'' received on August 23, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10490. A communication from the Director of the Geological Survey, Department of the Interior, transmitting, a draft of proposed legislation entitled ''United State Geological Survey Products and Services Act''; to the Committee on Energy and Natural Resources.

EC–10491. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation entitled ''Conversion of Non–Federal Service Agency County Committee Employees to Federal Civil Service Status''; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10492. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oriental Fruit Fly; Removal of Quarantined Area'' (Docket #99–044–3) received on August 24, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10493. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mexican Fruit Fly Regulations; Removal of Regulated Area'' (Docket #99–084–2) received on August 24, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10494. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Glyphosate; Pesticide Tolerance'' (FRL #6736–6) received on August 25, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10495. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Buprofezin; Time-Limited Pesticide Tolerances'' (FRL #6740–1) received on August 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–10496. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–100, –200, –300, 747SR and 747 SP Series Airplanes; Correction—docket no,. 97–NM–88 [8–7/8–14]'' (RIN2120–AA64 (2000–0402)) received on August 15, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10497. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (51); amdt. No. 2004 [8–10/8–24]'' (RIN2120–AA65 (2000–0041)) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10498. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Digital Flight Data Recorder Requirements for Airbus Airplanes; Docket no. FAA–2000–7830'' (RIN2120–AH08) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10499. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR, Fireworks Display, Patapsco River, Inner Harbor, Baltimore, Maryland (CGD05–00–033)'' (RIN2115–AE46 (2000–0010)) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10500. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR, Chesapeake Challenge, Patapsco River, Baltimore, Maryland (CDG05–00–032)'' (RIN2115–AE46 (2000–0011)) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10501. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations: Harlem River, NY (CDG01–00–205)'' (RIN2115–AE47 (2000–0042)) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10502. A communication from the Chief, Office of Regulations and Administrative

Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Traffic Separation Schemes: Off San Francisco, in the Santa Barbara Channel, in the Approaches to Los Angeles–Long Beach, California (USCG–1999–5700)'' (RIN2115–AF84) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10503. A communication from the Associate Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Reorganization and Revision of Parts 1, 2, 21, and 94 of the Rules to Establish a New Part 101 Governing Terrestrial Microwave Fixed Radio Services; Amendment of Part 21 of the Commission's Rules for the Domestic Public Fixed Radio Services; McCaw Cellular Communication, Inc. Petition for Rule Making.'' (WT Docket 94–148, CC Docket 93–2, RM786) received on August 25, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10504. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species (HMS) Fisheries; Vessel Monitoring Systems; Delay of Effectiveness'' (RIN0648–AJ67 I.D.040500B) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10505. A communication from the Secretary, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Care Labeling of Textile Wearing Apparel and Certain Piece Goods'' (RIN3084–AA54) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10506. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Seaway Regulations and Rules'' (RIN2135–AA11) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10507. A communication from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Public Participation in Activities Relating to the Agreement on Global Technical Regulations: Statement of Policy'' (RIN2127–AH29) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10508. A communication from the Attorney, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Open Container Law'' (RIN2127–AH41) received on August 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10509. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Statement of Policy Regarding Safety of Railroad Bridges'' (RIN2130–AA99) received on August 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10510. A communication from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report on a rule entitled ''In the Matter of the Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010; Establishment of Rules and Requirements for Priority Access Service'' (WT Docket No. 96–86. FCC 00–264) received on August 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–10511. A communication from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, reports relative to designs and tests of combinatorial bidding; to the Committee on Commerce, Science, and Transportation.

EC–10512. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a draft of proposed legislation entitled ''Enhancement of Privacy and Public Safety in Cyberspace Act''; to the Committee on the Judiciary.

EC–10513. A communication from the Secretaryof the Judicial Conference of the United States, transmitting, a draft of proposed legislation entitled ''Federal Judgeship Act of 2000''; to the Committee on the Judiciary.

EC–10514. A communication from the Under Secretary of Commerce for Intellectual Property and Director of the Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled ''Changes to Implement the Patent Business Goals'' (RIN0651–AA98) received on August 24, 2000; to the Committee on the Judiciary.

EC–10515. A communication from the Under Secretary of Commerce for Intellectual Property and Director of the Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled ''Public Information, Freedom of Information and Privacy'' received on August 28, 2000; to the Committee on the Judiciary.

EC–10516. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled ''Approval and Promulgation of Implementation Plans; Oregon'' (FRL #6858–1) and ''Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology for Major Stationary Sources of Nitrogen Oxides in the Houston/Gaveston, Beaumont/Port Arthur, and Dallas/Fort Worth Ozone Nonattainment Areas'' (FRL #6860–3) received on August 24, 2000; to the Committee on Environment and Public Works.

EC–10517. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Iron and Steel Production Installations'' (FRL #6845–8) and ''Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District'' (FRL #6852–5) received on August 28, 2000; to the Committee on Environment and Public Works.

EC–10518. A communication from the Secretary of Education, transmitting, a draft of proposed legislation entitled ''National Education Research and Statistics Act of 2000''; to the Committee on Health, Education, Labor, and Pensions.

EC–10519. A communication from the Acting Deputy Solicitor, Office of the Solicitor, Department of the Interior, transmitting, pursuant to law the report of a rule entitled ''Legal Process: Testimony of Employees and Production of Records'' (RIN1090–AA76) received on August 28, 2000; to the Committee on Energy and Natural Resources.

EC–10520. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule concerning a new procedure for payment of certain immigrant visa fees received on August 24, 2000; to the Committee on Foreign Relations.

EC–10521. A communication from the Chairman and President of the Export–Import Bank, transmitting, pursuant to law, transactions involving U .S. exports to Algeria, Brazil, and the Russian Federation; to the Committee on Banking, Housing, and Urban Affairs.

EC–10522. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 2000–48 Per Diem Rate Updates'' (Notice 2000–48) received on August 24, 2000; to the Committee on Finance.

EC–10523. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 2000–49: Clarification of Schedule P (Form 1120–FSC)'' (Notice 2000–49) received on August 25, 2000; to the Committee on Finance.

EC–10524. 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. Rule. 2000–47 BLS–LIFO Department Store Indexes—July 2000'' (Rev. Rul. 2000–47) received on August 25, 2000; to the Committee on Finance.

EC–10525. 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 ''Petitions for Relief: Seizures, Penalties and Liquidated Damages'' (RIN1515–AC01) received on August 28, 2000; to the Committee on Finance.

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–612. A resolution adopted by the Senate of the Commonwealth of Massachusetts relative to the Ricky Ray Hemophilia Relief Act of 1998; to the Committee on Appropriations.

RESOLUTION

Whereas, Congress passed the Ricky Ray Hemophilia Relief Fund Act of 1998; and

Whereas, the Ricky Ray Hemophilia Relief Act was passed to provide for compassionate payments to individuals with blood-clotting disorders, such as hemophilia; and

Whereas, in its review of the events surrounding the HIV infection of thousands of people with blood-clotting disorders, such as hemophilia, a 1995 study, entitled ''HIV and the Blood Supply'', of the Institute of Medicine found a failure of leadership and inadequate institutional decision-making process in the system responsible for ensuring blood safety, concluding that a failure of leadership led to less than effective donor screening, weak regulatory actions and insufficient communication to patients about the risk of AIDS; and

Whereas, this legislation, named after a teenage hemophiliac who died from AIDS, was enacted to provide financial relief to the families of hemophiliacs who were devastated by the Federal Government's policy failure in the handling of the AIDS epidemic; and

Whereas, now that the relief bill has been signed into law by the President, Congress has been reticent to fund it; Now, therefore, be it

Resolved, That the Massachusetts Senate urges the Congress of the United States to fully fund the Ricky Ray Hemophilia Relief Act of 1998 in the year 2000 so that there is no delay between the authorization and

timely appropriation of this relief; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the clerk of the Senate to the President of the United States, the presiding officer of each branch of Congress and the members thereof from this commonwealth.

POM–616. A resolution adopted by the House of the Commonwealth of Massachusetts relative to lower gasoline prices; to the Committee on Energy and Natural Resources.

RESOLUTION

Whereas, the Massachusetts House of Representatives urges the Congress of the United States to take any and all appropriate action to lower gasoline prices; and

Whereas, gasoline prices have skyrocketed over the past several months, and in some instances, the price per gallon at the pump has increased over 50 percent resulting in gasoline prices that are at historically high levels; and

Whereas, an undue hardship has been placed upon senior citizens, fixed income earners, and persons dependent upon automobile transportation; and

Whereas, the inexplicable jump in gasoline prices will increase the cost of public transportation; and

Whereas, the dramatic rise in gasoline prices has increased the costs of transporting goods, thus increasing the cost of living for not only the residents of the commonwealth, but also for all Americans; Therefore be it

Resolved, That the Massachusetts House of Representatives urges the Congress of the United States to initiate any and all appropriate actions to lower gasoline prices; and be it further

Resolved, That a copy of these resolutions be forwarded by the clerk of the House of Representatives to the presiding officer of each branch of Congress and to the members thereof from the commonwealth.

POM–618. A resolution adopted by the Legislature of the Commonwealth of Guam relative to clemency; to the Committee on Energy and Natural Resources.

RESOLUTION NO. 368

Whereas, Mr. Alejandro T. B. Lizama, known to his friends and the large number of civic and community organizations as ''Al,'' was arrested and sentenced to a year in prison for charges stemming from an incident at the U.S. District Court of Guam; and

Whereas, ''Al'' is a Historic Preservation Specialist II employed with the Historic Resources Division of the Guam Department of Parks and Recreation, devoting his life work to the study, documentation and preservation of the Chamorro culture through art, research and outreach; and

Whereas, ''Al,'' during his over twenty-five (25) years of service as an employee of the Guam Department of Parks and Recreation has shared this knowledge with the military and federal community, including those from the Department of the Air Force, the Department of Defense school system, and the Navy Family Service Center, voluntarily conducting ''Welcome to Guam Orientation'' programs and other outreach programs; and

Whereas, ''Al'' is the recipient of countless certificates of appreciation and commendation, voluntary service awards and certificates of appreciation, including those from Major General Richard T. Swope, USAF Commander, Thirteenth Air Force; Colonel Stephen M. McClain, USAF Commander, 633d Air Base Wing; Commander D. L. Metzig, U.S. Navy, Director of Navy Family Service Center Guam, by direction of the Commander; and Principal Steven Dozier, Guam Department of Defense High School, for his many hours of voluntary service to their Communities;

Whereas, in 1994 ''Al'' was selected and recognized as one of Ten Employees of the Year in the ''Magnificent Seven Program,'' a prestigious event which recognizes individuals and groups for their achievements and contributions in the service of the government of Guam; and

Whereas, ''Al'' is one (1) of just four (4) nominees for the 2000 ''Governor's Award of Excellence,'' recognized for his innumerable contributions to the Community over the years, including, but not limited to, volunteering his time to speak to students and members of the Community in outreach programs about the significance of preserving one's culture and past; and

Whereas, ''Al'' is an accomplished artist whose many donated artworks appear proudly displayed in all parts of the Island; and

Whereas, ''Al'' was awarded the ''Bronze Star Medal'' for valor, the ''Combat Infantry's Badge'' and other Campaign medals for his patriotic service and achievement during the Vietnam War; and

Whereas, ''Al'' suffers from Post-Traumatic Stress Disorder (''PSTD'') and was accepted to participate in the PTSD Residential Rehabilitative Program in Hilo, Hawaii, to deal with the trauma scars acquired during this service to our Country in Vietnam; and

Whereas, it would be against the interests of both ''Al'' and the Island Community, and would not advance the cause of justice and retribution if he were to be incarcerated for a full year; Now, therefore, be it.

Resolved, That I MinaBente Singko Na Liheslaturan Guahan does hereby, on behalf of the people of Guam, respectfully request that clemency be granted to Veteran Alejandro T.B. Lizama by President William J. Clinton, that his sentence be commuted and that he be released and returned to Guam; and be it further

Resolved, That the Speaker certify, and the Legislative Secretary attests to, the adoption hereof and that copies of the same be thereafter transmitted to the Honorable William J. Clinton, President of the United States of America; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to the Secretary General of the United Nations; to the National Organization for the Advancement of Chamoru People; to the Honorable Congressman Robert A. Underwood, Member of the U.S. House of Representatives; and to the Honorable Carl T.C. Gutierrez, I Magalahen Guahan.

REPORTS OF COMMITTEES RECEIVED DURING RECESS

Under the authority of the order of the Senate of July 26, 2000, the following reports of committees were submitted on August 25, 2000:

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

S. 2764: A bill to amend the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973 to extend the authorizations of appropriations for the programs carried out under such Acts, and for other purposes (Rept. No. 106–365).

By Mr. SMITH, of New Hampshire, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 522: A bill to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water, and for other purposes (Rept. No. 106–366).

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1148: A bill to provide for the Yankton Sioux Tribe and the Santee Sioux Tribe of Nebraska certain benefits of the Missouri River Basin Pick-Sloan project, and for other purposes (Rept. No. 106–367).

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1658: A bill to authorize the construction of a Reconciliation Place in Fort Pierre, South Dakota, and for other purposes (Rept. No. 106–368).

By Mr. SMITH, of New Hampshire, from the Committee on Environment and Public Works, without amendment:

S. 2297: A bill to reauthorize the Water Resources Research Act of 1984 (Rept. No. 106–369).

S. 2878: A bill to commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes (Rept. No. 106–370).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 134: A bill to direct the Secretary of the Interior to study whether the Apostle Islands National Lakeshore should be protected as a wilderness area (Rept. No. 106–371).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 729: A bill to ensure that Congress and the public have the right to participate in the declaration of national monuments on federal land ((Rept. No. 106–372).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1612: A bill to direct the Secretary of the Interior to convey certain irrigation project property to certain irrigation and reclamation districts in the State of Nebraska (Rept. No. 106–373).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 1643: A bill to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa (Rept. No. 106–374).

S. 1972: A bill to direct the Secretary of agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park (Rept. No. 106–375).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2051: A bill to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes (Rept. No. 106–376).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany S. 2279, A bill to authorize the addition of land to Sequoia National Park, and for other purposes (Rept. No. 106–377).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 2300: A bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State (Rept. No. 106–378).

By Mr. THOMPSON, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

S. 1564: A bill to protect the budget of the Federal courts (Rept. No. 106–379).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2343: A bill to amend the National Historic Preservation Act for the purposes of establishing a national historic lighthouse preservation program (Rept. No. 106–380).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 2499: A bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Pennsylvania (Rept. No. 106–381).

By Mr. MCCAIN, from the Committee on Commerce, Science, and transportation, with an amendment in the nature of a substitute:

S. 1407: A bill to authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 2000, 2001, and 2002, and for other purposes (Rept. No. 106–382).

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

S. 1594: A bill to amend the Small Business Act and Small Business Investment Act of 1958 (Rept. No. 106–383).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1639: A bill to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977, for the National Weather Service and Related Agencies, and for the United States Fire Administration for fiscal years 2000, 2001, and 2002 (Rept. No. 106–384).

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

S. 1687: A bill to amend the Federal Trade Commission Act to authorize appropriations for the Federal Trade Commission (Rept. No. 106–385).

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

S. 2412: A bill to amend title 49, United States Code, to authorize appropriations for the National transportation Safety Board for fiscal years 2000, 2001, 2002, and 2003, and for other purposes (Rept. No. 106–386).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2438: A bill to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes (Rept. No. 106–387).

S. 2440: A bill to amend title 49, United States Code, to improve airport security (Rept. No. 106–388).

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1929: A bill to amend the Native Hawaiian Health Care improvement Act to revise and extend such Act (Rept. No. 106–389).

By Mr. LUGAR, from the Committee on Agriculture, Nutrition, and Forestry, with an amendment in the nature of a substitute:

S. 2697: A bill to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives, and for other purposes (Rept. No. 106–390).

By Mr. LUGAR, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 3001: A bill to amend the United States Grain Standards Act to extend the authority of the Secretary of Agriculture to collect fees, extend the authorization of appropriations, and improve the administration of that Act, to amend the United States Warehouse Act to authorize the issuance of electronic warehouse receipts, and for other purposes (Rept. No. 106–391).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

H.R. 468: A bill to establish the Saint Helena Island National Scenic Area (Rept. No. 106–392).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

H.R. 992: A bill to convey the Sly Park Dam and Reservoir to the El Dorado Irrigation District, and for other purposes (Rept. No. 106–393).

