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Senate

The Senate met at 10 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Blessed God, here we are at the beginning of another day. Help us to believe that what we commit to You this day will come to pass if You deem it best for us. We need to experience the peace of mind and body that comes when we do what You guide us to do and then leave the results to You.

Bless the Senators with the profound peace that comes from giving You their burdens and receiving Your resiliency and refreshment. May this be a great day because they, and all of us who work with them, decide to rest in Your presence and wait patiently for Your power to strengthen us. Through our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINCOLN D. CHAFEE, a Senator from the State of Rhode Island, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Rhode Island is recognized.

SCHEDULE

Mr. L. CHAFEE. Mr. President, today the Senate will be in a period of morning business until 11 a.m. and will begin consideration of S. 2603, the legislative branch appropriations bill. It is hoped that an agreement regarding debate time and amendments can be made so that a vote on final passage can be scheduled for this afternoon. Under a previous consent agreement, there are 40 minutes remaining on FEC nominees Brad Smith and Danny McDonald. Votes on those nominations, as well as the judicial nominations debated yesterday, are expected to be stacked this afternoon. Senators will be notified as those votes are scheduled.

I thank my colleagues for their attention.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. L. CHAFEE). Under the previous order, 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 for not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for up to 5 minutes each.

Under the previous order, the time until 10:30 a.m. shall be under the control of the Senator from Illinois, or his designee.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I be allowed to speak for 10 minutes in morning business.

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

Mr. WELLSTONE. I thank the Chair.

CROP INSURANCE

Mr. WELLSTONE. Mr. President, I come to the floor of the Senate today because—and I speak with some sense of timing—I come from an agricultural State.

In the next several days we could very well have a crop insurance reform conference report out here on the floor. There is at least some discussion, some thought, and maybe some probability that included in that conference report will be about $7 billion of economic assistance for family farmers, which essentially will be more AMTA payments.

When the Budget Committee allowed for up to $7 billion to go to assistance for family farmers in the country, whether it be Minnesota, whether it be Montana, or any other State, I think all of us believed and hoped that this would be far superior to emergency appropriations, and that we would have the agriculture authorization committee do some fairly important investigation and analysis of the best way to get this financial assistance out to family farmers.

In my rush to come down to the floor, I did not bring with me the exact statistics, but basically the reports that we now see on what are called AMTA payments suggest that entirely too much of this money goes to those in least need. In other words, it is a subsidy program. Last year, it was to the tune of about $16 billion in inverse relationship to need. The top 10 percent of the producers—some of the big corporations—received over 60 percent of the benefits, and then the farmers received the rest, so that a family farm in Minnesota would be lucky to get maybe $2,000 worth of assistance; whereas, those huge operations were raking in $100,000 worth of assistance.

If we just take the $7 billion and put it into this conference report without any committee hearings and without taking at least several weeks after we get back to do some evaluation and some important analysis about how to get this assistance out to the people who need it the most, then I think we have not lived up to our responsibility as Senators.

I say to my colleagues that I think we could at the very minimum, for example, make sure that this money goes to producers. Those who own the land

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

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but aren't involved in the production receive too much of the benefits. The benefits ought to go to the producers.

I would also say to my colleagues that there is no reason in the world that for fiscal year 2001 we can't focus on equity and get the loan rate up at least to the rate for soybeans, in which case corn would be $2.11 and wheat would be $3.10. Let me tell you that is the direction we need to go for a State such as mine.

I sent a letter yesterday to Chairman LUGAR, my colleague, a Senator for whom I happen to have a tremendous amount of respect. I will certainly get a chance to talk with him today. I believe that we are making a big mistake if we simply put this money into a conference report, which means there will not be any real discussion and no real debate. We will not have paid any attention whatsoever as to how we can allocate this financial assistance out there in the countryside so that the lion's share of the benefit goes to the farmers who are in greatest need.

Why in the world do we want to use the same AMTA formula which gets subsidies out to farmers in inverse relationship to need? Why not some careful consideration and some careful discussion? Isn't that what we are about as legislators?

Too many times now in the Senate we see the same pattern of important decisions not being made by virtue of taking, in this particular case, what I think is an important question and just putting it into a conference report with no opportunity for amendments and no opportunity for discussion. I think that would be a big mistake. Instead, we can surely decide on a better formula for getting the money out there to the people. At the very minimum, it ought to go to the producers. It ought not go to landowners who are not even involved in production.

Again, we have an opportunity for fiscal year 2001 to literally talk about equity and at least get the loan rate up for other farmers and other grain farmers that are equal to what we do for soybeans.

As a Senator from Minnesota, as a Senator from an agricultural State, I come to the floor today to take issue with the direction in which we are going and to urge my colleagues not to put this financial assistance money into the crop insurance bill. But instead let's do the kind of work that we ought to do as legislators. Let's do the kind of evaluation we ought to do as legislators so we can get the help out there to people who need it.

Farm income is going to go down 17 percent again this year. There are a lot of farmers in my State. Many are going to be driven off the land.

If we are not going to write a new farm bill as an alternative to this ''freedom to fail'' bill, which is one of the worst pieces of legislation ever passed by the Congress or ever signed by a President, then I don't think we are going to write a new farm bill until after the election. At the very minimum, we ought to do our best to get the assistance to the people who need it the most.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I ask unanimous consent to speak for 10 minutes.

