

"International Energy Outlook 1999"; to the Committee on Energy and Natural Resources.

EC-2848. A communication from the Director, Office of Surface Mining, Department of The Interior, transmitting, pursuant to law, the report of a rule entitled "Virginia Regulatory Program" SPATS No. VA-110-FOR, received April 27, 1999; to the Committee on Energy and Natural Resources.

EC-2849. A communication from the Director, Office of Surface Mining, Department of The Interior, transmitting, pursuant to law, the report of a rule entitled "Texas Regulatory Program" SPATS No. TX-045-FOR, received April 27, 1999; to the Committee on Energy and Natural Resources.

#### 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-81. A joint resolution adopted by the Legislature of the State of Washington; to the Committee on Environment and Public Works.

##### SENATE JOINT MEMORIAL 8013

To the Honorable William J. Clinton, President of the United States, and to the President of the Senate and the Speaker of the House of Representatives, and to the Senate and House of Representatives of the United States, in Congress assembled:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

Whereas, parts of Western Washington received the highest amount of rainfall in state history between the months of November and February, raining for ninety-one consecutive days and producing over fifty-five inches of rain in King County; and

Whereas, parts of the Olympic Peninsula, i.e., Lilliwaup, received over one hundred fourteen inches of rain in a four-month period; and

Whereas, sixty-one homes have been damaged and twenty-six homes are uninhabitable in the area known as Carlyon Beach in Thurston County, with property losses estimated at over ten million dollars; and

Whereas, ground water flooding and landslides in Thurston County have directly impacted at least seven hundred and sixty-five residents, many of whom are elderly or have special needs; and

Whereas, a landslide in the Aldercrest neighborhood in Cowlitz County has damaged one hundred and thirty-seven homes to date, and at least fifty additional homes are threatened; and

Whereas, ground water problems will cost over two million dollars to repair and currently no water or sewer systems are in operation; and

Whereas, shoreline bulkheads are failing, and public facilities expenses are estimated at one million dollars, excluding the cost of geotechnical assistance; and

Whereas, Washington State Department of Transportation estimates of highway damages reach eleven million two hundred two thousand dollars, and ten million dollars of those damages are in Mason County alone; and

Whereas, local government estimates of damages to county roads and city streets reach seven million three hundred ninety-two thousand four hundred thirty-five dollars; and

Whereas, Governor Locke's emergency proclamation now includes six western coun-

ties and directs state government to support emergency response activities as needed around the state and authorizes the Washington Military Department and its Emergency Management Division to coordinate state agencies in the affected areas; and

Whereas, county officials are continuing to assess damages to determine sufficient damage for justification of federal assistance; and

Whereas, when damage from an event is so great it is beyond the capability of local and state government to repair, the Governor can ask the President to declare a disaster, thus making a variety of federal disaster assistance programs available to help restore communities to their predisaster condition; and

Whereas, the federal disaster assistance programs available may include housing and relocation assistance, individual and family grants, funding to restore public infrastructure and roads, tax exemptions for the relocation of evacuated citizens, funding for geotechnical studies to prevent future damage, and hazard mitigation;

Now, therefore, your Memorialists respectfully pray that if the Governor requests federal assistance, the President and the Federal Emergency Management Agency will respond favorably to the request and authorize the needed maximum available disaster recovery support to address the needs of Washington's citizens devastated by the record rainfall.

*Be it resolved*, That copies of this Memorial be immediately transmitted to the Honorable William J. Clinton, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-82. A joint resolution adopted by the Legislature of the State of Washington; to the Committee on Appropriations.

##### HOUSE JOINT MEMORIAL 4008

To the Honorable William J. Clinton, President of the United States, and to the President of the Senate and the Speaker of the House of Representatives, and to the Senate and House of Representatives of the United States, in Congress assembled:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

Whereas, the introduction of aquatic nuisance species, such as the zebra mussel, European green crab, and the mitten crab have the potential to cause significant environmental and economic damage to our state and nation; and

Whereas, aquatic nuisance species can spread from any state within our nation causing harm to all; and

Whereas, the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 authorizes the Aquatic Nuisance Species Task Force to approve aquatic nuisance species management plans that are submitted by state governors, and authorizes the United States Fish and Wildlife Service to fund up to seventy-five percent of the implementation cost of approved plans; and

Whereas, an important function of aquatic nuisance species management plans is to encourage state and regional jurisdictions to respond to aquatic nuisance species problems; and

Whereas, Congress has authorized four million dollars annually to fund the implementation of state management plans to minimize the environmental and economic damage caused by aquatic nuisance species to our state and nation; and

Whereas, in recent years only two hundred thousand dollars has been appropriated an-

nually to fund the implementation of aquatic nuisance species management plans; and