H.R. 1695: A bill to provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes (Rept. No. 106–394).

By Mr. SMITH, of New Hampshire, from the Committee on environment and Public Works, without amendment:

H.R. 999: A bill to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes.

REPORTS OF COMMITTEES RECEIVED DURING RECESS

Under the authority of the order of the Senate of January 6, 1999, the following reports of committees were submitted on August 30, 2000:

By Mr. DOMENICI, from the Committee on Appropriations:

Report to accompany H.R. 4733, A bill making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–395).

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INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BINGAMAN (for himself, Mr. MCCAIN, Mr. HOLLINGS, Mrs. MURRAY, Mr. BROWNBACK, Mr. DOMENICI, Mr. BREAUX, Mr. ROBB, Mr. TORRICELLI, and Mr. GORTON):

S. 3002. A bill to authorize a coordinated research program to ensure the integrity, safety and reliability of natural gas and hazardous liquids pipelines, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ASHCROFT (for himself, Mr. HAGEL, and Mr. ABRAHAM):

S. 3003. A bill to preserve access to outpatient cancer therapy services under the medicare program by requiring the Health Care Financing Administration to follow appropriate procedures and utilize a formal nationwide analysis by the Comptroller General of the United States in making any changes to the rates of reimbursement for such services; to the Committee on Finance.

By Mr. INOUYE:

S. 3004. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for the conversion of cooperative housing corporations into condominiums; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. LANDRIEU (for herself, Mrs. FEINSTEIN, Mrs. HUTCHISON, Ms. COLLINS, Mrs. MURRAY, Mrs. BOXER, Mrs. LINCOLN, Ms. MIKULSKI, and Ms. SNOWE):

S. Res. 347. A resolution designating the week of September 17, 2000, through September 23, 2000, as National Ovarian Cancer Awareness Week; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Mr. MCCAIN, Mr. HOLLINGS, Mrs. MURRAY, Mr. BROWNBACK, Mr. DOMENICI, Mr. BREAUX, Mr. ROBB, Mr. TORRICELLI, and Mr. GORTON):

S. 3002. A bill to authorize a coordinated research program to ensure the integrity, safety and reliability of natural gas and hazardous liquids pipelines, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE PIPELINE INTEGRITY, SAFETY AND RELIABILITY RESEARCH AND DEVELOPMENT ACT OF 2000

Mr. BINGAMAN. Mr. President, I rise today to address a serious issue currently pending in the Senate—pipeline safety. On August 19, there was a tragic pipeline accident in my state of New Mexico. A natural gas transmission line ruptured at 5:30 a.m. that Saturday morning in a rural area south of Carlsbad, NM. Unfortunately, the rupture occurred near a popular fishing spot along the Pecos river. Two families were camped below the bridge traversed by the pipeline. Eleven people, including five small children, died when their favorite camping spot was overcome by heat and flames. I have just learned that the one survivor, Amanda Smith, died earlier today. I would like to include a couple of articles about the victims to be printed in the RECORD after my statement. They should be remembered as individuals, not mere statistics.

This was a human tragedy I can barely describe. I spoke briefly with Martha Chapman, mother of two of the victims, and grandmother of two of the children. She had just returned to Carlsbad for the funeral from Lubbock where she had been keeping vigil at the bedside of her daughter-in-law. She was devastated. She said her whole life was gone. She begged me to do what I could

to make sure something like this would never happen to another family. I had no words that could ease her grief, but I promised to do what I could when I returned to Washington. That afternoon I went out to the site to see firsthand the damage and what was being done to determine the cause of the rupture.

I spent several hours with Kelley Coyner, the chief pipeline safety official at the Department of Transportation, and some of her engineers and inspectors. What became abundantly clear to me is that the Office of Pipeline Safety does not have adequate resources to carry out its mandate. There are only 55 inspectors for the entire interstate pipeline system. Secondly, the agency needs the additional authority it has requested in the current reauthorization bill to address the different circumstances on individual pipelines.

The first thing we need to do is to ensure the Office of Pipeline Safety has the necessary resources to protect the public safety and the environment. The budget of the Office of Pipeline Safety is fully reimbursed by user fees charged to the pipeline operators, yet for the last five years the Congress has under funded the agency's budget request. For FY 2001 the request was $47 million. The Senate has appropriated $43 million, the House only $40 million. I urge the conferees to increase the appropriation for FY 2001 to at least the requested level.

Second, we need to pass the Pipeline Safety Reauthorization bill. The bill reported by the Commerce Committee requires each and every interstate natural gas and hazardous liquid pipeline to develop and implement an integrity management plan. This approach will give the Office of Pipeline Safety the authority to impose more rigorous requirements, as necessary, to address areas with the greatest likelihood of failures and on aging pipelines and those in populated or environmentally sensitive areas. This bill is a major step toward ensuring the safety of our pipeline infrastructure. I am concerned, though, that the authorization levels included in the bill as filed may not be adequate for the task of a very individualized approach that will require a significant increase in staffing to address regional differences and community-specific needs.

I would like to commend the efforts of Senator MCCAIN, chairman of the Commerce Committee, and Senators MURRAY and GORTON and their staff, who have all worked hard to move the reauthorization forward. I also want to acknowledge Senators BREAUX and BROWNBACK for their efforts to include a workable set of requirements that can be fully implemented and enforced.

Although the National Transportation Safety Board has not determined the cause of the accident in New Mexico, it appears that internal corrosion was a major factor. The transmission line in New Mexico ruptured at a point near a sharp bend in the pipe. An electronic internal inspection device, commonly called a smart pig, which is used for detecting corrosion in a pipeline, could not be run through that section of pipe because of the bend. Currently, about the only way to inspect sections of pipe such as this is to dig up the pipe and evaluate it directly. The company in New Mexico is doing just that along nearly 400 miles of pipeline to ensure there are not any other vulnerable spots along the pipe. But, with nearly 500,000 miles, and growing, of transmission lines across the country, this is not an optimal solution from the standpoint of time or cost.

This country has the technological capability to collect data from the outer reaches of the solar system; we should be able to develop technologies to measure pipeline integrity under six feet of soil without digging up thousands of miles of pipe.

I asked one of the scientists from Sandia National Laboratories, one of the Department of Energy's multipurpose labs, to come to Carlsbad with me to visit the site of the accident and to talk to the pipeline safety experts about the gaps in our technical capabilities. The national labs have capabilities for remote sensing, satellite monitoring and materials development that could surely be adapted for better testing and inspection of the pipeline infrastructure. I am also wondering whether MEMS, the efforts at miniaturizing electronic equipment, could be applied to develop a smart pig, or device with the same purpose, to negotiate older pipelines. Sandia has been working on a project to upgrade the Russian pipeline system, the scientists have the knowledge and expertise on pipeline operations to benefit our own system.

Since returning from Carlsbad, I have been working to develop a framework for a collaborative R&D effort directed by the Department of Transportation with the assistance of the Department of Energy and the National Academy of Sciences. The Departments of Transportation and Energy, as well as a number of industry research groups, including the Pipeline Research Council International and the Gas Technology Institute, currently conduct research on pipeline integrity, but there is no coordinated, prioritized plan to ensure the most critical issues are being addressed in the most effective manner. I am introducing a bill today, the Pipeline Integrity, Safety and Reliability Research and Development Act of 2000, that will set up such a structure led by the Department of Transportation. I want to thank Senators MCCAIN, HOLLINGS, MURRAY, GORTON, ROBB, BROWNBACK, BREAUX, DOMENICI, LANDRIEU, KERRY and TORRICELLI for cosponsoring this bill.

The bill directs DOT and DOE to work with an Advisory Committee set up by the National Academy of Sciences to develop a five-year accelerated plan of action to address the most critical R&D needs to ensure pipeline integrity, safety and reliability. The Advisory Committee would include representatives of the natural gas, oil and petroleum product pipelines, the national labs, universities, the industry research groups, state pipeline safety officials, environmental organizations, pipeline safety advocates and any other technical experts the Academy includes.

According to a recent GAO report, ''From 1989 through 1998, pipeline accidents resulted in an average of about 22 fatalities per year. Fatalities from pipeline accidents are relatively low when compared with those from accidents involving other forms of freight transportation: On average about 66 people die each year from barge accidents, about 590 from railroad accidents, and about 5100 from truck accidents.'' Recent accidents, including the tragedy in my state, have undermined public confidence in the safety of pipelines. As policymakers we must take responsibility for restoring that confidence.

Natural gas and liquid pipelines are a critical element of our nation's energy infrastructure. They provide a cost-effective and relatively safe means of delivering energy. As the economy has grown, and become increasingly urbanized, siting new pipelines has become more and more challenging. At the same time, the importance of these pipelines has increased dramatically. Incidents on two gasoline pipelines, relatively unnoticed since no one was injured, reduced their operations at a critical time this summer contributing to a gasoline price spike of $2.50 a gallon in the northern Midwest. The rupture of this major natural gas transmission line in New Mexico reduced supplies into California at a critical time of peak electricity demand. I hope we don't experience a major failure of a product line into the northeast this fall or winter which could send the price heating oil off the charts.

I plan to offer my bill as an amendment to the pipeline safety reauthorization when it comes before the Senate. As the ranking member on the Energy Committee and representative of a state crisscrossed with thousands of miles of pipelines, I urge my colleagues to support passage of the pipeline safety reauthorization bill with my amendment. I further urge you to support full funding for the Office of Pipeline Safety and the R&D program.

Let me indicate the cosponsors of this legislation: Senators MCCAIN, HOLLINGS, MURRAY, BROWNBACK, DOMENICI, BREAUX, ROBB, TORRICELLI, GORTON, KERRY, and LANDRIEU. I ask unanimous consent to have the bill and two articles printed in the RECORD.

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

S. 3002

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 ''Pipeline Integrity, Safety and Reliability Research and Development Act of 2000''.

SEC. 2. FINDINGS.

Congress finds that—

(1) natural gas and hazardous liquid pipelines are a critical element of our nation's energy infrastructure;

(2) pipeline transportation of natural gas and liquid fuels is a cost-effective means of delivering energy;

(3) the nation's reliance on pipelines is increasing, especially for delivery of fuel to densely populated areas;

(4) a number of the nation's pipelines have been in service for more than 50 years;

(5) ensuring pipelines are constructed and maintained to minimize the risks to safety and the environment is a national priority;

(6) early detection of serious defects in a pipeline reduces the risk of accidents;

(7) pipeline operators and federal and state inspectors need advanced technologies to locate and monitor pipelines before failures occur;

(8) the many benefits of pipeline transportation are in the national interest and it is appropriate for the Federal Government to provide investment in fundamental and research-driven innovation in the areas of pipeline materials, operations and inspections techniques; and

(9) federal contributions to promoting pipeline safety should be part of a coordinated research and development program under the Department of Transportation and in coordination with the Department of Energy, the national laboratories, universities, the private sector and other research institutes.

SEC. 3. COOPERATION AND COORDINATION PROGRAM FOR PIPELINE INTEGRITY RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Transportation, in coordination with the Secretary of Energy, shall develop and implement an accelerated cooperative program of research and development to ensure the integrity of natural gas and hazardous liquid pipelines. This research and development program shall include materials inspection techniques, risk assessment methodology, and information systems surety.

(b) PURPOSE.—The purpose of the cooperative research program shall be to promote research and development to—

(1) ensure long-term safety, reliability and service life for existing pipelines;

(2) expand capabilities of internal inspection devices to identify and accurately measure defects and anomalies;

(3) develop inspection techniques for pipelines that cannot accommodate the internal inspection devices available on the date of enactment;

(4) develop innovative techniques to measure the structural integrity of pipelines to prevent pipeline failures;

(5) develop improved materials and coatings for use in pipelines;

(6) improve the capability, reliability, and practicality of external lead detection devices;

(7) identify underground environments that might lead to shortened service life;

(8) enhance safety in pipeline siting and land use;

(9) minimize the environmental impact of pipelines;

(10) demonstrate technologies that improve pipeline safety, reliability and integrity;

(11) provide risk assessment tools for optimizing risk mitigation strategies; and

(12) provide highly secure information systems for controlling the operation of pipelines.

(c) AREAS.—In carrying out this Act, the Secretary of Transportation, in coordination with the Secretary of Energy, shall consider research and development on natural gas, crude oil and petroleum product pipelines for—

(1) early crack, defect, and damage detection, including real-time damage monitoring;

(2) automated internal pipeline inspection sensor systems;

(3) land use guidance and set back management along pipeline rights-of-way for communities;

(4) internal corrosion control;

(5) corrosion-resistant coatings;

(6) improved cathodic protection;

(7) inspection techniques where internal inspection is not feasible, including measurement of structural integrity;

(8) external lead detection, including portable real-time video imaging technology, and the advancement of computerized control center leak detection systems utilizing real-time remote field data input;

(9) longer life, high strength, non-corrosive pipeline materials;

(10) assessing the remaining strength of existing pipes;

(11) risk and reliability analysis models, to be used to identify safety improvements that could be realized in the near term resulting from analysis of data obtained from a pipeline performance tracking initiative.

(12) identification, monitoring, and prevention of outside force damage, including satellite surveillance; and

(13) any other areas necessary to ensuring the public safety and protecting the environment.

(d) POINTS OF CONTACT.—

(1) IN GENERAL.—To coordinate and implement the research and development programs and activities authorized under this Act—

(A) the Secretary of Transportation shall designate, as the point of contact for the Department of Transportation, an officer of the Department of Transportation who has been appointed by the President and confirmed by the Senate; and

(B) the Secretary of Energy shall designate, as the point of contact for the Department of Energy, an officer of the Department of Energy who has been appointed by the President and confirmed by the Senate.

(2) DUTIES.—

(A) The point of contact for the Department of Transportation shall have the primary responsibility for coordinating and overseeing the implementation of the research, development and demonstration program plan, as defined in subsections (e) and (f).

(B) The points of contact shall jointly assist in arranging cooperative agreements for research, development and demonstration involving their respective Departments, national laboratories, universities and industry research organizations.

(e) RESEARCH AND DEVELOPMENT PROGRAM PLAN.—Within 240 days after the date of enactment of this Act, the Secretary of Transportation, in coordination with the Secretary of Energy and the Pipeline Integrity Technical Advisory Committee, shall prepare and submit to the Congress a 5-year program plan to guide activities under this Act. In preparing the program plan, the Secretary shall consult with appropriate representatives of the natural gas, crude oil and petroleum product pipeline industries to select and prioritize appropriate project proposals. The Secretary may also seek the advice of utilities, manufacturers, institutions of higher learning, federal agencies, the pipeline research institutions, national laboratories, state pipeline safety officials, environmental organizations, pipeline safety advocates, and professional and technical societies.

(f) IMPLEMENTATION.—The Secretary of Transportation shall have primary responsibility for ensuring the five-year plan provided for in subsection (e) is implemented as intended by this Act. In carrying out the research, development, and demonstration activities under this Act, the Secretary of Transportation and the Secretary of Energy may use, to the extent authorized under applicable provisions of law, contracts, cooperative agreements, cooperative research and development agreements under the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.), grants, joint ventures, other transactions, and any other form of agreement available to the Secretary consistent with the recommendations of the Advisory Committee.

(g) REPORTS TO CONGRESS.—The Secretary of Transportation shall report to the Congress annually as to the status and results to date of the implementation of the research and development program plan. The report shall include the activities of the Departments of Transportation and Energy, the national laboratories, universities, and any other research organizations, including industry research organizations.