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

(The remarks of Mr. BAUCUS pertaining to the introduction of S. 2617 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. WELLSTONE. How much time remains on the Democratic side?

The PRESIDING OFFICER. Fourteen minutes.

Mr. WELLSTONE. I ask unanimous consent for 5 minutes to speak in morning business.

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

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BANKRUPTCY CONFERENCE REPORT

Mr. WELLSTONE. Mr. President, sometimes we use morning business to have a chance to speak about legislation we introduce. Sometimes we use morning business to make a plea to colleagues. Sometimes we use morning business to convey a message. I want to convey a message to some Senators about conference reports and the way we have been conducting our business.

Right now with the conference reports—and I am specifically talking about the bankruptcy bill—we don't have a conference committee. We have a shadow committee because Democratic Senators are not involved at all in the deliberations. There are some rumors going around in the Senate that Republicans will basically reach an agreement on the conference report on bankruptcy. Democrats will not be involved in this deliberation at all. So we have not had a conference committee meeting. We will know what is in that conference report when it is on our desk.

That conference report dealing with bankruptcy, believe it or not, American public, could be put into an unrelated conference report such as a conference report dealing with crop insurance. There is no longer any scope of conference rule so it can be completely unrelated. Again, that is a new way of doing business in the Senate. My argument is that is no way to do business in the Senate.

I believe the minority should be involved in the conference. That is a real conference. I do not believe the way to do business is for Democrats to find out what is in the bill when it is put on our desk. I certainly don't think this bankruptcy bill —which is so harsh and so egregious in its effect on the most vulnerable citizens in the country, while basically calling for no accountability or responsibility on the part of the big credit card companies—should be put into an unrelated conference report such as one dealing with crop insurance.

I use my time as a Senator today to say to Senators that if that happens, and I hope it won't, if that should happen tomorrow, for example, when we are supposed to go on recess, I think that would be outrageous. I will oppose it. I will speak out against it and do everything I can to block it. We would be here for days. I think there are other colleagues who will be also outraged, especially at this effort to put a shadow conference report on bankruptcy, with Democrats not even being involved—and all the reports are that the bill is getting harsher and harsher, not better—into an unrelated conference report with a day to go before we are supposed to go into recess. If that happens, I want to be clear, I don't intend to be jammed. I do not intend to roll over on it. I intend to speak out against it. I intend to point out to the American people all the ways in which this is egregious legislation and the impact it will have on them and their families. That will take time. I think other Senators will join me.

I hope we do not conduct our business that way in the Senate. I hope I do not have to do that. I hope, instead, we will do what we need to do with the legislative branch and with judicial nominations, with the nomination of Brad Smith, have those votes, get onto other work, but not have last minute efforts to sort of jam legislation into unrelated legislation and attempt to ram it through here without the deliberation and without the discussion.

I do not think that is the Senate at its best. I certainly, as a Senator from Minnesota, cannot represent people in my State and people in the country that way, and I will not. I will challenge it. So I hope it does not come to that.

I yield the floor.

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. 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, it is my understanding we have until 10:30 in morning business on the Democratic side.

The PRESIDING OFFICER. The Senator is correct.

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GUN CONTROL LEGISLATION

Mr. DURBIN. Mr. President, a little over a year ago in Littleton, CO, at Columbine High School, there was a shooting incident which shocked America. We saw in that high school an event which we did not believe could happen in the United States, where students could get guns through a gun

show, go into a high school filled with other students, and open fire, killing 12 or 13 students and injuring many others. It shocked America's conscience.

As a result, the Senate began to consider gun control legislation—frankly, more gun safety legislation—to keep guns out of the hands of those who would misuse them. We are a nation of 200 million guns. Many of us believe guns should be kept out of the hands of criminals and children.

So we considered legislation on the floor of the Senate to do a background check at gun shows so kids and criminals would not have access to guns through these gun shows. We know the Brady law requires a background check at gun dealers. We think the same should apply to gun shows.

We also thought handguns should have a trigger lock so children who were looking around for something that was unusual and different or challenging would not find a loaded gun and hurt themselves or a playmate. We read about that almost every day. A trigger lock is a way to make sure that gun is securely stored away from children.

In another part of the bill, we dealt with the whole question of these high-capacity ammo clips, imported into the United States from overseas, that have absolutely no value whatsoever for any legitimate sportsman or hunter. They are people killers.

We considered that bill on the floor of the Senate. The vote on that bill was 49–49, a tie vote. As provided under the Constitution of the United States, the Vice President came and cast the tie-breaking vote. We sent that bill over to the House in the hopes we could reduce some of the gun violence in America after Columbine High School.

The National Rifle Association got its hands on that bill over in the House, and that was the end of it. They stripped from that bill virtually any of the provisions I described to you and sent it to a conference where it has languished for almost 8 months. During that period of time many more people have been killed by gun violence in America.

Just a few weeks ago, the Million Mom March across the United States brought out mothers on Mother's Day who gave up a celebration with their family to come out and talk about the need in America for gun safety, for gun control, sensible gun control. Yet this Congress has turned a deaf ear. We have refused even to acknowledge that this gun violence is rampant in America as in no other nation on Earth.