Whereas, the Washington State Aquatic Nuisance Species Management Plan alone identified one million seven hundred thousand dollars in additional funding needed to address aquatic nuisance species problems; and

Whereas, two hundred thousand dollars is inadequate to allow fifty states, as well as interstate organizations, to implement effective programs identified in aquatic nuisance species management plans; and

Whereas, the appropriation of the full four million dollars authorized to fund aquatic nuisance species management plans would encourage development of plans, and thereby serve to reduce the destructive impact of aquatic nuisance species and minimize the risk of their spread to other states;

Now, therefore, your Memorialists respectfully pray that the President and Congress should recognize the destructive potential of aquatic nuisance species and act to minimize this destruction by supporting appropriation of the four million dollars authorized to fund state aquatic nuisance species management plans in fiscal year 2000 and future years.

*Be it resolved*, That copies of this Memorial be immediately transmitted to the Honorable William J. Clinton, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-83. A joint resolution adopted by the Legislature of the State of Montana; to the Committee on Energy and Natural Resources.

##### JOINT RESOLUTION 17

Whereas, the President of the United States, by Executive Order, initiated the Interior Columbia Basin Ecosystem Management Project (ICBEMP) to create a scientifically sound, legally defensible, ecosystem management plan; and

Whereas, the ICBEMP was to be a broad-scale, 12-month project that would give general direction to public land managers for ecosystem management but has become a top-down, highly prescriptive set of management directives; and

Whereas, the management direction provided by the ICBEMP does not match the purpose and need statements made in the environmental impact statement (EIS), which were to restore and maintain a healthy forest, to provide sustainable and predictable levels of products and services, and to support economic and social needs of people, cultures, and communities; and

Whereas, the Columbia Basin ecosystem is a very diverse and complex environment, and basinwide standards could be a detriment to some or all forest-dependent and range-dependent economies; and

Whereas, experts maintain that the ICBEMP violates the Multiple-Use Sustained-Yield Act of 1960, the National Forest Management Act of 1976, the Forest and Rangeland Renewable Resource Planning Act of 1974, the Regulatory Flexibility Act, and the Small Business Regulatory Enforcement Fairness Act of 1996; and

Whereas, the ICBEMP was intended to be a scientifically sound management plan but has become politically based on selective science, which supports predetermined preservation goals with a top-down, one-size-fits-all, highly prescriptive set of management objectives and standards; and

Whereas, the recent interim roadless policy proposed by federal agencies indicates a strong desire to create de facto wilderness areas and circumvent the authority of Congress (in direct violation of the previously listed laws) and indicates the political direction incorporated into the ICBEMP, which

obfuscates the tireless, good faith efforts of local representatives who participated in the ICBEMP process; and

Whereas, public lands administered by the U.S. Forest Service and U.S. Bureau of Land Management (BLM) are to be managed for multiple use for the benefit of the citizens of the United States, and road closures proposed within the ICBEMP EIS preferred alternative will severely limit the multiple use of millions of acres of public land; and

Whereas, current road closures already dramatically limit physical and financial abilities to control noxious weeds, and the ICBEMP-proposed further closures pose a serious threat of further and more serious weed encroachment into Montana's forests and grasslands; and

Whereas, the ICBEMP has become a political document, rather than a resource manageable planning document; and

Whereas, the ICBEMP contains too many economic assumptions and too few economic projections based on accurate information; and

Whereas, implementation of the ICBEMP will directly affect management of 16 BLM districts and 30 national forests, all in the western United States; and

Whereas, the ICBEMP coverage extends to 104 counties and 144 million acres of land (72 million acres of which are private), and the ICBEMP implementation will directly and indirectly affect the livelihoods of millions of citizens in the planning area; and

Whereas, a major component of the basic economies of about two-thirds of the affected rural and natural resource-dependent counties would be directly and potentially severely impacted by implementation of the ICBEMP; and

Whereas, the citizens of Montana, Montana's local government units, and Montana's communities have a direct interest in public land management that produces payments in lieu of taxes and (most importantly) forest receipts that generate revenue to the federal treasury and significantly contribute to funding public schools and roads; and

Whereas, it is questionable whether Congress will fund the ICBEMP implementation, and the impacts of inadequate implementation funding would be significantly more disastrous for natural resources than if implementation were fully funded; and

Whereas, the citizens of the United States and communities throughout the western United States depend on the stewardship, sustained yield, and even-flow production of goods and services from multiple-use management of public lands located in those states; and

Whereas, there is increasing national and world demand for renewable, recyclable goods and services, including recreation, wildlife, fisheries, food, fiber, clean air, and clean water; and

Whereas, in Montana, the U.S. Forest Service has reduced timber harvest by over 50% since 1950, even though wood is the preferred raw material for home building, and transferred global environmental consequences were never discussed or considered when decisions were being made to reduce budgets; and