SEC. 4. PIPELINE INTEGRITY TECHNICAL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Secretary of Transportation shall enter into appropriate arrangements with the National Academy of Sciences to establish and manage the Pipeline Integrity Technical Advisory Committee for the purpose of advising the Secretary of Transportation and the Secretary of Energy on the development and implementation of the five year research, development and demonstration program plan as defined in Sec. 3(e). The Advisory Committee shall have an ongoing role in evaluating the progress and results of the research, development and demonstration carried out under this Act.

(b) MEMBERSHIP.—The National Academy of Sciences shall appoint the members of the Pipeline Integrity Technical Advisory Committee after consultation with the Secretary of Transportation and the Secretary of Energy. Members appointed to the Advisory Committee should have the necessary qualifications to provide technical contributions to the purposes of the Advisory Committee.

SEC. 5. AUTHORIZATION OF APPROPRIATION.

(a) There are authorized to be appropriated to the Secretary of Transportation for carrying out this Act $3,000,000 which is to be derived from user fees (49 U.S.C. Sec. 60125), for each of the fiscal years 2001 through 2005.

(b) Of the amounts available in the Oil Spill Liability Trust Fund (26 U.S.C. Sec. 9509), $3,000,000 shall be transferred to the Secretary of Transportation to carry out programs for detection, prevention and mitigation of oil spills authorized in this Act for each of the fiscal years 2001 through 2005.

(c) There are authorized to be appropriated to the Secretary of Energy for carrying out this Act such sums as may be necessary for each of the fiscal years 2001 through 2005.

[From Current-argus.com, Wed., Aug. 23, 2000]

FAMILY REFLECTS ON LOST LOVED ONES

(By Pam Easton)

LUBBOCK.—She's had four days to try and understand why she lost 11 family members to a pipeline explosion in southeastern New Mexico. Martha Chapman has come up with only one explanation so far—love.

''This family has lived together, loved together, camped together, fought together, but never once been without love,'' she said

Tuesday from University Medical Center in Lubbock.

A fireball erupting from the explosion swept through the family's campsite along the Pecos River early Saturday morning, turning sand into glass and parts of a nearby bridge into powder.

Chapman and other relatives have kept a vigil for the sole survivor, Amanda Smith.

She remains in critical condition in the hospital's burn unit, suffering from burns more than 20 percent of her body and smoke inhalation that has caused heart and kidney problems.

Amanda Smith's brother, Jerry Rackley, said those who died are together again after doing what they loved best: camping, fishing and being with family.

Killed were Amanda Smith's parents, Don and Glenda Sumler; her father-in-law, Bobby Smith; her husband, Terry Smith; her son, Dustin; her daughter, Kirsten; her brother- and sister-in-law, Roy and Amy Heady; and their three children.

The losses have been staggering for everyone involved, but they will most likely be the hardest for Amanda Smith, Rackley said.

''We need her,'' Chapman said, weeping. ''She is my son's wife. She is my daughter.''

A similar vigil was kept for Bobby Smith, Amanda's father-in-law, who died Monday.

Chapman said the family has managed to face each day by sharing prayers and memories, knowing that those who died are now together with God. ''That is why so many of us have left this earth together,'' Chapman said. ''When we were placed on this earth, we were already genetically linked. Our lives were already intwined by God.''

El Paso Natural Gas, which owned the pipeline, has put the family up in hotels, fed them, clothed them and made sure they go without any wants or needs.

Rackley said extended family members who have traveled to the hospital have eased everyone's pain.

''There are faces here that I've never seen before,'' he said. ''But they are family. They have a place in my heart and they always will.''

[From A service of the Albuquerque Journal, September 5, 2000]

LAST PIPELINE VICTIM DIES

CARLSBAD, N.M.—Amanda Smith, the only survivor of a pipeline explosion that killed 11 members of her extended family Aug. 19, died Tuesday in a Lubbock hospital.

Smith, 25, lost her husband and two children in the fiery blast that engulfed the family's campsite near Carlsbad.

Her brother and Smith family members were with her when she died at 12:35 p.m. CDT, said Gwen Stafford, vice president of University Medical Center in Lubbock.

Stafford said Smith never regained consciousness at the Texas hospital.

The pipeline owned by El Paso Energy Company blew up along the Pecos River 25 miles south of Carlsbad, sending a 350-foot-fireball into the sky and billows of flame into the nearby campsite.

Amanda Smith and her father-in-law, Bobby Smith, 43, were sent to he Lubbock hospital, where Bobby Smith died August 21.

Also killed were Amanda Smith's husband, Terry, 23; his 3-year-old son, Dustin; her daughter, Kirsten Sumler, 5; her parents, Don Sumler and Glenda Sumler, 47, of Loving; and Roy Lee Heady, 20; his wife Amy, 18, of Artesia, and their three daughters, 22-month-old Kelsey and 6-month-old twins Timber and Tamber.

National Transportation Safety Board investigators have not determined what caused the explosion and said it could take up to a year to prepare a report. However, they said investigators, at the scene found that corrosion inside the damaged pipeline had eaten away half of the pipe's wall in places.

Bobby Smith's wife, Jennifer, filed a federal lawsuit Aug. 30 in Albuquerque, alleging El Paso Natural Gas ''failed to properly comply with state and federal rules, regulations, opinions and orders while operating an interstate gas transmission line'' near the intersection of the Delaware and Pecos rivers in Eddy County.

The gas company also failed to ''properly inspect, maintain, and operate their interstate gas transmission line,'' which led to the explosion and fire, the lawsuit said.

By Mr. ASHCROFT (for himself, Mr. HAGEL, and Mr. ABRAHAM):

S. 3003. A bill to preserve access to outpatient cancer therapy services under the medicare program by requiring the Health Care Financing Administration to follow appropriate procedures and utilize a formal nationwide analysis by the Comptroller General of the United States in making any changes to the rates of reimbursement for such services; to the Committee on Finance.

CANCER CARE PRESERVATION ACT

Mr. ASHCROFT. Mr. President, in recent years, our nation has achieved tremendous advances in its War on Cancer—including developing breakthrough therapies and expanding the cancer care delivery system of convenient and low-cost community settings. This progress has enabled us to achieve an unprecedented reduction in American cancer deaths, which began in 1998.

Today, 90% of all chemotherapy treatments are delivered in community settings like doctors' offices and outpatient hospital settings. Two important components of Medicare reimbursement for outpatient cancer treatments support these community care sites: payment for drugs themselves; and payment for the services of the physicians, nurses, and other caregivers who treat patients with cancer.

Unfortunately, the Health Care Financing Administration has targeted outpatient cancer therapy services for deep budget cuts. HCFA has proposed to reduce drastically Medicare reimbursement rates for cancer drugs by unilaterally changing the definition of ''average wholesale price,'' which is at the heart of the current reimbursement formula. While there are indications that drug reimbursements have often exceeded doctors' and hospitals' costs, these margins have been used to help cover costs for professional services, which are inadequately reimbursed according to the cancer community, the General Accounting Office, and HCFA itself. Yet HCFA has not made any adjustments in these professional services payments.

The planned cuts in Medicare reimbursement rates threaten to force doctors to send seniors with cancer out of the community settings where they now receive care and into more expensive in-patient settings. As a result, seniors may lose the option of receiving cancer treatments from the caregivers of their choice in settings that are close to the support structure of family, friends, and community. In addition, since the cost of cancer treatments are generally higher in hospital in-patient settings than they are in outpatient settings, this ill-conceived proposal to force seniors into hospitals will actually cause Medicare spending to rise.

Mr. President, I have heard from many Missourians—doctors, patients, and hospital officials—about how the Administration's planned cuts in Medicare outpatient cancer care reimbursement rates will negatively impact patient care. I would like to share with my colleagues what some of them have told me.

Dr. Burton Needles of St. Louis wrote to me to say that his patients prefer receiving chemotherapy in his office rather than in the hospital, but that the planned cuts would make it impossible for him to continue treating Medicare cancer patients in his office. On the other side of the state in Kansas City, Dr. Christopher Sirridge said that the result would be less accessible care for seniors with cancer, and even higher costs for the Medicare program.

In Columbia, officials at the Ellis Fischel Cancer Center have told me that HCFA's change in reimbursement rates would make it extremely difficult for them to continue to be a source of chemotherapy and supportive care for cancer patients.

And, finally, Mr. President, let me share the words of a cancer patient, Darlene Bahr, from St. Louis. Ms. Bahr wrote to me: ''I have been fighting cancer for 18 years. This is the fourth time I have cancer. I have been on a total of four years of chemo, which had been successful. I am now on chemo and hope it will be successful again.'' Ms. Bahr continues: ''If the physician's office and the hospital cannot afford to give me these drugs, where will I get them? Does Medicare want to eliminate cancer care?''

Mr. President, Medicare beneficiaries like Ms. Bahr—who are facing battles against cancer—must not be saddled with the added burden of worrying about whether they will receive the care they need, in the setting they choose. Many doctors have communicated to HCFA and Congress that the Administration's plan to cut payments for cancer-fighting drug treatments will likely prevent doctors from delivering outpatient cancer care—leaving thousands of seniors without this preferred, and lower cost, option.

Congress must act to ensure that our progress in cancer treatment is not undermined by bureaucratic, inappropriate changes to Medicare reimbursement rates for cancer care.

Therefore, Mr. President, today, I am introducing the Cancer Care Preservation Act, which will guarantee that HCFA cannot implement any reductions to Medicare reimbursement for outpatient cancer treatment unless those changes: are developed in concert

with the General Accounting Office, the Medicare Payment Advisory Commission, and representatives of the cancer care community, including patients, survivors, nurses, physicians, and researchers; provide for appropriate payment rates for outpatient cancer therapy services, based upon the determinations made by the General Accounting Office; and are authorized by an act of Congress.

My legislation also will require GAO to complete a formal nationwide analysis to determine the physician and non-physician clinical resources necessary to provide safe outpatient cancer therapy services. In addition, GAO must determine the appropriate payment rates for such services under the Medicare program.

Medicare beneficiaries with cancer must be confident that they will continue to receive the care they need, in the setting they choose, without risk of arbitrary and unexpected reductions in reimbursement that may force their doctors to cease offering treatment or refer them to a different facility for treatment.

So today, I urge my colleagues to join with me in ensuring that our seniors receive full access to the life-saving therapies they need in the settings they choose, by cosponsoring the Cancer Care Preservation Act.

Mr. President, I ask unanimous consent that the Cancer Care Preservation Act be printed in the RECORD immediately following my remarks.

I yield the floor.

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

S. 3003

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 ''Cancer Care Preservation Act of 2000''.

SEC. 2. FINDING.

Congress finds that in light of the tremendous advances achieved by this Nation in its war on cancer, including the development of breakthrough therapies, the expansion of the cancer care delivery system to convenient and low-cost community settings, and the unprecedented annual reduction in American cancer deaths beginning in 1998, legislation is needed to ensure that these advances are not undermined by inappropriate changes to rates of reimbursement for outpatient cancer therapy services under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

SEC. 3. PRESERVATION OF REIMBURSEMENT RATES FOR OUTPATIENT CANCER THERAPY SERVICES.

Notwithstanding any other provision of law, the Administrator of the Health Care Financing Administration may not implement any reduction to the rates of reimbursement for outpatient cancer therapy services under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), unless such reductions—

(1) are developed in consultation with the Comptroller General of the United States, the Medicare Payment Advisory Commission established under section 1805 of such Act (42 U.S.C. 1395b–6) (in this Act referred to as ''MedPAC''), and representatives of the cancer care community, including patients, survivors, nurses, physicians, and researchers;

(2) provide for appropriate payment rates for outpatient cancer therapy services, based upon the determinations made by the Comptroller General of the United States in the nationwide analysis required under section 4 of this Act; and

(3) are authorized by an Act of Congress.

SEC. 4. FORMAL NATIONWIDE ANALYSIS OF CLINICAL RESOURCES NECESSARY TO PROVIDE SAFE OUTPATIENT CANCER THERAPY SERVICES.

(a) ANALYSIS.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a nationwide analysis to determine the physician and non-physician clinical resources necessary to provide safe outpatient cancer therapy services and the appropriate payment rates for such services under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(2) ISSUES ANALYZED.—In conducting the analysis under paragraph (1), the Comptroller General of the United States shall determine—

(A) the adequacy of practice expense relative value units associated with the utilization of those clinical resources;

(B) the adequacy of work units in the practice expense formula; and

(C) the necessity for an additional reimbursement methodology for outpatient cancer therapy services that falls outside the practice expense formula.

(3) CONSULTATION.—In conducting the analysis under paragraph (1), the Comptroller General of the United States shall consult with Administrator of the Health Care Financing Administration, MedPAC, and representatives of the cancer care community, including patients, survivors, nurses, physicians, and researchers.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the analysis conducted under subsection (a) together with recommendations for such legislative and administrative action as the Comptroller General of the United States determines appropriate.

By Mr. INOUYE:

S. 3004. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for the conversion of cooperative housing corporations into condominiums; to the Committee on Finance.

TO PROVIDE TAX RELIEF FOR THE CONVERSION OF COOPERATIVE HOUSING CORPORATIONS INTO CONDOMINIUMS

Mr. INOUYE. Mr. President, today I rise to introduce legislation that would amend the Internal Revenue Code of 1986 to allow Cooperative Housing Corporations (Co-ops) to convert to condominium forms of ownership without any immediate tax consequences.

Under current law, a conversion from cooperative shareholding to condominium ownership is taxable at a corporate level as well as an individual level. The conversion is treated as a corporate liquidation, and therefore taxed accordingly. In addition, a capital gains tax is levied on any increase between the owner's basis in the co-op share pre-conversion and the market value of the condominium interest post-conversion. This double taxation dissuades condominium conversion because the owner is being taxed on a transaction that is nothing more than a change in the form of ownership. While the Internal Revenue Service concedes that there are no discernible advantages to society from the cooperative form of ownership, it does not view Federal tax statutes as having the flexibility to allow co-ops to re-organize freely as condominiums.

In cooperative housing, real property ownership is vested in a corporation, with shares of stock for each apartment unit, that are sold to buyers. The corporation then issues a proprietary lease entitling the owner of the stock to the use of the unit in perpetuity. Because the investment is in the form of a share of stock, investors sometimes lose their entire investment as a result of debt incurred by the corporation in construction and development. In addition, due to the structure of a cooperative housing corporation, a prospective purchaser of shares in the corporation from an existing tenant-stockholder has difficulty obtaining mortgage financing for the purchase. Furthermore, tenant-stockholders of cooperative housing also encounter difficulties in securing bank loans for the full value of their investment.

As a result, owners of cooperative housing are increasingly looking toward conversion to condominium ownership regimes. Condominium ownership permits each owner of a unit to directly own the unit itself, eliminating the cooperative housing dilemmas of corporate debt that supersedes the investment of cooperative housing share owners, and other financial concerns.

The legislation I introduce today will remove the penalty of double taxation from the cooperative housing to condominium ownership, and will greatly benefit co-op owners across the Nation. I urge my colleagues' consideration and support for this measure.

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

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

S. 3004

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

SECTION 1. NONRECOGNITION OF GAIN OR LOSS ON DISTRIBUTIONS BY COOPERATIVE HOUSING CORPORATIONS.

(a) IN GENERAL.—Section 216(e) of the Internal Revenue Code of 1986 (relating to distributions by cooperative housing corporations) is amended to read as follows:

''(e) DISTRIBUTIONS BY COOPERATIVE HOUSING CORPORATIONS.—

''(1) IN GENERAL.—Except as provided in regulations—

''(A) no gain or loss shall be recognized to a cooperative housing corporation on the distribution by such corporation of a dwelling unit to a stockholder in such corporation if such distribution is in exchange for the stockholder's stock in such corporation, and

''(B) no gain or loss shall be recognized to a stockholder of such corporation on the transfer of such stockholder's stock in an exchange described in subparagraph (A).

''(2) BASIS.—The basis of a dwelling unit acquired in a distribution to which paragraph (1) applies shall be the same as the basis of the stock in the cooperative housing corporation for which it is exchanged, decreased in the amount of any money received by the taxpayer in such exchange.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions after the date of the enactment of this Act.