Every day now, for the last week, Members of the Senate have come to the floor to memorialize those who died a year ago today, after Columbine, after Littleton, CO, after Jonesboro, AR, and all of the other cities where we saw the gun violence that captured our imagination and basically stunned America. We come to the floor each day to read the names of some of the victims. These are victims whose names were collected by the U.S. Conference of Mayors from cities large and small to remind us that a year ago today these people, whose names I am about to read, died because of gun violence—people who had otherwise normal lives and families and aspired to all the good things we do in life. They lost their lives because of gun violence.

Many times, issues on the floor of the Senate and the House really do not become very personal. They are statistics. We just refer to them in the abstract. This is not about statistics. It is not about abstract thought. It is about real human lives that have been lost to gun violence a year ago today and, sadly, will be lost to gun violence again today.

Following are the names of some of the people who were killed by gunfire 1 year ago, on May 24, 1999: Michael Calim, age 32, Houston, TX; Mark Raiffie, age 47, St. Louis, MO; Gary Ricks, age 51, Detroit, MI; Bobby L. Williams, age 40, Houston, TX; Ronald Williams, age 47, Miami-Dade County, FL; an unidentified female, San Francisco, CA.

Today in America there will be more gun deaths. We must remember that among those gun deaths will be 12 children who will die. The National Rifle Association at their recent convention said: We know who those 12 kids are; they are the gang bangers, drug gangs, and all the rest. You can expect that.

They are wrong. Included among those 12 children are those who commit suicide with guns, those who play with guns, little infants killing themselves or a playmate, certainly those who are victims of gang bangers and, believe me, I have seen innocent young men and women who have been maimed. I have talked with the parents of people who have been killed on the streets of one of my cities in Illinois, Chicago. These were children waiting for a schoolbus when somebody came by and sprayed bullets from one of these weapons and injured or killed students.

For the National Rifle Association to say we basically should ignore these 12 children who die every day in America because they are part of drug gangs is a sad commentary on this organization and a sad commentary that they are out of touch with the reality of gun violence as it affects every family in America today. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the time from 10:30 a.m. until 11 a.m. shall be under the control of the Senator from Wyoming, or his designee.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent for 10 minutes of the time allocated to the Senator from Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Texas is recognized.

Mrs. HUTCHISON. I thank the Chair.

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REBUTTAL ON SOCIAL SECURITY

Mrs. HUTCHISON. Mr. President, yesterday the Senator from California, Mrs. BOXER, came to the Senate floor to discuss Social Security reform. In her discussion, she took on the issue of some of the Texas municipalities that had chosen to opt out of Social Security and attempted to show they were doing less well than anyone in the Social Security system today. I want to refute some of those remarks, especially the ones that referred to these counties in Texas, and give the other side of the story.

She attempted to show that municipal employees in Texas, particularly Galveston County, are not doing as well under their own retirement plan than if they were part of the Social Security system.

Just in the last few minutes, I talked to the county judge of Galveston County, Judge Yarborough, who is a very good Democrat, a very good person, and is doing a good job in Galveston County. He says in the 5½ years he has been county judge, he has never had one complaint from an employee in Galveston County and, in fact, has had many retirees come up to him and say how glad they are that they have their own retirement system rather than having been forced into the Social Security system back in the eighties when they were allowed to opt out.

First and foremost, because this is important, this was somehow linked to Governor Bush's Social Security plan. There is no linkage whatsoever. In fact, the opt-out was done in 1981 by Galveston and a few other municipalities around my State, and there were others around the country. There was a window during that time in which county and municipal employees were able to opt out of Social Security, and Galveston County did decide to opt out.

I hope as we go into the future and as we talk about Governor Bush's Social Security plan, we will not attempt to link that window when some municipalities opted out of Social Security to Governor Bush's plan. That is important because Governor Bush has said all along, from the very beginning when he put his plan forward, that, in fact, we would have a choice under his plan. Anyone wanting to stay in the present Social Security system would have that option.

That is a very important distinction to make because people might want to keep that option after they have looked at the alternative that will be available, but, in fact, millions of Americans will decide that they want to have a part in making some decisions on their own for the Social Security tax they pay.

Nearly 5 million municipal employees across the country are not part of the Social Security system. One such area is the city of San Diego. The rates of return on these pension programs are very good—so good, in fact, that the California Senators sent a letter to President Clinton in which they said:

Millions of our constituents, who will receive higher retirement benefits from their

current public pensions than they would under Social Security, are appealing to their elected representatives in Washington. We respectfully urge you to honor the original legislative intent underpinning the Social Security system, and exclude this provision from any reform plan you consider during the remainder of your term.

It is clear that if municipal employees are earning higher rates of return and want to stay in their own retirement plans, they should not be forced into a system of lower returns, and it should be a choice they have. I agree with the Senators from California in their goal.

I will now talk about the specifics of the Galveston plan. Many of these same Galveston employees have urged me to oppose their inclusion in Social Security.

Some of the information that was used on the floor yesterday was based on a GAO report, but if my colleagues read the report carefully, they can see the clear differences between Social Security and the plan in Galveston County.

