

and gas estate are owned by different parties. CBM royalties now being paid to the owner of the oil and gas estate would instead be due to the owner of the coal estate. Where the federal government owns the coal estate but not the oil and gas estate, the federal government could begin collecting CBM royalties; where the government owns the oil and gas estate but not the coal estate, the government might have to cease collecting CBM royalties. According to the Department of the Interior (DOI), the former of these two cases would be common and the latter case would be rare. But because the ruling by the 10th Circuit Court could be appealed to the U.S. Supreme Court or could be contradicted by a ruling in a different circuit court of appeals, DOI will not consider collecting such CBM royalties until the interpretation of current law is clear.

S. 2500 would provide that, for any lease in effect on or before enactment of the bill that allows for CBM production and where the federal government retains ownership of the coal estate, existing lessees would continue to pay CBM royalties to nonfederal owner of the oil and gas estate.

For purposes of this estimate, CBO assumes that, in the absence of the bill, the current situation will continue for the foreseeable future—that is, the federal government will not collect CBM royalties on existing leases when it owns only the coal estate. Therefore, we estimate that enacting S. 2500 would not affect offsetting receipts from mineral production and any associated payments to states over the next five years. Another outcome is possible, however. If the ruling of the 10th U.S. Circuit Court of Appeals is subsequently upheld, enacting the bill could result in a loss of offsetting receipts that the federal government would otherwise collect for certain CBM production. CBO has little information about the size of the potential losses, but they could be less than \$1 million or as much as several million dollars a year.

The CBO staff contact is Victoria V. Heid. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.●

A TRIBUTE TO SUSY SMITH

● Mrs. FEINSTEIN. Mr. President, I rise today to pay tribute to Susy Smith, who has served as my Legislative Director for nearly my entire Senate career. Her contributions to my legislative efforts have been without parallel, and she leaves with an impressive record of achievement and the profound respect of all who have been fortunate enough to work with her.

Susy is one of those unique people who knows how to make government work for its people. Her work in the Carter administration, along with her more than ten years as a top level congressional aide to Congressman Norm Mineta, Senator BARBARA MIKULSKI, and myself, have been a testament to both her talent and commitment to public service. Her quiet leadership, innate sense of judgment, and uncanny ability to stay on top of dozens of issues pending before the Senate made her an enormously valuable asset to my office.

Susy also possesses a deep and abiding faith in the American political process, and the role that Congress plays in our constitutional system of

government. She has helped me imbue my staff with a sense of their duty to serve the people of California, together with the knowledge that the work we do here truly makes a difference in people's lives back home.

Susy has played a vital role in helping to pass some of my most important legislative initiatives such as the Desert Protection Act, the Assault Weapons Ban, and the Breast Cancer Research Stamp Act. In fact, over the past 5 years, Susy has put her indelible stamp on every piece of legislation that came out of my office. Her hard work has paid off not just for the people of California, but for the entire Nation—in safer streets, in more money for cancer research, in better health care for America's women, and in national parks that all of us can enjoy, to name just a few.

What stands out most about Susy is her wonderful ability to bring out the best of everyone. Her good judgement, great sense of humor, and supportive nature carried the staff through many tough battles, long days, and stressful times. She is not only a sharp political strategist and astute policy analyst, but a terrific manager and steady presence in the office. I have appreciated her professional spirit and have placed much confidence in her decision making and perspective.

So it is with a deep sense of admiration, some sadness, and heartfelt good wishes that my staff and I say goodbye to Susy, secure in the knowledge that she will be just as successful in all her future endeavors as she has been working in the U.S. Senate.●

PATIENT PROTECTIONS

● Mrs. BOXER. Mr. President, I wish to express how disappointed I am that the 105th Congress has failed to act on legislation to increase protections for the millions of Americans whose health insurance benefits are managed by health maintenance organizations (HMOs).

The Patients' Bill of Rights legislation, which was introduced by the Democratic Leader, Senator DASCHLE, and cosponsored by me and most of my Democratic colleagues, was endorsed by over 180 organizations, including the American Medical Association, the American Nurses Association, and the AARP.

The Patients' Bill of Rights would have given protections to all 161 million privately insured Americans. It would have: Guaranteed patients access to emergency room services; ensured access to specialists for patients with serious or chronic conditions; given women direct access to the OB/GYN, and allowed them to designate their OB/GYNs as primary care doctors; allowed patients to appeal their insurance companies' decisions to an independent reviewer and receive timely decisions that would be binding on HMOs; protected doctors and nurses who advocate for their patients from being fired by an HMO; prohibit insur-

ance companies from arbitrarily interfering with the decisions of doctors; ensured that doctors be able to decide which medications their patients should receive; and limited the ability of insurance companies to use financial incentives to get doctors to deny patient care.

It is unfortunate that the Majority Leader would not allow a vote on the Patients' Bill of Rights. But this fight is not over. Americans continue to demand that their HMOs be held accountable for putting profits ahead of patients. Supporters of the Patients' Bill of Rights continue to believe that doctors—not HMO accountants—should make medical decisions.

I urge the leadership of the 106th Congress, which will convene in January, 1999, to immediately schedule a debate and vote on the Patients' Bill of Rights, in order to secure basic patient protections for the 60 percent of all Americans who get their health insurance through HMOs.●

COLUMBIA UNIVERSITY LAW PROFESSOR RICHARD N. GARDNER

● Mr. MOYNIHAN. Mr. President, I rise to offer my congratulations to the former United States Ambassador to Spain, Richard N. Gardner who earlier this year received the Thomas Jefferson Award for his service during his tenure in Madrid.

Since its inception in 1993, the Thomas Jefferson Award has been given annually by American Citizens Abroad to the State Department employee who has "done the most for American citizens overseas." After consulting American clubs, Chambers of Commerce, and individual Americans around the world, American Citizens Abroad announced in Geneva that Richard Gardner was this year's recipient. The Ambassador was commended for his assistance to U.S. business, his establishment of twenty new scholarships for young Spaniards to study in the States, and for his frequent and informed articles in Spanish publications.

Richard Gardner currently serves as the Henry L. Moses Professor of Law and International Organization at Columbia University Law School. He has spent a lifetime devoted to promoting international stability. He recognizes as only too few do the value of international law in the world.

I ask that his article "Why U.N. Dues Aren't Optional" from The International Herald Tribune be printed in the RECORD and with appreciation and admiration I extend my congratulations to Ambassador Gardner and his wife, Danielle, on this most splendid and deserved award.

The article follows:

[From the International Herald Tribune, Mar. 11, 1998]

WHY UN DUES AREN'T OPTIONAL
(By Richard N. Gardner)

NEW YORK.—A top priority for the Clinton administration is to persuade Congress to