ADDITIONAL COSPONSORS

S. 345

At the request of Mr. ALLARD, the name of the Senator from Rhode Island (Mr. L. CHAFEE) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 482

At the request of Mr. ABRAHAM, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to repeal the increase in the tax on the social security benefits.

S. 522

At the request of Mr. LAUTENBERG, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 522, a bill to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water, and for other purposes.

S. 631

At the request of Mr. DEWINE, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 631, a bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the medicare program, to provide continued entitlement for such drugs for certain individuals after medicare benefits end, and to extend certain medicare secondary payer requirements.

S. 922

At the request of Mr. ABRAHAM, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 922, a bill to prohibit the use of the ''Made in the USA'' label on products of the Commonwealth of the Northern Mariana Islands and to deny such products duty-free and quota-free treatment.

S. 1028

At the request of Mr. ROBB, his name was withdrawn as a cosponsor of S. 1028, a bill to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law, and for other purposes.

S. 1109

At the request of Mr. MCCONNELL, the names of the Senator from Kansas (Mr. BROWNBACK), the Senator from North Dakota (Mr. DORGAN) and the Senator from Rhode Island (Mr. L. CHAFEE) were added as cosponsors of S. 1109, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1196

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S. 1196, a bill to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.

S. 1277

At the request of Mr. GRASSLEY, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 1277, a bill to amend title XIX of the Social Security Act to establish a new prospective payment system for Federally-qualified health centers and rural health clinics.

S. 1419

At the request of Mr. MCCAIN, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1419, a bill to amend title 36, United States Code, to designate May as ''National Military Appreciation Month.''

S. 1536

At the request of Mr. DEWINE, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Maryland (Ms. MILKULSKI) were added as cosponsors of S. 1536, a bill to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

S. 1760

At the request of Mr. BIDEN, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 1760, a bill to provide reliable officers, technology, education, community prosecutors, and training in our neighborhoods.

S. 1783

At the request of Mr. COCHRAN, the name of the Senator from Kentucky (Mr. MCCONNEL) was added as a cosponsor of S. 1783, a bill to amend title XVIII of the Social Security Act to provide for a prospective payment system for inpatient longstay hospital services under the medicare program.

S. 1900

At the request of Mr. LAUTENBERG, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1900, a bill to amend the Internal Revenue code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, and for other purposes.

S. 1941

At the request of Mr. DODD, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1941, a bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize the Director of the Federal Emergency Management Agency to provide assistance to fire departments and fire prevention organizations for the purpose of protecting the public and firefighting personnel against fire and fire-related hazards.

S. 2003

At the request of Mr. JOHNSON, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2133

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S. 2133, a bill to temporarily suspend the duty on Solvent Blue 124.

S. 2134

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S. 2134, a bill to temporarily suspend the duty on Solvent Blue 104.

S. 2135

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S. 2135, a bill to temporarily suspend the duty on Pigment Red 176.

S. 2136

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S. 2136, a bill to temporarily suspend the duty on benzenesulfonamide,4-amino-2,5-dimethyoxy-N-phenyl.

S. 2264

At the request of Mr. ROCKEFELLER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2264, a bill to amend title 38, United States Code, to establish within the Veterans Health Administration the position of Advisor on Physician Assistants, and for other purposes.

S. 2265

At the request of Mr. ROBB, his name was added as a cosponsor of S. 2265, a bill to amend the Internal Revenue Code of 1986 to preserve marginal domestic oil and natural gas well production, and for other purposes.

S. 2274

At the request of Mr. GRASSLEY, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from Missouri (Mr. ASHCROFT) were added as cosponsors of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity to purchase coverage under the medicaid program for such children.

S. 2330

At the request of Mr. ROTH, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 2330, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

S. 2386

At the request of Mrs. FEINSTEIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S.

2386, a bill to extend the Stamp Out Breast Cancer Act.

S. 2390

At the request of Mr. GRAMS, his name was added as a cosponsor of S. 2390, a bill to establish a grant program that provides incentives for States to enact mandatory minimum sentences for certain firearms offenses, and for other purposes.

S. 2394

At the request of Mr. MOYNIHAN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 2394, a bill to amend title XVIII of the Social Security Act to stabilize indirect graduate medical education payments.

S. 2423

At the request of Mr. DURBIN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 2423, a bill to provide Federal Perkins Loan cancellation for public defenders.

S. 2424

At the request of Mr. CHAFEE, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsors of S. 2434, a bill to provide that amounts allotted to a State under section 2401 of the Social Security Act for each of fiscal years 1998 and 1999 shall remain available through fiscal year 2002.

S. 2435

At the request of Ms. SNOWE, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2435, a bill to amend part B of title IV of the social Security Act to create a grant program to promote joint activities among Federal, State, and local public child welfare and alcohol and drug abuse prevention and treatment agencies.

S. 2448

At the request of Mr. HATCH, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 2448, a bill to enhance the protections of the Internet and the critical infrastructure of the United States, and for other purposes.

S. 2528

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2528, a bill to provide funds for the purchase of automatic external defibrillators and the training of individuals in advanced cardiac life support.

S. 2537

At the request of Mr. JEFFORDS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2537, a bill to amend title 10, United States Code, to modify the time for use by members of the Selected Reserve of entitlement to certain educational assistance.

S. 2584

At the request of Mr. ROBB, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2584, a bill to provide for the allocation of interest accruing to the Abandoned Mine Reclamation Fund, and for other purposes.

S. 2589

At the request of Mr. JOHNSON, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2589, a bill to amend the Federal Deposit Insurance Act to require periodic cost of living adjustments to the maximum amount of deposit insurance available under that Act, and for other purposes.

S. 2601

At the request of Mr. ASHCROFT, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2601, a bill to amend the Internal Revenue Code of 1986 to exclude from the gross income of an employee any employer provided home computer and Internet access.

S. 2609

At the request of Mr. CRAIG, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 2609, a bill to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, and to increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating chances for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and implementation of those Acts, and for other purposes.

S. 2639

At the request of Mr. KENNEDY, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from South Dakota (Mr. JOHNSON), and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 2639, a bill to amend the Public Health Service Act to provide programs for the treatment of mental illness.

S. 2675

At the request of Ms. SNOWE, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2675, a bill to establish an Office on Women's Health within the Department of Health and Human Services.

S. 2698

At the request of Mr. MOYNIHAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2698, a bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability.

S. 2707

At the request of Mr. CRAPO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2707, a bill to help ensure general aviation aircraft access to Federal land and the airspace over that land.

S. 2718

At the request of Mr. SMITH, of New Hampshire, the names of the Senator from Nevada (Mr. REID) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 2718, a bill to amend the Internal Revenue Code of 1986 to provide incentives to introduce new technologies to reduce energy consumption in buildings.

S. 2800

At the request of Mr. LAUTENBERG, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 2800, a bill to require the Administrator of the Environmental Protection Agency to establish an integrated environmental reporting system.

S. 2836

At the request of Mr. HAGEL, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 2836, a bill to amend title XVIII of the Social Security Act to provide medicare beneficiaries with access to affordable outpatient prescription drugs.

S. 2841

At the request of Mr. ROBB, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 2841, a bill to ensure that the business of the Federal Government is conducted in the public interest and in a manner that provides for public accountability, efficient delivery of services, reasonable cost savings, and prevention of unwarranted Government expenses, and for other purposes.

S. 2858

At the request of Mr. GRAMS, the names of the Senator from Arkansas (Mrs. LINCOLN), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2858, a bill to amend title XVIII of the Social Security Act to ensure adequate payment rates for ambulance services, to apply a prudent layperson standard to the determination of medical necessity for emergency ambulance services, and to recognize the additional costs of providing ambulance services in rural areas.

S. 2879

At the request of Ms. COLLINS, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 2879, a bill to amend the Public Health Service Act to establish programs and activities to address diabetes in children and youth, and for other purposes.

S. 2891

At the request of Mr. REID, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Wyoming (Mr. THOMAS) were added as cosponsors of S. 2891, a bill to establish a national policy of basic consumer fair treatment for airline passengers.

S. 2903

At the request of Mr. ABRAHAM, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Illinois (Mr. FITZGERALD) were added as

cosponsors of S. 2903, a bill to amend the Internal Revenue Code of 1986 to expand the child tax credit.

S. 2912

At the request of Mr. KENNEDY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2912, a bill to amend the Immigration and Nationality Act to remove certain limitations on the eligibility of aliens residing in the United States to obtain lawful permanent residency status.

S. 2921

At the request of Mr. DASCHLE, his name was added as a cosponsor of S. 2921, a bill to provide for management and leadership training, the provision of assistance and resources for policy analysis, and other appropriate activities in the training of Native American and Alaska Native professionals in health care and public policy.

S. 2936

At the request of Mr. ROBB, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2936, a bill to provide incentives for new markets and community development, and for other purposes.

S. 2938

At the request of Mr. BROWNBACK, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Texas (Mr. GRAMM), the Senator from Minnesota (Mr. GRAMS), and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2938, a bill to prohibit United States assistance to the Palestinian Authority if a Palestinian state is declared unilateral, and for other purposes.

S. 2939

At the request of Mr. GRASSLEY, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 2939, a bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for energy efficient appliances.

S. 2997

At the request of Mr. KERRY, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 2997, a bill to establish a National Housing Trust Fund in the Treasury of the United States to provide for the development of decent, safe, and affordable housing for low-income families.

S. CON. RES. 111

At the request of Mr. NICKLES, the names of the Senator from Rhode Island (Mr. REED) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. Con. Res. 111, a concurrent resolution expressing the sense of the Congress regarding ensuring a competitive North American market for softwood lumber.

S. CON. RES. 130

At the request of Mr. ABRAHAM, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. Con. Res. 130, concurrent resolution establishing a special task force to recommend an appropriate recognition for the slave laborers who worked on the construction of the United States Capitol.

At the request of Mrs. LINCOLN, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of S. Con. Res. 130, supra.

S. RES. 294

At the request of Mr. ABRAHAM, the names of the Senator from Delaware (Mr. BIDEN), the Senator from Texas (Mr. GRAMM), and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. Res. 294, a resolution designating the month of October 2000 as ''Children's Internet Safety Month.''

S. RES. 304

At the request of Mr. BIDEN, the names of the Senator from Maine (Ms. COLLINS), the Senator from North Carolina (Mr. EDWARDS), the Senator from Michigan (Mr. ABRAHAM), the Senator from Louisiana (Mr. BREAUX), the Senator from Ohio (Mr. DEWINE), the Senator from Wisconsin (Mr. KOHL), and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. Res. 304, a resolution expressing the sense of the Senate regarding the development of educational programs on veterans' contributions to the country and the designation of the week that includes Veterans Day as ''National Veterans Awareness Week'' for the presentation of such educational programs.

S. RES. 345

At the request of Mr. GRAMS, his name was added as a cosponsor of S. Res. 345, a resolution designating October 17, 2000, as a ''Day of National Concern About Young People and Gun Violence.''

AMENDMENT NO. 3388

At the request of Mr. JEFFORDS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 3388 proposed to S. 2549, an original bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

SENATE RESOLUTION 347—DESIGNATING THE WEEK OF SEPTEMBER 17, 2000, THROUGH SEPTEMBER 23, 2000, AS NATIONAL OVARIAN CANCER AWARENESS WEEK

Ms. LANDRIEU (for herself, Mrs. FEINSTEIN, Mrs. HUTCHISON, Ms. COLLINS, Mrs. MURRAY, Mrs. BOXER, Mrs. LINCOLN, Ms. MIKULSKI, and Ms. SNOWE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 347

Whereas 1 out of every 55 women will develop ovarian cancer at some point during her life;

Whereas over 70 percent of women with ovarian cancer will not be diagnosed until ovarian cancer has spread beyond the ovary;

Whereas prompt diagnosis of ovarian cancer is crucial to effective treatment, with the chances of curing the disease before it has spread beyond the ovaries ranging from 85 to 90 percent, as compared to between 20 and 25 percent after the cancer has spread;

Whereas several easily identifiable factors, particularly a family history of ovarian cancer, can help determine how susceptible a woman is to developing the disease;

Whereas effective early testing is available to women who have a high risk of developing ovarian cancer;

Whereas heightened public awareness can make treatment of ovarian cancer more effective for women who are at-risk; and

Whereas the Senate, as an institution, and members of Congress, as individuals, are in unique positions to help raise awareness about the need for early diagnosis and treatment for ovarian cancer: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 17, 2000, through September 23, 2000, as National Ovarian Cancer Awareness Week; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe National Ovarian Cancer Awareness Week with appropriate recognition and activities.

● Ms. LANDRIEU. Mr. President, I rise today to speak on an issue that should concern us all: that of ovarian cancer. Specifically, I rise to introduce a resolution, along with my colleagues Senators LINCOLN, MIKULSKI, FEINSTEIN, MURRAY, SNOWE, HUTCHISON, COLLINS, and BOXER, designating September 17th through September 23d as National Ovarian Cancer Week.

Mr. President, of the more than 25,000 women who were diagnosed with ovarian cancer in 1999, about 14,500, a little over half, will die of this disease. Think about that for a moment. More than half of our grandmothers, our mothers, our sisters and daughters are dying of a disease that, if caught earlier, could have been treated. Mr. President, I wish this were the only condition in which this was the case, but it is not. Like with many other diseases, we need to turn our focus to prevention and early detection. Doing so not only means saving lives, but millions of tax dollars in the long run.

In over 70 percent of the women with this disease, it will not be discovered until after it has spread beyond the ovaries. This is of critical importance, since the recovery rate for these women for whom the disease has spread is less than 25 percent. This is compared to an 85 to 90 percent recovery rate for those in whom the disease is caught early. Ovarian cancer is difficult to detect, as the symptoms are often vague and mimic other medical problems.

Still, there are ways that we can reduce the risk of this disease, and significantly reduce the mortality rate. For women with a family history of ovarian cancer, as well as other women with high-risk factors for the disease, regular screenings are available. Although these screenings are not for everyone, individuals with a high-risk

factor, particularly those with one or more family members who have had ovarian cancer, should look into these tests.

Mr. President, this is why it is so important that we raise awareness about ovarian cancer, and this is what this resolution tries to do. By establishing this special week, we can bring the knowledge of this disease to thousands of high-risk women, and give people a better chance of beating this dreadful disease.●

AMENDMENTS SUBMITTED

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2001

CLELAND (AND MILLER) AMENDMENTS NOS. 4030–4031

(Ordered to lie on the table.)

Mr. CLELAND (for himself and Mr. MILLER) submitted two amendments intended to be proposed by them to the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes; as follows:

AMENDMENT NO. 4030

On page 58, between lines 13 and 14, insert the following:

SEC. 1 ___. BRUNSWICK HARBOR, GEORGIA.

The Secretary of the Army and the non-Federal interest with respect to the project for navigation, Brunswick Harbor, Georgia, authorized by section 101(a)(19) of the Water Resources Development Act of 1999 (113 Stat. 277), may conduct negotiations concerning, and enter into, a project cooperation agreement for the project, subject to the review and approval processes applicable to project cooperation agreements.

AMENDMENT NO. 4031

On page 48, between lines 16 and 17, insert the following:

Brunswick Harbor, Georgia, $255,000;

DOMENICI AMENDMENT NO. 4032

Mr. DOMENICI proposed an amendment to the bill (H.R. 4733) supra; as follows:

Starting on page 64, line 24, strike all through page 66, line 7.

SCHUMER (AND COLLINS) AMENDMENT NO. 4033

Mr. SCHUMER (for himself and Ms. COLLINS) proposed an amendment to the bill, H.R. 4733, supra; as follows:

On page 93, between lines 7 and 8, insert the following:

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 4 ___. PRESIDENTIAL ENERGY COMMISSION.

(a) FINDINGS.—Congress finds that—

(1) crude oil and natural gas account for two-thirds of America's energy consumption;

(2) in May 2000, United States natural gas stocks totaled 1,450 billion cubic feet, 36 percent below the normal natural gas inventory of 2,281 billion cubic feet;

(3) in July 2000, United States crude oil inventories totaled 298,000,000 barrels, 11 percent below the 24-year average of 334,000,000 barrels;

(4) in June 2000, distillate fuel (heating oil and diesel fuel) inventories totaled 103,700,000 barrels, 26 percent below the 24-year average of 140,000,000 barrels;

(5) combined shortages in inventories of natural gas, crude oil, and distillate stocks, coupled with steady or increased demand, could cause supply and price shocks that would likely have a severe impact on consumers and the economy; and

(6) energy supply is a critical national security issue.