First, it is important to remember that, in Galveston, they have a basic retirement plan that every employee puts money into and on which they have returns. That plan is separate. In 1981, they were allowed to opt out of Social Security so that their 7 percent they would have paid into Social Security would, in fact, go into a supplemental plan. In Galveston County, we are talking about a supplemental plan to their basic retirement plan, so everything they get with the 7 percent which they put into their own supplemental plan is over and above their basic retirement system.

The GAO said that ''outcomes generally depend on individual circumstances and conditions.'' So each case is taken on an individual basis—it is hard to make broad statements about the plan. The annuity each retiree receives is based on the contributions and the time served in government; it is not a defined benefit formula, such as Social Security. Nevertheless, the plan is designed to provide a return similar to Social Security, which it does, and it has some features that are even better.

The GAO noted that ''The Galveston plan also has a very conservative investment strategy that has precluded investing in common stocks.'' The Galveston supplemental plan only relies on Government bonds and very safe Treasury-type investments, and the average return has been approximately 8 percent per year. When one compares that to Social Security, however, it is very high.

The Heritage Foundation has estimated that some workers are getting a 1- to 2-percent return on their money from Social Security.

Also, comparing the Social Security plan to the Galveston plan, it is not accurate because the Galveston plan is a supplement, not the basic retirement system.

Lastly, the GAO noted one critical point that was left out of the Washington debate: The Galveston plan benefits are fully funded, GAO says, ''while Social Security's promised benefits cannot be met without increasing revenues.''

Thus, the Galveston plan is financially sound. It is not dependent on significantly increased contributions or massive tax increases to meet its promises.

Here, in Washington, we have promised benefits without developing a plan to pay for them. In Galveston, no retiree is subject to the mercy of the Congress that the benefits might change.

Here are some of the facts about the differences between the Galveston plan and Social Security.

For individual earners without a survivor benefit, the monthly annuity figures for retirees are nearly identical or better than Social Security. For low-wage workers, there is a $1 difference. For workers with wages over $25,000, they would earn nearly $200 a month more under the Galveston plan than they would under Social Security.

A worker earning $50,000 will earn nearly $1,000 more every month.

If you have a 45-year work history, the numbers are higher across the board at every income level in the Galveston plan.

The Cato Institute also reviewed the Galveston retirement plan. For a worker who earns $30,000 for 30 years, he or she will have a $320,000 investment in retirement. This is based on a 4.5-percent return when, in fact, Galveston is getting 8 percent.

I should also note that the numbers in GAO are based on a 4-percent return each year. So the numbers in GAO are very low in their estimates, and most workers are going to receive a much higher benefit.

According to Cato, the employee with the $320,000 in savings could earn a monthly annuity of $2,494, compared to Social Security, which is $1,077.

So according to Cato, the monthly annuity would be $2,494 for a Galveston employee, compared to $1,077 under Social Security.

The county of Galveston believes the average annuity is approximately 7.8 percent for every $1,000 in retirement funds. The Social Security Administration thinks that is too high and made the GAO use a lower annuity figure. So the monthly annuity figures used by GAO are lower than for the Galveston workers.

I think it is very important that we take this debate out of the Bush plan or the Gore plan when we are dealing with the employees in cities such as San Diego, CA, or Galveston County, TX, because it is very clear that the Galveston County employees have a major benefit. As the county judge said this morning: Retirees come up to me every day and say thank goodness.

Another good feature of the Galveston plan is that if the retiree does not use up all of the retirement when that person dies, it is passed on to the spouse or the children. That does not happen in Social Security.

I think it is very important, if we are going to build up a stability in our working people and their families, that we would have this kind of alternative with which the Galveston County employees are very pleased.

I think it is very important that we not put this in the political realm. If we are talking about the actual numbers, I think the municipal employees that were allowed to opt out in the early 1980s are mostly happy with their plans. They like the choices they have. Galveston was very conservative and did not go into the stock market.

But I think the bottom line is that we need to give people a choice, a choice to stay in the Social Security system as it is today and have the exact same returns that they would be entitled to under Social Security, or if they choose not to do that, and they do want to have some control over their own taxes they pay in—maybe 3 percent of the 12-plus percent they pay in Social Security—I think we ought to let them do that. Because even with the stock market fluctuating, the returns show that they will do better and they will be able to give their children something they have not been able to under the present Social Security plan.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

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WOMEN-OWNED SMALL BUSINESSES

Mr. BOND. Mr. President, I am very pleased today to rise in recognition of Small Business Week 2000. As chairman of the Committee on Small Business, I have participated in a number of activities this week. I urge all of my colleagues who may not have done so to consider working with, identifying with, and listening to the small businesses in their State. I think today it is appropriate that we recognize some of the small business trends of the future.

Most of us know that the prototypical entrepreneur of the last century—or of the 1900s; the manufacturing age—was a man, inventing something in his garage or basement, which became the basis for a Fortune 500 company. The prototypical entrepreneur of the 21st century—the information and service age—is a woman trying to run her household, keep her kids fed and cared for, who comes up with a good idea that she can turn into a business.

Women have started businesses in record numbers over the last 10 years. They are driving the economy. They are helping to expand opportunities and provide good payrolls for their workers. They are willing to use the new information technologies even more than men. The explosion of capabilities through information technologies certainly opens up a range for a whole new series of undertakings.