Whereas, domestic raw materials production is being increasingly restricted in the United States, even in light of rising domestic consumption and the United States' position as a massive net importer of raw materials; and

Whereas, decisions are being made on a daily basis and at all levels of government to restrict raw materials production, almost always on environmental grounds, yet consumption is virtually never discussed; and

Whereas, the ICBEMP draft documents fail to adequately and truthfully define and dis-

close the economic, environmental, and social conditions of Montana's communities and local government units and the future effects on these entities of implementation of the proposed ecosystem management practices; and

Whereas, the ICBEMP represents a top-down management paradigm that reduces or eliminates effective local input to natural resource management and environmental decisionmaking; and

Whereas, the ICBEMP has become a 6-year, over \$40 million project, with no end in sight: Now, therefore, be it

*Resolved by the Senate and the House of Representatives of the State of Montana.* That the federal government be strongly urged to:

(1) terminate the ICBEMP and issue no Record of Decision on the ICBEMP;

(2) forward the accurate ecosystem management data developed through the ICBEMP to relevant BLM district managers and U.S. Forest Service forest supervisors;

(3) ensure that all public comments on the ICBEMP be incorporated into the public record for the ICBEMP;

(4) forward to district managers and supervisors the public comments provided on the ICBEMP for the managers' and supervisors' consideration related to updates to the land and resource management plans required by federal law; and

(5) coordinate plan revisions between adjoining management units to provide consistency and connectivity and to consider cumulative impacts in dealing with broad-scale issues that affect multiple jurisdictions.

BE IT FURTHER RESOLVED, that federal natural resource planning and environmental management feature site-specific management decisions made by local decisionmakers, local citizenry, and parties directly and personally affected by these decisions for our public lands.

BE IT FURTHER RESOLVED, that the federal government acknowledge that the alternatives presented in the ICBEMP EIS are inconsistent with but should be consistent with the balanced "Purpose of and Need for Action" statements in the same documents, which are:

(1) "restore and maintain long-term ecosystem health and ecological integrity" (i.e., restore and maintain a healthy forest); and

(2) "support economic and/or social needs of people, cultures, and communities, and provide sustainable and predictable levels of products and services from our public lands administered by the Forest Service or BLM"; be it further

*Resolved,* That copies of this resolution be sent by the Secretary of State to the President of the United States, the Vice President of the United States, the Secretary of Agriculture, the Secretary of the Interior, the presiding officers of the Appropriations Committees of the U.S. Senate and U.S. House, the Montana Congressional Delegation, the Chief of the Forest Service, and the Director of the Bureau of Land Management.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. ROBB:

S. 948. A bill to amend chapter 83 and 84 of title 5, United States Code, to provide for the equitable waiver of certain limitations on the election of survivor reductions of Federal annuities, and for other purposes; to the Committee on Governmental Affairs.

By Mr. LUGAR (for himself, Mr. FITZGERALD, and Mr. FEINGOLD):

S. 949. A bill to clarify and enhance the authorities of the Chief Information Officer of the Department of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN:

S. 950. A bill to award grants for school construction; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. FRIST, Mr. LIEBERMAN, and Ms. SNOWE):

S. 951. A bill to amend the Internal Revenue Code of 1986 to establish a permanent tax incentive for research and development, and for other purposes; to the Committee on Finance.

By Mr. SPECTER:

S. 952. A bill to expand an antitrust exemption applicable to professional sports leagues and to require, as a condition of such an exemption, participation by professional football and major league baseball sports leagues in the financing of certain stadium construction activities, and for other purposes; to the Committee on the Judiciary.

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

S. 953. A bill to direct the Secretary of Agriculture to convey certain land in the State of South Dakota to the Terry Peak Ski Area; to the Committee on Energy and Natural Resources.

By Mr. SMITH of New Hampshire:

S. 954. A bill to amend title 18, United States Code, to protect citizens' rights under the Second Amendment to obtain firearms for legal use, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mr. ROBB, and Mr. MCCONNELL):

S. 955. A bill to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself, Mr. HARKIN, and Mr. FRIST):

S. 956. A bill to establish programs regarding early detection, diagnosis, and interventions for newborns and infants with hearing loss; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KOHL:

S. 957. A bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 958. A bill to amend certain banking and securities laws with respect to financial contracts; to the Committee on Banking, Housing, and Urban Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DURBIN (for himself and Mr. FITZGERALD):

S. Res. 93. A resolution to recognize Lincoln Park High School for its educational excellence, congratulating the faculty and staff of Lincoln Park High School for their efforts, and encouraging the faculty, staff, and students of Lincoln Park High School to continue their good work into the next millennium; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BYRD (for himself and Mr. GRAMM):