(b) PRESIDENTIAL ENERGY COMMISSION.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The President shall establish, from among a group of not fewer than 30 persons recommended jointly by the Speaker and Minority Leader of the House of Representatives and the Majority Leader and Minority Leader of the Senate, a Presidential Energy Commission (referred to in this section as the ''Commission''), which shall consist of between 15 and 21 representatives from among the following categories:

(i) Oil and natural gas producing States.

(ii) States with no oil or natural gas production.

(iii) Oil and natural gas industries.

(iv) Consumer groups focused on energy issues.

(v) Environmental groups.

(vi) Experts and analysts familiar with the supply and demand characteristics of all energy sectors.

(vii) The Energy Information Administration.

(B) TIMING.—The appointments of the members of the Commission shall be made not later than 30 days after the date of enactment of this Act.

(C) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(D) CHAIRPERSON.—The members of the Commission shall appoint 1 of the members to serve as Chairperson of the Commission.

(E) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(F) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(2) DUTIES.—

(A) IN GENERAL.—The Commission shall—

(i) conduct a study, focusing primarily on the oil and natural gas industries, of—

(I) the status of inventories of natural gas, crude oil, and distillate fuel in the United States, including trends and projections for those inventories;

(II) the causes for and consequences of energy supply disruptions and energy product shortages nationwide and in particular regions;

(III) ways in which the United States can become less dependent on foreign oil supplies;

(IV) ways in which the United States can better manage and utilize its domestic energy resources;

(V) ways in which alternative energy supplies can be used to reduce demand on traditional energy sectors;

(VI) ways in which the United States can reduce energy consumption;

(VII) the status of, problems with, and ways to improve—

(aa) transportation and delivery systems of energy resources to locations throughout the United States;

(bb) refinery capacity and utilization in the United States; and

(cc) natural gas, crude oil, distillate fuel, and other energy-related petroleum product storage in the United States; and

(VIII) any other energy-related topic that the Commission considers pertinent; and

(ii) not later than 180 days after the date of enactment of this Act, submit to the President and Congress a report that contains—

(I) a detailed statement of the findings and conclusions of the Commission; and

(II) the recommendations of the Commission for such legislation and administrative actions as the Commission considers appropriate.

(B) TIME PERIOD.—The findings made, analyses conducted, conclusions reached, and recommendations developed by the Commission in connection with the study under subparagraph (A) shall cover a period extending 10 years beyond the date of the report.

(c) USE OF FUNDS.—The Secretary of Energy shall use $500,000 of funds appropriated to the Department of Energy to fund the Commission.

(d) TERMINATION OF COMMISSION.—The Commission shall terminate on the date that is 90 days after the date on which the Commission submits its report under subsection (b)(2)(A)(ii).

DEWINE AMENDMENT NO. 4034

(Ordered to lie on the table.)

Mr. DEWINE submitted an amendment intended to be proposed by him to the bill, H.R. 4733, supra; as follows:

On page 90, between lines 6 and 7, insert the following:

SEC. 320. (a) FINDINGS.—The Senate makes the following findings:

(1) The closure or downsizing of a Department of Energy facility can have serious economic impacts on communities that have been built around and in support of the facility.

(2) To mitigate the devastating impacts of the closure of Department of Energy facilities on surrounding communities, section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (42 U.S.C. 7274h) provides a mechanism for the provision of financial assistance to such communities for redevelopment and to assist employees of such facilities in transferring to other employment.

(3) It is difficult to forecast necessary changes in the workforce at Department of Energy facilities in advance of the preparation of the budget for the Department of Energy given uncertainties regarding future budges, project schedules, and other factors.

(4) Limitations on the capacity of the Department of Energy to seek reprogramming of funds for worker and community assistance programs in response to the closure or downsizing of Department facilities undermines the capability of the Department to respond appropriately to unforeseen contingencies.

(b) SENSE OF SENATE.—It is the sense of the Senate that, in agreeing to the conference report to accompany the bill H.R.4733 of the 106th Congress, the conferees on the part of the Senate should not recede to provisions or language proposed by the House of Representatives that would limit the capacity of the Department of Energy to augment funds available for worker and community assistance grants under section 3161 of the National Defense Authorization for Fiscal Year 1993 or under the provisions of the USEC Privatization Act (subchapter A of chapter 1 of title III of Public Law 104–134; 42 U.S.C. 2297h et seq.).

DEWINE (AND LEVIN) AMENDMENT NO. 4035

(Ordered to lie on the table.)

Mr. DEWINE (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by them to the bill, H.R. 4733, supra; as follows:

On page 47, strike line 18 and insert the following: $139,219,000, to remain available until expended, of which $1,500,000 shall be made available to carry out activities under the John Glenn Great Lakes Basin Program established under section 455 of the Water Resources Development Act of 1999 (42 U.S.C. 1962d–21).

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, September 14 at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on the transportation of Alaska North Slope natural gas to market and to investigate the cost, environmental aspects, economic impacts and energy security implications to Alaska and the rest of the nation for alternative routes and projects.

For further information, please call Dan Kish at (202) 224–8276 or Jo Meuse at (202) 224–4756.

AUTHORITY FOR COMMITTEES TO MEET

SPECIAL COMMITTEE ON AGING

Mr. CRAIG. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet today, September 5, 2000 from 2:15 p.m.–4:30 p.m. in Dirksen 562 for the purpose of conducting a hearing.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Robert Griffiths, a legislative fellow in my office, be afforded floor privileges during the consideration of H.R. 4444.

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

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent Pete Lyons, a fellow in my office, and Dave Hunter with Senator JEFFORDS' office, be given privileges of the floor for the duration of the consideration of the energy and water development bill.

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

BREAST CANCER RESEARCH STAMP REAUTHORIZATION ACT OF 2000

On July 27, 2000, the Senate amended and passed S. 2386; as follows:

S. 2386

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

SECTION 1. AUTHORITY TO ISSUE SEMIPOSTAL STAMPS.

(a) SHORT TITLE.—This Act may be cited as the ''Semipostal Act of 2000''.

(b) IN GENERAL.—Chapter 4 of title 39, United States Code, is amended by striking section 416 (as added by the Semipostal Authorization Act) and inserting the following:

''§ 416. Authority to issue semipostals

''(a) DEFINITIONS.—In this section, the term—

''(1) 'agency' means an Executive agency (as defined by section 105 of title 5);

''(2) 'amounts becoming available from the sale of a semipostal under this section' means—

''(A) the total amounts received by the Postal Service with respect to the applicable semipostal in excess of the first class, first ounce rate, reduced by

''(B) an amount equal to the full costs incurred by the Postal Service from the issuance and sale of the average first class, first ounce rate stamp, plus any additional costs incurred by the Postal Service unique to the issuance of the applicable semipostal; and

''(3) 'semipostal' means a special postage stamp which is issued and sold by the Postal Service, at a premium, in order to help provide funding for an issue of national importance.

''(b) AUTHORITY.—The Postal Service may issue no more than 1 semipostal each year, and sell such semipostals, in accordance with this section.

''(c) RATES.—

''(1) IN GENERAL.—The rate of postage on a semipostal issued under this section shall be established by the Governors, in accordance with such procedures as the Governors shall by regulation promulgate (in lieu of the procedures under chapter 36), except that—

''(A) the rate established for a semipostal under this section shall be equal to the rate of postage that would otherwise regularly apply, plus a differential of not to exceed 25 percent; and

''(B) no regular rates of postage or fees for postal services under chapter 36 shall be any different from what such rates or fees otherwise would have been if this section had not been enacted.

''(2) VOLUNTARY USE.—The use of any semipostal issued under this section shall be voluntary on the part of postal patrons.

''(d) AMOUNTS BECOMING AVAILABLE.—

''(1) IN GENERAL.—The amounts becoming available from the sale of a semipostal under this section shall be transferred to the appropriate agency or agencies under such arrangements as the Postal Service shall by mutual agreement with each such agency establish.

''(2) ISSUES OF NATIONAL IMPORTANCE AND AGENCIES.—Decisions under this section concerning issues of national importance, and the appropriate agency or agencies to receive amounts becoming available under this section, shall be made applying the criteria and procedures established under subsection (f).

''(3) RECOVERY OF COSTS.—

''(A) IN GENERAL.—Not later than 6 months after the date of enactment of the Semipostal Act of 2000, the Postal Service shall establish a system to account for all revenues and the full costs (including related labor and administrative costs) associated with selecting, developing, marketing, and selling semipostals under this section. The system shall track and account for semipostal revenues and costs separately from the revenues and costs of all other postage stamps.

''(B) PAYMENT.—Before making any payment to any agency under subsection (d)(1), the Postal Service shall recover the full costs incurred by the Postal Service as of the date of such payment.

''(C) MINIMUM COSTS.—The Postal Service shall to the maximum extent practicable keep the costs incurred by the Postal Service in issuing a semipostal to a minimum.

''(4) OTHER FUNDING NOT TO BE AFFECTED.—Amounts which have or may become available from the sale of a semipostal under this section shall not be taken into account in any decision relating to the level of appropriations or other Federal funding to be furnished to an agency in any year.

''(e) CONGRESSIONAL REVIEW.—(1) Before the Postal Service can take action with respect to the implementation of a decision to issue a semipostal, the Postal Service shall submit to each House of the Congress a report containing—

''(A) a copy of the decision;

''(B) a concise explanation of the basis for the decision; and

''(C) the proposed effective date of the semipostal.

''(2) Upon receipt of a report submitted under paragraph (1), each House shall provide copies of the report to the chairman and ranking member of the Governmental Affairs Committee in the Senate and the Government Reform Committee in the House.

''(3) The decision of the Postal Service with respect to the implementation of a decision to issue a semipostal shall take effect on the latest of—

''(A) the date occurring 60 days after the date on which the Congress receives the report submitted under paragraph (1);

''(B) if the Congress passes a joint resolution of disapproval described in paragraph 7, and the President signs a veto of such resolution, the earlier date—

''(i) on which either House of Congress votes and fails to override the veto of the President; or

''(ii) occurring 30 session days after the date on which the Congress received the veto and objections of the President; or

''(C) the date the decision would have otherwise been implemented, if not for this section (unless a joint resolution of disapproval under paragraph 7 is enacted).

''(4) Notwithstanding paragraph (3), the decision of the Postal Service with respect to the implementation of a decision to issue a semipostal shall not be delayed by operation of this subsection beyond the date on which either House of Congress votes to reject a joint resolution of disapproval under paragraph 7.

''(5) The Postal Service shall not implement a decision to issue a semipostal if the Congress enacts a joint resolution of disapproval, described under paragraph 7.

''(6)(A) In addition to the opportunity for review otherwise provided under this chapter, in the case of any decision for which a report was submitted in accordance with paragraph (1) during the period beginning on the date occurring 30 days before the date the Congress adjourns a session of Congress through the date on which the same or succeeding Congress first convenes its next session, this section shall apply to such rule in the succeeding session of Congress.

''(B) In applying this section for purposes of such additional review, a decision described under paragraph (1) shall be treated as though—

''(i) the decision were made on—

''(I) in the case of the Senate, the fifth session day, or

''(II) in the case of the House of Representatives, the fifth legislative day,

''after the succeeding session of Congress first convenes; and

''(ii) a report on such role were submitted to Congress under paragraph (1) on such date.

''(7) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the period beginning on the date on which the report referred to in paragraph (1) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves the decision of the Postal Service submitted on ~~relating to~~ the issuance of semipostal, and the Postal Service shall take no action to implement such decision.' (The blank spaces being appropriately filled in.).

''(8)(A) A joint resolution described in paragraph (7) shall be referred to the committees in each House of Congress with jurisdiction.

''(B) For purposes of this subsection, the term 'submission date' means the date on which the Congress receives the report submitted under paragraph (1).

''(9) In the Senate, if the committee to which is referred a joint resolution described in paragraph (7) has not reported such joint resolution (or an identical joint resolution) at the end of 20 calendar days after the submission date defined under paragraph (8)(B), such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

''(10)(A) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under paragraph (9)) from further consideration of a joint resolution described in paragraph (7), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. 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 Senate until disposed of.

''(B) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(C) In the Senate, immediately following the conclusion of the debate on a joint resolution described in paragraph (7), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(D) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in paragraph (7) shall be decided without debate.

''(11) In the Senate the procedure specified in paragraph (9) or (10) shall not apply to the consideration of a joint resolution respecting a Postal Service decision to implement a decision to issue a semipostal—

''(A) after the expiration of the 60 session days beginning with the applicable submission date, or

''(B) if the report under paragraph (1) was submitted during the period referred to in paragraph (6), after the expiration of the 60 session days beginning on the fifth session day after the succeeding session of Congress first convenes.

''(12) If, before the passage by one House of a joint resolution of that House described in paragraph (7), that House receives from the other House a joint resolution described in paragraph (7), then the following procedures shall apply:

''(A) The joint resolution of the other House shall not be referred to a committee.

''(B) With respect to a joint resolution described in paragraph (7) 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.

''(13) This section is enacted by Congress—

''(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed 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 described in paragraph (7), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

''(B) with full recognition of the constitutional right of either House to change the rules (so far as relating 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.

''(f) REGULATIONS.—

''(1) IN GENERAL.—Not later than 6 months after the date of enactment of the Semipostal Act of 2000, the Postal Service shall promulgate regulations to carry out this section, including provisions relating to—

''(A) which office or other body within the Postal Service will be responsible for making the decisions described in subsection (d)(2);

''(B) what criteria and procedures will be applied in making those decisions;

''(C) any limitations relating to the issuance of semipostals, such as whether more than 1 semipostal may be offered for sale at any given time; and

''(D) how the price of a semipostal will be established.

''(2) NOTICE AND COMMENT.—Before any regulation is promulgated under this section, a copy of the proposed regulation shall be published in the Federal Register and an opportunity provided to interested parties to present written comment and, where practicable, oral comment.

''(3) ISSUANCE.—The Postal Service shall not issue a semipostal until at least 30 days after the final regulations promulgated under paragraph (1) take effect.

''(g) ANNUAL REPORTS.—

''(1) IN GENERAL.—The Postmaster General shall include in each report rendered under section 2402, with respect to any period during any portion of which this section is in effect, information concerning the operation of any program established under this section.

''(2) SPECIFIC REQUIREMENT.—

''(A) IN GENERAL.—If any semipostal ceases to be offered during the period covered by a report, the information contained in such report shall also include—

''(i) the dates on which the sale of such semipostal commenced and terminated; and

''(ii) the total amount that became available from the sale of such semipostal and any agency to which such amount was made available.

''(B) SEMIPOSTALS THAT CEASE TO BE OFFERED.—For each year before the year in which a semipostal ceases to be offered, any report under this subsection shall include, for that semipostal and for the year covered by that report, the information described under clauses (i) and (ii).

''(h) NO INDIVIDUAL RIGHT CREATED.—This section is not intended to and does not create any right or benefit, substantive or procedural, enforceable at law by any party against the Postal Service, its Governors, officers or employees, the United States, its agencies or instrumentalities, its officers or employees, or any other person.

''(i) INAPPLICABILITY TO BREAST CANCER RESEARCH SPECIAL STAMPS.—This section shall not apply to special postage stamps issued under section 414.

''(j) TERMINATION.—This section shall cease to be effective at the end of the 10-year period beginning on the date on which semipostals are first made available to the public under this section.''.

(c) REPORTS BY AGENCIES.—

(1) IN GENERAL.—Each agency that receives any funding in a year under section 416 of title 39, United States Code (as amended by this section) shall submit a written report under this subsection with respect to such year to the congressional committees with jurisdiction over the United States Postal Service.