The number of small businesses owned and controlled by women is expanding at a very rapid rate. Today, small businesses owned by women total 30 percent of all businesses in the United States. Their numbers are expanding at such a pace it is anticipated that women-owned small businesses will make up over 50 percent of all businesses by 2010. Given where we came from, that is a gratifying and astounding statistic.

But for all the good news, women-owned small businesses still face some age-old obstacles in starting and running their businesses: work and family conflicts, a lack of access to capital, and complex regulatory and tax issues.

In addition, yesterday the Senate adopted a resolution I sponsored, S. Res. 311, that was adopted unanimously. I express my appreciation to my colleagues for adopting it. It called attention to the Federal Government's failure to meet the statutory goal to award 5 percent of Federal contract dollars to women-owned small businesses.

The members of the Small Business Committee who joined me in cosponsoring this resolution included my ranking member, Senator KERRY of Massachusetts, and also sponsoring it were Senators BURNS, SNOWE, LANDRIEU, LIEBERMAN, EDWARDS, as well as Senator ABRAHAM, who authored last year's initiative in the committee to help women reach the 5-percent goal. In addition, Senators BINGAMAN and MURRAY joined us as cosponsors of the resolution.

In 1994, Congress recognized the important role women-owned small businesses played in our economy. During the consideration of the Federal Acquisition Streamlining Act, the Senate approved a provision directing that 5 percent of all Federal procurement dollars be awarded each year to women-owned small businesses. The goal includes 5 percent of prime contract dollars and 5 percent of subcontract dollars, and was included in the final conference report enacted into law.

The Federal Departments and Agencies have failed to meet that 5-percent goal enacted in 1994. After Senator ABRAHAM chaired a committee field hearing in Michigan on the state of women business owners, he offered an amendment addressing the failure of the Federal Departments and Agencies to meet the 5-percent goal during the Small Business Committee markup of the Women's Business Centers Sustainability Act of 1999.

That was adopted unanimously by the committee and enacted into law as Public Law 106–165, which directed that GAO undertake an audit of Federal procurement systems and their impact on women-owned small businesses.

The statistics for Federal procurement in fiscal year 1999 have just been released. Again, the 5-percent goal for women-owned small businesses was not met. It fell over 50 percent short of the goal, reaching only 2.4 percent. The administration's failure to reach that goal was the subject of the resolution, which resolved that the Senate strongly urge the President to adopt a policy in support of the 5-percent goal for women-owned small businesses, to encourage the heads of the Federal Departments to make a concentrated effort to meet the 5-percent goal before the end of fiscal year 2000. I understand the President has now issued an Executive order. But the second part of the resolution says the President should hold the heads of Federal Departments and Agencies accountable to ensure that the 5-percent goal is achieved during this year.

But these are just some of the issues confronting women-owned small businesses. I am very pleased to say I have been joined by Senator KERRY of Massachusetts, Senator SNOWE, Senator LANDRIEU, Senator FEINSTEIN, and Senator HUTCHISON of Texas to convene a National Women's Business Summit on June 4 and 5 of this year in Kansas City, MO. This summit will give women small business owners a chance to tell Congress and the next President what they need and what will work. Their agenda will serve as the women's small business agenda for the next Congress and the next President.

I might add that we have nationally known women and professional business leaders, as well as bipartisan government servants, who will be talking with the participants in the conference. I invite women who are engaged in and concerned about small business to participate. More information can be found about the summit on my Senate office web site at www.Senate.gov/bond or they can call us through the Capitol number: (202) 224–3121. We would be happy to provide them information.

I think it will be a very interesting and worthwhile endeavor in Kansas City. I am looking forward to participating. I know we will have many good ideas, based on the women participating in that conference, on how we can help the fastest growing and most important new sector of the economy—women-owned small businesses in the United States.

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

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

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CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 2603, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2603) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, as chairman of the legislative branch subcommittee of appropriations, I would like to take a few minutes to describe S. 2603, the legislative branch appropriations bill for the fiscal year 2001.

The bill, as reported by the Appropriations Committee, provides for $1,721,077,000 in new budget authority exclusive of the House items. This is a $58,607,000 increase over fiscal year 2000. It is $146,770,000 below the President's request.

The subcommittee's allocation is 1.8 percent above last year's funding level, which is the $43 million increase.

We are being very frugal with the legislative branch. I think we are doing a responsible job of keeping the overall increase at a level that is defensible.

We are not allowing the legislative branch appropriations to grow faster than inflation. We are not allowing it to grow faster than the population. And the demands that are made upon the legislative branch we are keeping under 2 percent.

It was a challenge to draft a bill that stayed within this allocation because, as always happens, there was $20 million of new items that Congress committed to in previous years but which had not been funded. Therefore, they were not included in last year's base.

If we were going to talk about an increase over last year's base, but we had $20 million worth of obligations that were not included in that base, we realized that it created a tension and a pressure on the committee. But that is what we have to do when we are dealing with budgets. I have dealt with budgets in the business world and understand that this is not an unusual kind of challenge.

The mandatory increases that we have in the bill alone account for $54 million, exclusive of the House, on top of the situation which I have just described,

Senator FEINSTEIN, the ranking member, and I spent a great deal of time going over the accounts with our respective staffs and the increases that agencies have had over the last 4 years in an effort to find where we could best and most fairly cut without impacting employees. One of our goals was to see to it that no one was laid off as a result of the budgetary pressures on this year's bill. I am happy to say that we have met that goal in this bill.

There will be no reduction in force as a result of the Senate's action, if this bill is adopted, and no employees currently working in the legislative branch will lose their jobs. The subcommittee's goal was to ensure that would be the case.

There has been a great deal of discussion and concern in the press expressed over the House Appropriations Committee's first reported targets. Those targets were reported out of subcommittee with cuts of almost $105 million below the fiscal year 2000 level.

It is my understanding that the House now plans in their legislative process to increase this bill by $85 million before it comes up for floor consideration. I hope those reports are accurate and that the House does, indeed, move in that direction.

We do not want to criticize the actions of the other body in this body. We simply want to lay out what we think is the logical thing to do.

I hope those who have been focused on the press reports of what was proposed on the other side of the Capitol initially will recognize that there is a great deal of legislative action that has to take place between initial proposals and final passage. Certainly we are doing our best on the Senate side to make a contribution to see to it that final passage achieves the goal that I have outlined; that is, the goal that says there will be no reduction in force in the legislative branch.

S. 2603 includes an increase over last year's funding for every agency. That sounds better than it is for some agencies. The increase is truly only a token one—one-tenth of 1 percent increase. But, nonetheless, it is an increase to demonstrate, once again, that we are trying to treat everybody fairly, and that we are not trying to penalize one group in order to benefit another.

The area that has had the greatest amount of public interest and press reporting is the amount of money being made available for the Capitol Police.

The bill before the Senate will provide a 26-percent increase for the Capitol Police. If we are only going to have a one-tenth of 1 percent increase in some areas, that is where we will get the money to come up with the 26-percent increase for the Capitol Police. We do this because we believe security in the Capitol is a priority. We need to make sure the resources are available to the men and women who protect the Capitol, its visitors, the Members, and the staff.

We had a tragic demonstration that security needs to be addressed with the shooting of the two officers who protected the Capitol against the deranged individual who came in with a gun after some imaginary threat he, and only he, could see.

We had an example within the last week during a hearing in the House when a man threatened to kill himself with the jagged end of a broken bottle after approaching a Cabinet officer who was testifying at a hearing. He was subdued by a member of the Capitol Police and by a member of the security detail of one of the Cabinet officers involved.

These incidents, coming along with increased frequency, demonstrate we have a security challenge in the Capitol. We want to make sure the Capitol remains open to the American people. I would hate to reach the point of other capitals in the world. I don't mean to pick this country out because I recognize they have enormous security problems of their own and I think they are acting responsibly, but I will share my experience when I first went to the Knesset in Israel and the kind of security I had to go through as a U.S. Senator in order to get into the Knesset. There were barriers, more barriers, and checks and police points, all the way through so that the members of the Knesset could conduct their business in security and freedom.

In the United States, we run into our constituents, sometimes literally, virtually every day in the corridors of the Capitol. We enjoy that. The American people enjoy that. We want to continue doing that. I will be walking down the corridor on the way to a committee meeting and it is not at all unusual to have someone call out from the moving crowd, ''Hi, Senator BENNETT'' or ''Hey, there's Senator BENNETT.'' I stop and it is someone from Utah who is here with a school class, here with their family, here on a vacation, or here for a civics lesson experience.

Walking through the Capitol, it is something of a thrill for a constituent to see their own Senator on his way to work. If I thrill somebody, they get thrilled easily. Nonetheless, it is the kind of experience that the American people enjoy and historically have had in their Capitol Building. We want to make sure that continues.

The number of visitors each year is increasing more rapidly as the overall general population increases and as Americans get a little more money, a little more time, more leisure opportunities. I think it is wonderful they want to come to the seat of Government in the Capitol of the United States and see how it operates. As they come in these increased numbers, the tiny fringe of American citizens who represent a physical threat come also in increased numbers. Security is a priority. In this bill, we have made sure the resources will be available to provide that kind of security.

As we have reviewed the security issue, we have made provisions in this bill for a fairly significant change in the way security is provided on the Capitol complex. We have provided transferring the police who currently service the Government Printing Office and the police who currently service the Library of Congress into the Capitol Police. Rather than having three different police forces in a small physical area, we will have only one.

Since assuming the chairmanship of this subcommittee, I have been working towards this goal. I think we are now at the point where it makes sense to provide this unified force to provide seamless security. Until this time, the training for the police of the Library of Congress and the police at the Government Printing Office has been moving toward equity and par with the training given to the U.S. Capitol Police, so it will not be a big jump for these police officers to be in the same force.

It will be an opportunity for many of the police officers in the two forces that are currently outside of the Capitol Police to increase their career opportunities because the Capitol Police Force is seen as a higher level of pay and benefits and opportunity than the two smaller forces.

Additionally, it will mean we can bring the total security for the Capitol complex up to the level we want it at a faster pace because we need additional officers. Additional officers are not provided automatically by going out and hiring people. They have to go through a training period. By taking advantage of the pool of trained officers who are already there for the Government Printing Office police and the Library of Congress police, and perhaps bringing some of the new hires in at a level where the requirement is not as high as it is in the Capitol itself, we can increase the speed by which we can get to the level we seek.