(2) CONTENTS.—Each report under this subsection shall include—

(A) the total amount of funding received by such agency under section 416 of such title during the year to which the report pertains;

(B) an accounting of how any funds received by such agency under section 416 of such title were allocated or otherwise used by such agency in such year; and

(C) a description of the effectiveness in addressing the applicable issue of national importance that occurred as a result of the funding.

(d) REPORTS BY THE GENERAL ACCOUNTING OFFICE.—

(1) INITIAL REPORT.—Not later than 4 months after semipostal stamps are first made available to the public under section 416 of title 39, United States Code (as amended by this section), the General Accounting Office shall submit to the President and each house of Congress an initial report on the operation of the program established under such section.

(2) INTERIM REPORTS.—Not later than the third year, and again not later than the sixth year, after semipostal stamps are first made available to the public under section 416 of title 39, United States Code (as amended by this section), the General Accounting Office shall submit to the President and each house of Congress an interim report on the operation of the program established under such section.

(3) FINAL REPORT.—Not later than 6 months before the date of termination of the effectiveness of section 416 of title 39, United States Code (as amended by this section), the General Accounting Office shall submit to the President and each house of Congress a final report on the operation of the program established under such section. The final report shall contain a detailed statement of the findings and conclusions of the General

Accounting Office, and any recommendation the General Accounting Office considers appropriate.

(e) CONFORMING AMENDMENT.—Section 2 of the Semipostal Authorization Act is amended by striking subsections (b), (c), and (e).

(f) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act and the program under section 416 of title 39, United States Code (as amended by this section) shall be established not later than 1 year after the date of enactment of this Act.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces on behalf of the Republican Leader, pursuant to Public Law 105–134, his appointment of Nancy Rutledge Connery, of Maine, to serve as a member of the Amtrak Reform Council, vice Joseph Vranich, of Pennsylvania, effective July 28, 2000.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 99–498, reappoints Charles Terrell, of Massachusetts, to the Advisory Committee on Student Financial Assistance for a three-year term beginning October 1, 2000, effective July 28, 2000.

APPOINTMENT BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 106–173, announces the appointment of Frank J. Williams, of Rhode Island, to the Abraham Lincoln Bicentennial Commission, effective August 24, 2000.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 106–40, TREATY DOCUMENT NO. 106–41, TREATY DOCUMENT NO. 106–42, TREATY DOCUMENT NO. 106–43, TREATY DOCUMENT NO. 106–44

Mr. DOMENICI. As in executive session, I ask unanimous consent that the Injunction of Secrecy be removed from the following treaties and protocols transmitted to the Senate on September 5, 2000, by the President of the United States:

Treaty with Costa Rica on Return of Vehicles and Aircraft (Treaty Document No. 106–40); Protocol Relating to the Madrid Agreement (Treaty Document 106–41); Investment Treaty with Lithuania (Treaty Document No. 106–42); Protocol Amending the 1950 Consular Convention with Ireland (Treaty Document No. 106–43); Treaty with Panama on the Return of Vehicles and Aircraft (Treaty Document No. 106–44).

I further ask consent that the treaties and protocols be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

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

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Republic of Costa Rica for the Return of Stolen, Embezzled, or Appropriated Vehicles and Aircraft, with Annexes and a related exchange of notes, signed at San Jose on July 2, 1999. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of stolen vehicle treaties being negotiated by the United States in order to eliminate the difficulties faced by owners of vehicles that have been stolen and transported across international borders. Like several in this series, this Treaty also covers aircraft. When it enters into force, this Treaty will be an effective tool to facilitate the return of U.S. vehicles and aircraft that have been stolen, embezzled, or appropriated and taken to Costa Rica.

I recommend that the Senate give early and favorable consideration to the Treaty, with Annexes and a related exchange of notes, and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 5, 2000.*

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to accession, the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks adopted at Madrid June 27, 1989, which entered into force December 1, 1995. Also transmitted for the information of the Senate are the report of the Department of State with respect to the Protocol and a February 2, 2000, letter from the Council of the European Union regarding voting within the Assembly established under the Protocol.

The Protocol will offer several major advantages to U.S. trademark owners. First, registration of trademarks internationally will be possible without obtaining a local agent and without filing an application in each Contracting Party. If the United States accedes to the Protocol, the Protocol will provide a trademark registration filing system that will permit a U.S. trademark owner to file for registration in any number of Contracting Parties by filing a single standardized application in English, and with a single payment in dollars, at the United States Patent and Trademark Office (PTO). The PTO will forward the application to the International Bureau of the World Intellectual Property Organization (respectively, the ''International Bureau'' and ''WIPO''), which administers the Protocol. Second, under the Protocol, renewal of a trademark registration in each Contracting Party may be made by filing a single request with a single payment. These two advantages should make access to international protection of trademarks more readily available to both large and small U.S. businesses.

Third, the Protocol will facilitate the recording internationally of a change of ownership of a mark with a single filing. United States businesses experience difficulties effecting valid assignments of their marks internationally due to burdensome administrative requirements for recordation of an assignment in many countries. These difficulties can hinder the normal transfer of business assets. The Protocol will permit the holder of an international registration to record the assignment of a trademark in all designated Contracting Parties upon the filing of a single request with the International Bureau, accompanied by a single payment. To carry out the provisions of the Protocol, identical implementing legislation, which is supported by my Administration, was passed by the House of Representatives and introduced in the Senate.

Accession to the Protocol is in the best interests of the United States. Therefore, I recommend the Senate give early and favorable consideration to the Protocol and give its advice and consent to accession, subject to the declarations described in the accompanying report of the Department of State.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 5, 2000.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Republic of Lithuania for the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Washington on January 14, 1998. I transmit also, for the information of the Senate, the report of the Department of State with respect to this Treaty.

The bilateral investment treaty (BIT) with Lithuania was the third such treaty signed between the United States and a Baltic region country. The Treaty will protect U.S. investment and assist Lithuania in its efforts to develop its economy by creating conditions more favorable for U.S. private investment and thereby strengthening the development of its private sector.

The Treaty furthers the objectives of U.S. policy toward international and domestic investment. A specific tenet of U.S. policy, reflected in this Treaty, is that U.S. investment abroad and foreign investment in the United States should receive national treatment. Under this Treaty, the Parties also

agree to customary international law standards for expropriation. The Treaty includes detailed provisions regarding the computation and payment of prompt, adequate, and effective compensation for expropriation; free transfer of funds related to investments; freedom of investments from specified performance requirements; fair, equitable, and most-favored-nation treatment; and the investor's freedom to choose to resolve disputes with the host government through international arbitration.

I recommend that the Senate consider this Treaty as soon as possible, and give its advice and consent to ratification of the Treaty at an early date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 5, 2000.*

To the Senate of the United States:

I transmit herewith, for the Senate's advice and consent to ratification, the Protocol Amending the 1950 Consular Convention Between the United States of America and Ireland, signed at Washington on June 16, 1998. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Protocol.

The Protocol expands the scope of tax exemption under the 1950 Consular Convention Between the United States of America and Ireland to provide for reciprocal exemption from all taxes, including Value Added Taxes (VAT) on goods and services for the official use of the mission or for the personal use of mission members and families. The amendment will provide financial benefit to the United States, both through direct savings on embassy purchases of goods and services as well as through lowering the cost of living for United States Government employees assigned to the U.S. Embassy in Dublin.

Because the Protocol will achieve long-term tax exemption on the purchase of goods and services for our embassy and personnel in Ireland, I recommend that the Senate give early and favorable consideration to the Protocol and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 5, 2000.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Republic of Panama for the Return of Stolen, Robbed, or Converted Vehicles and Aircraft, with Annexes, signed at Panama on June 6, 2000, and a related exchange of notes of July 25, 2000. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of stolen vehicle treaties being negotiated by the United States in order to eliminate the difficulties faced by owners of vehicles that have been stolen and transported across international borders. Like several in this series, this Treaty also covers aircraft. When it enters into force, it will be an effective tool to facilitate the return of U.S. vehicles and aircraft that have been stolen, robbed, or converted and taken to Panama.

I recommend that the Senate give early and favorable consideration to the Treaty, with Annexes and a related exchange of notes, and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 5, 2000.*

ORDER OF PROCEDURE—S. 1608

Mr. DOMENICI. Mr. President, I ask unanimous consent, with respect to the consent agreement relating to consideration of S. 1608, that time allowed for vitiation be extended to no later than 12 noon on Thursday, September 7.

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

REFERRAL OF H.R. 1102

Mr. DOMENICI. Mr. President, I ask unanimous consent that H.R. 1102 be referred to the Committee on Finance.

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

ORDERS FOR WEDNESDAY, SEPTEMBER 6, 2000

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m., Wednesday, September 6. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that the Senate then resume debate on the motion to proceed to H.R. 4444, the China legislation.

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

PROGRAM

Mr. DOMENICI. Mr. President, when the Senate convenes at 9:30, postcloture debate on the motion to proceed to the China legislation will resume. It is hoped that an agreement can be reached to begin debate on the substance of the bill during tomorrow's session in an effort to complete action on that by the end of this week.

The Senate will also continue debate on the energy and water appropriations bill during tomorrow evening's session with amendments expected to be offered.

As a reminder, the Senate will consider the China trade bill and the energy and water appropriations bill on a dual track each day this week with votes expected throughout the week.

ORDER FOR ADJOURNMENT

Mr. DOMENICI. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order following the remarks of Senator REID of Nevada.

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

The Senator from Nevada is recognized.

ENERGY AND WATER APPROPRIATIONS ACT, 2002

Mr. REID. Mr. President, as always, I appreciate the hard work the chairman and his staff put into drafting this annual appropriations bill.

They have done an excellent job in pulling this bill together and I appreciate the cooperative manner with which he and his staff have worked with my staff. I also appreciate the consideration he has provided to the requests of all Members.

This subcommittee received over 1,000 requests from Members this year and majority and minority staff have combed through all of them.

As always, we are not able to accommodate as many of them as we would like, and, frankly, not even as many as we need to.

There are a great many things to like in this bill:

Solid funding for the programs to keep our nation's nuclear arsenal safe and secure.

Strong Army Corps and Bureau of Reclamation funding for work already underway.

First time funding for the Delta Regional Commission.

Also, for the first time in many years, the bill contains nearly full funding for the Solar and Renewable Energy programs.

I want to thank the Chairman of the Subcommittee, Mr. DOMENICI, for working with me to send some more resources to renewables.

We received a bipartisan letter, signed by 56 of our colleagues, requesting full funding for the Solar and Renewable accounts in this bill. I am delighted to report that we have come very close to doing so.

I believe that the Solar and Renewables programs are essential to our nation's long-term energy security and appreciate your consideration, Mr. Chairman.

As we have discussed, I am committed to producing a final energy and water conference report that is balanced and takes into account the wide variety of activities that we are called upon to fund.

Unfortunately, I do not believe that we can do justice to the non-defense side of our bill without additional resources.

There are also several controversial items, including no funding for Cal-Fed, no funding for the removal of a uranium tailings pile on the shore of the Colorado River near Moab, and the inclusion of several policy riders that will all need to be resolved in conference, or possibly here on the floor.

Additionally, it is my understanding that the administration has issued a veto threat over several issues, including:

1. Language prohibiting the Secretary of Interior from allocating water from the Central Arizona Project; and

2. A provision that prohibits the Army Corps of Engineers from updating the Missouri River Operators Manual; this provision also involves the Endangered Species Act.

This second item will be the subject of a fairly extensive debate here on the floor between Senators DASCHLE and BAUCUS and Senator BOND and others.

I take the veto threat seriously and encourage other Members to do the same.

While I am not inclined to encourage Members to vote against this bill at this time, it is my hope and expectation that these matters can be worked out either here on the floor or in conference.

In short, the vote count on this bill today or whenever we vote should not be considered indicative of the way I or other Members will vote if the President vetoes this bill.

That said, given the unfortunate financial constraints that the subcommittee had to work with—which I will discuss in a moment—this is a good bill overall. I support it and encourage my colleagues to do the same.

My overall message is simple today: This subcommittee simply does not have the resources it needs to do the job that Congress, the administration, and the American people expect of us.

I am not pointing fingers or attempting to assign blame: I am simply stating a fact.

This is a very important appropriations bill, one where we are asked to pay for a broad array of programs critical to our nation's future. We fund:

The guardians of our nation's nuclear weapons stockpile.

Our nation's flood control and navigation systems, infrastructure that contributes to human safety and economic growth.

Long-term research, development, and deployment of solar and renewable technologies, programs critical to our nation's long-term energy security and environmental future and;

Science programs that are unlocking the human genome and other breakthroughs that help to keep the U.S. at the scientific forefront of the world.

All of these are areas that are critical to our nation's independence and security, yet, year after year, this subcommittee is called upon to gut one or more of these programs to pay for other energy and water programs, or spending in other subcommittees.

We cannot continue to do this. These activities are too important.

While most of these comments focus on our shortfalls on the non-defense side of our ledger, they hold true for the defense programs, as well.

The subcommittee allocation for non-defense activities of the Bureau of Reclamation, the Army Corps of Engineers, the Department of Energy and others is over $600 million below the President's request.

Such a huge funding shortfall has required the subcommittee to impose strict limits on the types of projects that can be funded this year.

For example, as Chairman DOMENICI mentioned, there are no new construction new starts for BOR or the Army Corps in this bill.

As you can imagine, it is difficult to tell my colleagues that a fully authorized water project, one that is completely ready to go, has no shot at a construction new start this year. Only on-going work—usually at a dollar level well below the President's request—and a handful of new studies.

This is no way to run a robust national program.

But this year's numbers really only tell part of the story. All of us know, we have good financial years and bad financial years around here. However, short-falls year in and year out in the water accounts of the Army Corps have now resulted in a backlog of $45—$50 billion in fully authorized projects that are awaiting the first dollar in funding.

This shortfall just takes into account the Corps' historic mission of navigation and flood control and does not take into account some of the new directions that Congress has pushed the Corps in recent years.

It is wrong to give short shrift to important components of our nation's critical infrastructure. Flood control protects human lives and property; navigation projects ensure that our nation's economic engine continues to hum.

I think it is important to take a few minutes to review our ''critical water infrastructure'' and what it means in real terms to this country.

Our Nation's water resources infrastructure, developed over the past two centuries, has improved the quality of our lives and provided a foundation for the economic growth and development of this country.

Water supply systems, water treatment systems, flood protection projects, and water transportation systems all contribute to our national prosperity.

Our current economic expansion can be directly traced, at least in part, to investment decisions made by our forebears in this body to develop the nation's water resources.

They had the forethought to make these tough investment decisions and fortunately they are still paying dividends today.

The water infrastructure provided by the Army Corps alone provides an annual rate of return of approximately 26 percent. The stream of benefits are realized as flood damages prevented, reduced transportation costs, electricity, recreation, and water supply services.

Navigable channels provide an efficient and economic corridor for moving more than 2 billion tons of the Nation's domestic and foreign commerce. The value of this commerce is in excess of $660 billion.

Total jobs generated are about $13 million and Federal taxes generated by this commerce is estimated at nearly $150 billion. For every dollar invested to improve navigation infrastructure, U.S. Gross Domestic Product rises more than $3 dollars.

About 660 million of the 2.2 billion tons of cargo are moved on the nation's inland waterway system. That equates to 440,000 barges.

To move this cargo by alternative means would require an additional 17.6 million trucks on our nation's highway system or an additional 5.8 million rail cars on the nation's rail system.

That is a considerable amount of traffic to add to these overburdened systems.

The Army Corps manages 383 major lakes and reservoirs for flood control and has 8500 miles of levees in place. The flood protection provided by these structures, on average, prevents $20 billion in damages per year. That is a saving of $6 for every dollar invested in flood control projects.

Thousands of cities, towns and industries rely on the roughly 9.5 million acre feet of water supply storage from 116 lakes and reservoirs in the U.S. built by the Army Corps.

Army Corps owned and operated hydroelectric power plants produce enough electricity to supply almost 5 million homes with power. That is 24 percent of the total U.S. hydropower capacity of 3 percent of total U.S. electric capacity. Additionally, these plants annually return over half a billion dollars to the Federal Treasury.