Some legitimate concerns have been raised about how this will work. The General Accounting Office has been cooperating with the subcommittee for quite some time in examining how it will work, but in the bill we provide for the General Accounting Office to prepare a report for the Appropriations Committee addressing those issues that have most recently been raised, giving us an understanding of how they can be dealt with. This provision was included at the request of Senator FEINSTEIN who is particularly interested in the career path of the Capitol Police men and women themselves. I think it is a very wise addition. I thank the Senator for her initiative in its inclusion. It will ensure an orderly transition and protect the rights of the affected officers.

I thank Senator FEINSTEIN for her service as the ranking member on this subcommittee. She brings a particular flavor of experience to the subcommittee, having been an executive herself, as mayor of San Francisco. I have been an executive but not of an enterprise that big. Between the two of us, we have a good balance of the practical and administrative experience that is necessary as we deal with some of these administrative challenges. I thank the Senator for her service. I appreciate very much the support she has given.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise in strong support of S. 2603, the legislative branch appropriations bill for fiscal year 2001.

This is my second year as ranking member of the legislative branch subcommittee. I have been very proud to serve alongside our dedicated and distinguished subcommittee chairman, Senator BENNETT. Senator BENNETT is

always very open and very willing to discuss the various issues that arise in relation to this bill. He has been very accommodating to my concerns as well as those of other Senators. I think he has displayed great knowledge of the various Departments and Agencies that fall under the legislative branch. It has been a real pleasure working with him.

Thanks to the allocation to our Legislative Branch Subcommittee by the distinguished chairman of the full committee, Senator STEVENS, and the ranking member, Senator BYRD, this appropriation is $145 million in budget authority greater than the House subcommittee's allocation, so the bill before us now restores the House cuts of 2,112 employees, including 438 Capitol Police officers.

Although we were not able to fully fund every agency's request, I believe the committee has distributed the scarce resources as fairly as possible, and we were able to make modest increases in most agency accounts above last year's level.

Overall spending is increased by 3.7 percent over last year's bill. In particular, I note that during markup of this year's bill, Chairman BENNETT agreed to include committee report language recommended by Senator MIKULSKI, having to do with the need for better employee relations in the office of the Architect of the Capitol. Senator MIKULSKI came to the subcommittee hearing and questioned the Architect of the Capitol directly concerning these matters. As a result of her efforts, the committee report language directs the Architect of the Capitol to establish a position of employee advocate, in an effort to improve morale and employee relations in the office of the Architect.

In his remarks, Chairman BENNETT has outlined for the Senate the various components of the bill, so I do not want to repeat that summary. I do, however, wish to point out to the Senate that for the Capitol Police, the subcommittee in that regard has included an appropriation of $109.6 million for fiscal year 2001. This is an increase of $22.8 million, or 26 percent over last year's enacted level of $86.8 million. This will fund 100 to 115 new Capitol Police officers.

The funding level, we believe, will enable the Capitol Police to implement the department's plan for posting two police officers at all key and critical entries and exits throughout the Capitol complex.

I take this opportunity to thank all Capitol Police officers for their really outstanding service to the Members, to this Capitol, and to the tens of thousands of visitors to the Capitol each year. They do a great job.

I know Senator MIKULSKI will be presenting a sense-of-the-Senate commendation to the Capitol Police, with which I strongly agree. I think it is important, because of what happened last year, to be able to really tell them how much we do appreciate their efforts. This can be a very thankless job, particularly when there are tens of thousands of visitors milling through the Capitol each and every week. So I think we both agree that they do a truly fine job and are, indeed, to be commended.

I also thank Chairman BENNETT for agreeing to include language in the committee report about which he spoke, which I requested, relating to the proposed merger of the police forces at the Government Printing Office and the Library of Congress with the Capitol Police Force. This study will enable a careful feasibility analysis to be carried out and completed prior to any consolidation. The GAO report, I believe, can be done by July 1, giving the conference the opportunity to review its findings at that time. I understand Chairman BENNETT's intentions in this area. He believes the proposed merger will result in greater efficiencies for the overall legislative branch police force. I believe it can be carried out in a way, as he just stated, that can maintain the upward mobility and career path for officers.

I share that hope, and I believe that prior to proceeding with such a merger, Congress should first have these views of the GAO to ensure that no unforeseen problems exist in relation to such a consolidation or merger. Chairman BENNETT has agreed to that study, and the committee report ensures that the study will be completed by July 1.

In closing, I express appreciation and recognition to the very capable staff who assisted Chairman BENNETT and myself with the legislative branch bill: Christine Ciccone, Chip Yost, Jim English, Edie Stanley, and Chris Kierig.

This is a very good bill. I urge my colleagues to give favorable consideration to its passage in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENT NO. 3166

(Purpose: Commending the United States Capitol Police)

Ms. MIKULSKI. 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 Maryland [Ms. MIKULSKI], for herself, Mr. DASCHLE, Mrs. MURRAY, Mr. REID, Mr. SARBANES, and Mr. WELLSTONE, proposes an amendment numbered 3166.