Coastal projects protect almost 500 miles of our nation's critical eroding shoreline.

Over 30 percent of the recreation and tourism occurring on Federal lands takes place on Army Corps water resource projects. These visitors spend $10 billion annually on these recreational pursuits resulting in over 600,000 full and part-time jobs.

In addition to the direct benefits provided by this water infrastructure, substantial secondary or indirect economic benefits are realized.

I am also very familiar with the great work that the Bureau of Reclamation does for the 17 Western states, including mine. Its facilities include: 348 reservoirs providing 245 million acre-feet of water storage for municipal, rural and industrial uses to over 31 million people in the Western states. Irrigation water to 1 in every 5 western farmers for about 10 million acres of irrigated land.

Additionally, the Bureau is the second largest producer of hydroelectric power generating 40 billion kilowatt hours of energy each year from 58 powerplants. Its facilities also provide substantial flood control, recreation, and fish and wildlife benefits.

The great urbanization of the west could not be accomplished without

their management of scarce water resources.

Unfortunately, in recent years national investment has not kept pace with our level of economic and social expansion.

Public infrastructure investments including those for water resources infrastructure in 1960 amounted to 3.9 percent of the Gross Domestic Product.

Today the figure is more like 2.6 percent of the GDP.

That may not sound like much of a change, but let's look at the Army Corps during that period.

In the mid 1960s, the country was investing $4.5 billion annually in new water infrastructure, today it is less than $1.5 billion (measured in 1996 dollars).

Our water resources needs are no less today than they were 40 years ago. Yet we are investing one third as much.

One major impact of that reduction is the increasingly drawn out construction schedules forced by underfunding these projects.

These artificially lengthened schedules cause the loss of some $5 billion in annual benefits and increase the cost of these projects by some $500 million.

Failure to invest in maintenance, major rehabilitation, research and development, and new infrastructure has resulted in the gradual reduction in the value of our capital water resources stocks, and in turn the benefits we receive.

The value of the Army Corps' capital stock peaked in 1981 with a replacement value of $150 billion. Today its estimated value has decreased to $124 billion measured in 1995 dollars.

The Army Corps' estimates that their backlog for critical maintenance work is $400 million and is projected to grow by $100 million per year at current funding levels.

Our Nation's water infrastructure continues to perform as designed, but evidence of the need for reconstruction or modernization is becoming evident.

Some facilities have reached their capacity and some have reached the end of their design lives. New or shifting populations and growth have created unmet demands.

Finally, society's values are increasingly emphasizing sustainability and ecological considerations in water infrastructure management and development.

As you can see, I am one who firmly believes that investments in our nation's infrastructure more than pay for themselves through improved productivity and efficiency. To ignore these needs in the short term is going to cause us problems over the long haul.

Before I close today, I want to say some words of praise for the federal employees and contractors that populate the Departments, Agencies, and other organizations that are funded under this bill.

In the last year there has been a considerable amount of press and congressional attention surrounding issues such as security lapses at our National Labs and criticism of processes and procedures at the Army Corps.

From time to time we summons the political leadership of these organizations to the Hill to criticize, chide, or impress upon them the wisdom of our thinking. Often, it can be a pretty warm seat that we put them on.

None of that is to suggest that the Members of this body are anything other than respectful and proud of the hard work and accomplishments of our federal workforce, including contractors, lab employees, and others that make these important organizations run.

We expect a lot of you and, with very few exceptions, you live up to all of the expectations and demands that we impose on you. You serve your nation with distinction and we appreciate it.

I thank the Chairman, and the subcommittee staff for all of their hard work in getting us to this point. His team of Clay Sell, David Gwaltney, and LaShawnda Smith have been great to work with. On the minority staff, I want to say a word of thanks to Roger Cockrell, who is on detail from the Army Corps of Engineers office in Vicksburg, Mississippi, and Liz Blevins of the subcommittee staff.

NATIONAL IGNITION FACILITY FUNDING

Mr. REID. Mr. President, I rise in support of the Brownback amendment.

The National Ignition Facility has become a shining example of how not to build large national facilities.

When this project was first proposed by the Department of Energy several years ago, DOE sold this project to me and other Members as a cornerstone of our nation's science-based Stockpile Stewardship program.

Leaders from DOE and the Lawrence Livermore National Lab came to me at a time when many Members of the Senate, including Chairman DOMENICI, were somewhat skeptical that NIF was actually needed.

They assured me that NIF was absolutely vital to national security and that it would be brought in on time and within budget.

Based on that, I came to bat for NIF and convinced many of my colleagues to support it.

I regret it.

In my estimation, DOE lied to me.

They sold me a bill of goods and I am not happy about it.

It is now several years later and the project is hundreds of millions of dollars over budget and years behind schedule.

The administration has undertaken a re-baselining activity in the last year that they believe will put this project back on a glidepath to completion.

Our subcommittee has provided (temporarily) $74.5 million for the project. The administration wants another $135 million this year and hundreds of millions of dollars more on top of the original baseline per year over the next 7 years to get this thing done (3–5 years late).

That is what they say now. By the time we are actually done, it will be billions.

Enough is enough.

There is plenty of skepticism in the scientific and national security community as to whether we will ever be able to get the information we need to certify our stockpile from NIF.

I believe there are other, cheaper ways to get this job done and I think it is time to go back to the drawing board and find a new path forward.

I cannot tell you how angry I am that DOE and all of the national labs consistently do this sort of thing to Congress:

They overpromise and under-deliver at a vastly inflated price.

I say, enough is enough.

This is nothing personal against Livermore.

If the next big thing at Los Alamos or Sandia runs dramatically over-budget I will be down here again to express my outrage.

I have been a Member of Congress and the Senate too long to watch as administration after administration comes up here to whisper sweet nothings in my ear and then jack up the price a year or two later.

Let me clear about one thing: I have nothing but respect for the thousands of men and women who populate our nation's weapons labs.

The scientists of Lawrence Livermore, Sandia, and Los Alamos are amongst the most brilliant, dedicated, patriotic and creative people on Earth.

The contributions they have made to our nation's national security are too numerous to count.

In recent years, I have had two Fellows from Lawrence Livermore, Larry Ferderber and Bob Perret, serve in my personal office. They both did exceptional work for me, for Nevada, and for our nation. They both served me very well for many years.

It is a shame that the highest levels of leadership at DOE and at Livermore have not served their employees and the American people with equal distinction.

Mr. President, I yield the Floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I ask to speak for 30 seconds.

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

Mr. DOMENICI. Mr. President, I thank Senator REID for his comments and his cooperation. We still have a few days to go. The picture presented with reference to the nondefense portion of this bill, in particular, is absolutely true. I cannot figure why the House and Senate in their overall scope of allocating money continue to underallocate for nondefense when Senators and House Members probably request more of us in the nondefense part of this bill than any bill, except perhaps the interior appropriations bill.

The Senator mentions 1,000 requests. Those have to do with projects or programs or activities for dams that are clearly within reason as things we should do. I am working hard and will continue to work hard to try to get additional allocation before we complete the conference. I hope we can. Obviously if we cannot, with what the House has appropriated this will be a bad overall result for the nondefense part of the Corps of Engineers and the Bureau of Reclamation.

Mr. REID. I hope we can get a bill that we can send to the President, recognizing that it is a bill that he will sign. I hope we can do that. We have a commitment from the chairman of the full committee, Senator STEVENS, that he will work with us. Knowing his tenacity, I am confident we will be able to come up with something that is appropriate.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m., Wednesday, September 6, 2000.

Thereupon, the Senate, at 7:26 p.m., adjourned until Wednesday, September 6, 2000, at 9:30 a.m.

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S7959–S8034

Measures Introduced: Three bills and one resolution were introduced, as follows: S. 3002–3004, and S. Res. 347. **Page S8019**

Measures Reported:

Reported on Friday, August 25, during the adjournment:

S. 2764, to amend the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973 to extend the authorizations of appropriations for the programs carried out under such Acts, with an amendment in the nature of a substitute. (S. Rept. No. 106–365)

S. 522, to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water, with an amendment in the nature of a substitute. (S. Rept. No. 106–366)

S. 1148, to provide for the Yankton Sioux Tribe and the Santee Sioux Tribe of Nebraska certain benefits for the Missouri River Basin Pick-Sloan project, with an amendment in the nature of a substitute. (S. Rept. No. 106–367)

S. 1658, to authorize the construction of a Reconciliation Place in Fort Pierre, South Dakota, with an amendment in the nature of a substitute. (S. Rept. No. 106–368)

S. 2297, to reauthorize the Water Resources Research Act of 1984. (S. Rept. No. 106–369)

S. 2878, to commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903. (S. Rept. No. 106–370)

S. 134, to direct the Secretary of the Interior to study whether the Apostle Islands National Lakeshore should be protected as a wilderness area, with an amendment. (S. Rept. No. 106–371)

S. 729, to ensure that Congress and the public have the right to participate in the declaration of national monuments on federal land. (S. Rept. No. 106–372)

S. 1612, to direct the Secretary of the Interior to convey certain irrigation project property to certain irrigation and reclamation districts in the State of Nebraska, with an amendment in the nature of a substitute. (S. Rept. No. 106–373)

S. 1643, to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa, with amendments. (S. Rept. No. 106–374)

S. 1972, to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park, with amendments. (S. Rept. No. 106–375)

S. 2051, to revise the boundaries of the Golden Gate National Recreation Area, with an amendment in the nature of a substitute. (S. Rept. No. 106–376)

Report to accompany S. 2279, to authorize the addition of land to Sequoia National Park. (S. Rept. No. 106–377)

S. 2300, to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any one State. (S. Rept. No. 106–378)

S. 1564, to protect the budget of the Federal courts, with an amendment in the nature of a substitute. (S. Rept. No. 106–379)

S. 2343, to amend the National Historic Preservation Act for the purposes of establishing a national historic lighthouse preservation program, with amendments. (S. Rept. No. 106–380)

S. 2499, to extend the deadline for commencement of construction of a hydroelectric project in the State of Pennsylvania. (S. Rept. No.106–381)

S. 1407, to authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 2000, 2001, and 2002, with an amendment in the nature of a substitute. (S. Rept. No. 106–382)

S. 1594, to amend the Small Business Act and Small Business Investment Act of 1958, with an

amendment in the nature of a substitute. (S. Rept. No. 106–383)

S. 1639, to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977, for the National Weather Service and Related Agencies, and for the United States Fire Administration for fiscal years 2000, 2001, and 2002, with an amendment in the nature of a substitute. (S. Rept. No. 106–384)

S. 1687, to amend the Federal Trade Commission Act to authorize appropriations for the Federal Trade Commission, with amendments. (S. Rept. No. 106–385)

S. 2412, to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2000, 2001, 2002, and 2003. (S. Rept. No. 106–386)

S. 2438, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, with an amendment in the nature of a substitute. (S. Rept. No. 106–387)

S. 2440, to amend title 49, United States Code, to improve airport security, with an amendment in the nature of a substitute. (S. Rept. No. 106–388)

S. 1929, to amend the Native Hawaiian Health Care Improvement Act to revise and extend such Act, with an amendment in the nature of a substitute. (S. Rept. No. 106–389)

S. 2697, to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives, with an amendment in the nature of a substitute. (S. Rept. No. 106–390)

S. 3001, to amend the United States Grain Standards Act to extend the authority of the Secretary of Agriculture to collect fees, extend the authorization of appropriations, and improve the administration of that Act, to amend the United States Warehouse Act to authorize the issuance of electronic warehouse receipts. (S. Rept. No. 106–391)

H.R. 468, to establish the Saint Helena Island National Scenic Area, with an amendment. (S. Rept. No. 106–392)

H.R. 992, to convey the Sly Park Dam and Reservoir to the El Dorado Irrigation District, with amendments. (S. Rept. No. 106–393)

H.R. 1695, to provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, with amendments. (S. Rept. No. 106–394)

H.R. 999, to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters.

Reported on Wednesday, August 30, during the adjournment:

Report to accompany H.R. 4733, making appropriations for energy and water development for the fiscal year ending September 30, 2001. (S. Rept. No. 106–395) **Pages S8018–19**

PNTR (Permanent Normal Trade Relations) FOR CHINA: Senate resumed consideration of the motion to proceed to the consideration of H.R. 4444, to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.

Pages S7963–67, S7974–78, S7981–83

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to the consideration of the bill on Wednesday, September 6, 2000. **Page S8031**

Energy/Water Development Appropriations: Senate resumed consideration of H.R. 4733, making appropriations for energy and water development for the fiscal year ending September 30, 2001, agreeing to the committee amendment in the nature of a substitute, and taking action on the following amendments purposed thereto: **Pages S7985–91**

Pending:

Domenici Amendment No. 4032, to strike certain environmental related provisions. **Pages S7988–89**

Schumer/Collins Amendment No. 4033, to establish a Presidential Energy Commission to explore long- and short-term responses to domestic energy shortages in supply and severe spikes in energy prices. **Page S7989**

A unanimous-consent agreement was reached providing for further consideration of the bill and an amendment to be proposed thereto on Wednesday, September 6, 2000.

Secure Rural Schools and Community Self-Determination Act—Agreement: A unanimous-consent agreement was reached providing that with respect to the consent agreement relating to the consideration of S. 1608, to provide annual payments to the States and counties from National Forest System lands managed by the Forest Service, and the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands managed predominately by the Bureau of Land Management, for use by the counties in which the lands are situated for the benefit of the public schools, roads, emergency and other public purposes; to encourage and provide new mechanisms for cooperation between counties and the Forest Service and the Bureau of Land Management to make necessary investments in Federal lands, and reaffirm the positive

connection between Federal Lands counties and Federal Lands, that time allowed for vitiation be extended to no later than 12:00 noon on Thursday, September 7. **Page S8031**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaties and protocols:

Treaty with Costa Rica on the Return of Vehicles and Aircraft (Treaty Doc. No. 106–40);

Protocol Relating to the Madrid Agreement (Treaty Doc. No. 106–41);

Investment Treaty with Lithuania (Treaty Doc. No. 106–42);

Protocol Amending the 1950 Consular Convention with Ireland (Treaty Doc. No. 106-43);

Treaty with Panama on the Return of Vehicles and Aircraft (Treaty Doc. No. 106–44)

The treaties and protocols were transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and were ordered to be printed. **Pages S8030–31**

Appointments:

Advisory Committee on Student Financial Assistance: The Chair, on behalf of the President pro tempore, pursuant to Public Law 99–498, reappointed Charles Terrell, of Massachusetts, to the Advisory Committee on Student Financial Assistance for a three-year term beginning October 1, 2000, effective July 28, 2000. **Page S8030**

Amtrak Reform Council: The Chair announced on behalf of the Republican Leader, pursuant to Public Law 105–134, his appointment of Nancy Rutledge Connery, of Maine, to serve as a member of the Amtrak Reform Council, vice Joseph Vranich, of Pennsylvania, effective July 28, 2000. **Page S8030**

Abraham Lincoln Bicentennial Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 106–173, announced the appointment of Frank J. Williams, of Rhode Island, to the Abraham Lincoln Bicentennial Commission, effective August 24, 2000. **Page S8030**

Measures Placed on Calendar: **Page S8001**

Communications: **Pages S8001–17**

Petitions: **Pages S8017–18**

Statements on Introduced Bills: **Pages S8019–24**

Additional Cosponsors: **Pages S8024–26**

Amendments Submitted: **Pages S8027–28**

Notices of Hearings: **Page S8028**

Authority for Committees: **Page S8028**

Additional Statements: **Pages S7997–S8000**

Text of S. 2386, as Previously Passed: **Pages S8028–30**

Adjournment: Senate convened at 12:02 p.m., and adjourned at 7:26 p.m., until 9:30 a.m., on Wednesday, September 6, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8031.)

Committee Meetings

(Committees not listed did not meet)

NURSING HOME BANKRUPTCIES

Special Committee on Aging: Committee concluded hearings to examine the causes of nursing home bankruptcies, in order to inform future policy decisions, including proposals to raise Medicare payments to skilled nursing facilities, after receiving testimony from Laura A. Dummit, Associate Director, Health Financing and Public Health Issues, Health, Education, and Human Services Division, General Accounting Office; George F. Grob, Deputy Inspector General for Evaluation and Inspections, and Steven Pelovitz, Director, Survey and Certification Group, Health Care Financing Administration, both of the Department of Health and Human Services; John Ransom, Raymond James and Associates, Inc., St. Petersburg, Florida; and Charles H. Roadman, II, American Health Care Association, Washington, D.C.

House of Representatives

Chamber Action

The House was not in session today. The House will next meet at 2 p.m. on Wednesday, September 6.

Committee Meetings

No Committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D847)*

H.R. 3544, to authorize a gold medal to be presented on behalf of the Congress to Pope John Paul II in recognition of his many and enduring contributions to peace and religious understanding. Signed July 27, 2000. (P.L. 106–250)

H.R. 3591, to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation. Signed July 27, 2000. (P.L. 106–251)

H.R. 4391, to amend title 4 of the United States Code to establish sourcing requirements for State and local taxation of mobile telecommunication services. Signed July 28, 2000. (P.L. 106–252)

H.R. 4437, to grant to the United States Postal Service the authority to issue semipostals. Signed July 28, 2000. (P.L. 106–253)

H.R. 1791, to amend title 18, United States Code, to provide penalties for harming animals used in Federal law enforcement. Signed August 2, 2000. (P.L. 106–254)

H.R. 4249, to foster cross-border cooperation and environmental cleanup in Northern Europe. Signed August 2, 2000. (P.L. 106–255)

S. 2327, to establish a Commission on Ocean Policy. Signed August 7, 2000. (P.L. 106–256)

S. 1629, to provide for the exchange of certain land in the State of Oregon. Signed August 8, 2000. (P.L. 106–257)

S. 1910, to amend the Act establishing Women's Rights National Historical Park to permit the Secretary of the Interior to acquire title in fee simple to the Hunt House located in Waterloo, New York. Signed August 8, 2000. (P.L. 106–258)

H.R. 4576, making appropriations for the Department of Defense for the fiscal year ending September 30, 2001. Signed August 9, 2000. (P.L. 106–259)

H.R. 1167, to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes. Signed August 18, 2000. (P.L. 106–260)

H.R. 1749, to designate Wilson Creek in Avery and Caldwell Counties, North Carolina, as a component of the National Wild and Scenic Rivers System. Signed August 18, 2000. (P.L. 106–261)

H.R. 1982, to name the Department of Veterans Affairs outpatient clinic located in Rome, New York, as the "Donald J. Mitchell Department of Veterans Affairs Outpatient Clinic". Signed August 18, 2000. (P.L. 106–262)

H.R. 3291, to provide for the settlement of the water rights claims of the Shivwits Band of the Paiute Indian Tribe of Utah. Signed August 18, 2000. (P.L. 106–263)

H.R. 3519, to provide for negotiations for the creation of a trust fund to be administered by the International Bank for Reconstruction and Development of the International Development Association to combat the AIDS epidemic. Signed August 19, 2000. (P.L. 106–264)

CONGRESSIONAL PROGRAM AHEAD

Week of September 6 through September 9, 2000

Senate Chamber

During the remainder of the week, Senate will continue to consider the motion to proceed to H.R. 4444, PNTR for China, and H.R. 4733, Energy/Water Development Appropriations, and expects to consider any other cleared legislative and executive business, including appropriation bills and conference reports, when available.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: September 6, Subcommittee on Transportation, to hold oversight hearings on the Firestone ATX and Wilderness AT tire recall, 10 a.m., SD–124.

September 7, Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine stem cell research, 9:30 a.m., SD–124.

Committee on Armed Services: September 6, to hold hearings on the nomination of the following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601: Elizabeth A. Ashburn, to be Lieutenant General; the

nomination of the following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601: Lt. Gen. Charles R. Holland, to be General; and the nomination of the following named officer for appointment as the Chief of Engineers, United States Army, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601 and 3036: Maj. Gen. Robert B. Flowers, to be Lieutenant General, 9:30 a.m., SR–222.

Committee on Environment and Public Works: September 7, business meeting to mark up S. 2962, to amend the Clean Air Act to address problems concerning methyl tertiary butyl ether, 9 a.m., SD–406.

Committee on Finance: September 6, to hold oversight hearings to examine federal Medicaid spending for non-Medicaid purposes, 10 a.m., SD–215.

September 7, Full Committee, business meeting to mark up pending calendar business, 10 a.m., SD–215.

Committee on Foreign Relations: September 6, to hold hearings on Taiwan's accession to the World Trade Organization, 10:30 a.m., SD–419.

September 7, Full Committee, to hold hearings to examine religious persecution in the world, 9:30 a.m., SD–419.

Committee on Governmental Affairs: September 7, Subcommittee on International Security, Proliferation and Federal Services, to hold hearings to examine e-commerce activities of the United States Postal Service, 10 a.m., SD–342.

Committee on Indian Affairs: September 6, to hold hearings on S. 2580, to provide for the issuance of bonds to provide funding for the construction of schools of the Bureau of Indian Affairs of the Department of the Interior; to be followed by a business meeting to mark up S. 611, to provide for administrative procedures to extend Federal recognition to certain Indian groups, and S. 2282, to encourage the efficient use of existing resources and assets related to Indian agricultural research, development and exports within the United States Department of Agriculture, 9:30 a.m., SR–485.

Committee on the Judiciary: September 6, to hold hearings to examine electronic surveillance and privacy in the digital age, 10 a.m., SD–226.

September 6, Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine allowing cameras and electronic media in the courtroom, 2 p.m., SD–226.

House Chamber

Monday, House is not in session.

Tuesday, House is not in session.

Wednesday, the House will meet at 2:00 p.m. for legislative business. No recorded votes are expected before 6:00 p.m. Consideration of Suspensions:

(1) H.R. 4884, "William S. Broomfield Post Office Building";

(2) H.R. 4534, "James T. Broyhill Post Office Building";

(3) H.R. 4615, "Reverend J.C. Wade Post Office";

(4) H.R. 3454, "Henry McNeal Turner Post Office";

(5) H.R. 4484, "Everett Alvarez, Jr. Post Office Building";

(6) H.R. 2302, "James W. McCabe, Sr. Post Office Building";

(7) H.R. 4448, "Judge Robert Bernard Watts, Sr. Post Office Building"; and

Consideration of H.R. 4678, Child Support Distribution Act of 2000 (Subject to a Rule).

Thursday and Friday, the House will meet at 10:00 a.m. on Thursday and 9 a.m. on Friday for legislative business. No votes are expected past 2:00 p.m. on Friday.

Complete consideration of H.R. 4942, District of Columbia Appropriations Act for Fiscal Year 2001;

Consideration of the Conference Report on H.R. 4516, Legislative Branch Appropriations Act for Fiscal Year 2001; and

Consideration of the veto override on H.R. 8, Death Tax Elimination Act of 2000.

House Committees

Committee on Agriculture, September 7, to consider H.R. 1592, Regulatory Fairness and Openness Act of 1999, 10 a.m., 1300 Longworth.

Committee on Banking and Financial Services, September 7, Subcommittee on Domestic and International Policy, hearing and mark up of H.R. 5010, District of Columbia and United States Territories Circulating Quarter Dollar Program Act and to mark up H.R. 3679, 2002 Winter Olympic Commemorative Coin Act, 2 p.m., 2128 Rayburn.

September 7, Subcommittee on Financial Institutions and Consumer Credit, to mark up H.R. 3408, Fair Credit Reporting Amendments Act of 1999, 10 a.m., 2128 Rayburn.

Committee on Commerce, September 6, Subcommittee on Telecommunications, Trade, and Consumer Protection and the Subcommittee on Oversight and Investigations, joint hearing on the recent Firestone tire recall action, focusing on the action as it pertains to relevant Ford vehicles, 1 p.m., 2123 Rayburn.

September 7, Subcommittee on Health and Environment, hearing entitled: "Telehealth: A Cutting Edge Medical Tool for the 21st Century," 10 a.m., 2322 Rayburn.

September 7, Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing entitled: "Foreign Government Ownership of American Telecommunications Companies," 11 a.m., 2123 Rayburn.

September 8, Subcommittee on Telecommunications, Trade, and Consumer Protection, to mark up the following bills: H.R. 3011, Truth in Telephone Billing Act of 1999; H.R. 3100, Know Your Caller Act of 1999; H.R. 2592, to amend the Consumer Product Safety Act to provide that low-speed electric bicycles are consumer

products subject to such Act; H.R. 3850, Independent Telecommunications Consumer Enhancement Act of 2000; and H.R. 2346, to authorize the enforcement by state and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment, 10 a.m., 2123 Rayburn.

Committee on Government Reform, September 6, Subcommittee on Government Management, Information, and Technology, hearing on Innovations in American Government: Are There Lessons to be Learned? 10 a.m., 2154 Rayburn.

September 8, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing on The Privacy Act and the Presidency, 9 a.m., 2247 Rayburn.

September 8, Subcommittee on National Security, Veterans Affairs, and International Relations, hearing on National Missile Defense: Test Failures and Technology Development, 9:30 a.m., 2154 Rayburn.

Committee on International Relations, September 7, to mark up the following measures: H.R. 3378, Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 1999; H.R. 4673, Support for Overseas Cooperative Development Act; S. 484, Bring Them Home Alive Act of 2000; H. Res. 547, expressing the sense of the House of Representatives with respect to the peace process in Northern Ireland; H. Con. Res. 242, to urge the Nobel Commission to award the year 2000 Nobel Prize for Peace to former United States Senator George J. Mitchell for his dedication to fostering peace in Northern Ireland; H.J. Res. 100, calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act; H.R. 1064, Serbia and Montenegro Democracy Act of 1999; and H. Res. 451, calling for lasting peace, stability and justice in Kosova, 10 a.m., 2172 Rayburn.

September 7, Subcommittee on International Operations and Human Rights, hearing on the State Department Annual Report on International Religious Freedom for 2000, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, September 6, Subcommittee on the Constitution, hearing on the following bills: H.R. 5018, Electronic Communications Privacy Act of 2000; H.R. 4987, Digital Privacy Act of 2000; and H.R. 4908, Notice of Electronic Monitoring Act, 2 p.m., 2237 Rayburn.

September 7, Subcommittee on Immigration and Claims, oversight hearing on Justice Department Inspector General's Report, ''An Investigation of the Immigration and Naturalization Service's Citizenship USA Initiative,'' 10 a.m., 2226 Rayburn.

Committee on Resources, September 7, Subcommittee on National Parks and Public Lands, hearing on the following bills: H.R. 4503, Historically Women's Public Colleges or Universities Historic Building Restoration and Preservation Act; and H. R. 5036, Dayton Aviation Heritage Preservation Amendments Act of 2000, 10 a.m., 1324 Longworth.

Committee on Science, September 7, Subcommittee on Space and Aeronautics, hearing on the Technical Feasibility of Space Solar Power, 2 p.m., 2318 Rayburn.

Committee on Small Business, September 7, Subcommittee on Tax, Finance, and Exports, hearing on the complexity of the tax code as it impacts small business, 10 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, September 7, Subcommittee on Health, to mark up the Department of Veterans Affairs Health Care Personnel Act of 2000, 10 a.m., 334 Cannon.

Committee on Ways and Means, September 7, Subcommittee on Human Resources, hearing on Unemployment Compensation, 10 a.m., B–318 Rayburn.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED SIXTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 24 through July 31, 2000

	Senate	*House*	*Total*
Days in session	92	84	..
Time in session	710 hrs., 3′	724 hrs., 51′	..
Congressional Record:			
Pages of proceedings	7,958	7,213	..
Extensions of Remarks	..	1,395	..
Public bills enacted into law	25	58	83
Private bills enacted into law	1	1	2
Bills in conference	13	17	..
Measures passed, total	275	416	691
Senate bills	69	30	..
House bills	77	210	..
Senate joint resolutions	8	4	..
House joint resolutions	2	4	..
Senate concurrent resolutions	30	11	..
House concurrent resolutions	21	49	..
Simple resolutions	68	108	..
Measures reported, total	234	292	526
Senate bills	144	11	..
House bills	53	186	..
Senate joint resolutions	2	..	..
House joint resolutions	1	4	..
Senate concurrent resolutions	13	..	..
House concurrent resolutions	3	7	..
Simple resolutions	18	84	..
Special reports	10	13	..
Conference reports	2	10	..
Measures pending on calendar	303	99	..
Measures introduced, total	1,178	1,928	3,106
Bills	1,004	1,588	..
Joint resolutions	13	21	..
Concurrent resolutions	56	150	..
Simple resolutions	105	169	..
Quorum calls	6	3	..
Yea-and-nay votes	231	225	..
Recorded votes	..	222	..
Bills vetoed	1	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 135 reports have been filed in the Senate, a total of 315 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 24 through July 31, 2000

Civilian nominations, totaling 363 (including 142 nominations carried over from First Session), disposed as follows:	
Confirmed	124
Unconfirmed	230
Withdrawn	9
Other Civilian nominations totaling 1,584 (including 778 nominations carried over from the First Session), disposed as follows:	
Confirmed	1,499
Unconfirmed	85
Air Force nominations, totaling 5,097 (including 15 nominations carried over from the First Session), disposed as follows:	
Confirmed	4,974
Unconfirmed	120
Returned to White House	3
Army nominations, totaling 4,106 (including 204 nominations carried over from the First Session), disposed as follows:	
Confirmed	2,506
Unconfirmed	1,598
Returned to White House	2
Navy nominations, totaling 3,055 (including 10 nominations carried over from the First Session), disposed as follows:	
Confirmed	2,417
Unconfirmed	636
Returned to White House	2
Marine Corps nominations, totaling 2,825 (including 1 nomination carried over from the First Session), disposed as follows:	
Confirmed	2,727
Unconfirmed	98

Summary

Total Nominations carried over from First Session	1,150
Total Nominations received this session	15,880
Total Confirmed	14,247
Total Unconfirmed	2,767
Total Withdrawn	9
Total Returned to White House	7

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January 24 through August 31, 2000

	Senate	*House*	*Total*
Days in session	92	84	..
Time in session	710 hrs., 3′	724 hrs., 51′	..
Congressional Record:			
Pages of proceedings	7,958	7,213	..
Extensions of Remarks	..	1,395	..
Public bills enacted into law	28	66	94
Private bills enacted into law	1	1	2
Bills in conference	13	17	..
Measures passed, total	275	416	691
Senate bills	69	30	..
House bills	77	210	..
Senate joint resolutions	8	4	..
House joint resolutions	2	4	..
Senate concurrent resolutions	30	11	..
House concurrent resolutions	21	49	..
Simple resolutions	68	108	..
Measures reported, total	*264	*292	556
Senate bills	170	11	..
House bills	57	186	..
Senate joint resolutions	2	..	..
House joint resolutions	1	4	..
Senate concurrent resolutions	13	..	..
House concurrent resolutions	3	7	..
Simple resolutions	18	84	..
Special reports	10	13	..
Conference reports	2	10	..
Measures pending on calendar	303	99	..
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Next Meeting of the **SENATE**

9:30 a.m., Wednesday, September 6

Senate Chamber

Program for Wednesday: Senate will continue consideration of the motion to proceed to the consideration of H.R. 4444, PNTR for China; following which, Senate will continue consideration of H.R. 4733, Energy and Water Development Appropriations.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

2 p.m., Wednesday, September 6

House Chamber

Program for Wednesday: The House will meet at 2:00 p.m. for legislative business. No recorded votes are expected before 6:00 p.m. Consideration of Suspensions:

(1) H.R. 4884, ''William S. Broomfield Post Office Building'';

(2) H.R. 4534, ''James T. Broyhill Post Office Building'';

(3) H.R. 4615, ''Reverend J.C. Wade Post Office'';

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Consideration of H.R. 4678, Child Support Distribution Act of 2000 (Subject to a Rule).

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