At the appropriate place, insert:

SEC. ____. SENSE OF SENATE COMMENDING CAPITOL POLICE. (a) The Senate finds that—

(1) the United States Capitol is the people's house, and, as such, it has always been and will remain open to the public;

(2) millions of people visit the Capitol each year to observe and study the workings of the democratic process;

(3) the Capitol is the most recognizable symbol of liberty and democracy throughout the world and those who guard the Capitol guard our freedom;

(4) on July 24, 1998, Officer Jacob Chestnut and Detective John Michael Gibson of the United States Capitol Police sacrificed their lives to protect the lives of hundreds of tourists, Members of Congress, and staff;

(5) the officers of the United States Capitol Police serve their country with commitment, heroism, and great patriotism;

(6) the employees of the United States working in the United States Capitol are essential to the safe and efficient operation of the Capitol building and the Congress;

(7) the operation of the Capitol and the legislative process are dependent on the professionalism and hard work of those who work here, including the United States Capitol Police, congressional staff, and the staff of the Congressional Research Office, the General Accounting Office, the Congressional Budget Office, the Government Printing Office, and the Architect of the Capitol; and

(8) the House of Representatives should restore the cuts in funding for the United States Capitol Police, congressional staff, and congressional support organizations.

(b) It is the sense of the Senate that—

(1) the United States Capitol Police and all legislative employees are to be commended for their commitment, professionalism, and great patriotism; and

(2) the conferees on the legislative branch appropriations legislation should maintain the Senate position on funding for the United States Capitol Police and all legislative branch employees.

Ms. MIKULSKI. Mr. President, that amendment is offered in behalf of myself, Senator DASCHLE, Senator MURRAY, Senator REID, Senator SARBANES, and Senator WELLSTONE.

The reason I wanted the amendment read is that I wanted to convey the importance that many of us feel in commending the employees who work here at the Capitol, both the police as well as other very important departments and divisions.

I first compliment Senator BENNETT and Senator FEINSTEIN for the outstanding job they have done on moving the legislative branch appropriations bill. This sense of the Senate is in no way a commentary on their leadership, which I think has been exemplary. I think their leadership has been sensitive to the needs of employees and sensitive to the needs of the taxpayers. So we thank you for the leadership you provided, first in terms of the adequacy of the resources to do the job and, second, stewardship over Federal funds.

Also, I particularly want to thank Senators FEINSTEIN and BENNETT for adding the report language on the need for an employee ombudsman for the employees of the Architect of the Capitol. I had come to their hearings, in which I was received with such collegiality that I am very grateful. But we wanted to problem-solve over what was happening to the restaurant employees who often believe they have nowhere to go with many of their problems. Essentially, my own office was becoming the EEO office for these employees.

I am ready to do that. I am ready to be the Senator from Maryland and I am ready to be the Senator for the restaurant employees. But I want the Architect of the Capitol and those who work for him to do their job so that our employees have the same type of ombudsman and opportunity for personnel

grievance that the private sector has. I thank them for that.

Let me come back to my amendment. My amendment is a sense of the Senate. It is not about money, but it is about morale. We want to say to the men and women who work at the U.S. Capitol that we know who they are and we value what they do.

These are the men and women who work in this building for the American people and serve the Nation. The Capitol Police protect this building which is a symbol of freedom and democracy the world over. They protect all the people who visit the Capitol, and they protect Members of Congress. It is the Capitol Police who ensure that everyone who comes to the U.S. Capitol is safe and secure. They are the most unique law enforcement officers in the country. They protect the building, and they protect the people, and they do it whether you are an American citizen or a foreign dignitary. They protect you whether you are a Member of Congress or a member of a Girl Scout troop.

That is who they are. They are brave, they are resourceful, they are gallant, whether it is protecting a dignitary such as Nelson Mandela or a Girl Scout troop from Maryland. They protect us from crooks, terrorists, people who are deranged, and anyone else who wants to harm us or the Capitol. Also, each is Officer Friendly welcoming people from all over America and all over the world.

The Capitol is a tourist attraction. Why? Do they come because we are so compelling, so charismatic, so gifted? No, they come to see democracy in action. We are the greatest deliberative body in the world. Sometimes we act great, and sometimes we deliberate, and sometimes we even do something together. But people come to see us in action. Those police officers ensure this facility is open to the people, preserving safety, often giving guidance and direction, many even learning foreign languages to do it.

Under their community police mentality, do not think, because they greet visitors like Officer Friendly, that they are soft. Talk to the Capitol Police. We know, No. 1, that they are tough, they are competent, they are a modern police force. They take bomb squad training, they take antiterrorist training, and they also work to make sure they have the right approach to deal with each and every situation they may encounter.

We need to make sure they have their jobs, they have their pay, they have their benefits, and they have our respect. That is what the sense of the Senate resolution is all about: to support the Capitol Police and the other employees of the legislative branch.

The House was going to cut over 1,700 people and as many as 400 police officers, which is 25 percent of the force. That is unacceptable. Then they were going to cut 117 staff from the Congressional Research Service. I will say what the Congressional Research Service is. It is a group of people who are absolutely dedicated to giving us unbiased, accurate information and unbiased, accurate analysis so we can do our jobs. If we want to make some very good decisions on the best models for the Older Americans Act or new technology breakthroughs, we should ensure adequate funding for the Congressional Research Service.

I will talk about the jobs being cut at GAO, the Government Accounting Office. The Government Accounting Office is not about keeping the books, it is about keeping the books straight.

My colleagues and I know we continually turn to the staff at the Government Accounting Office to do investigations of waste and abuse, to give us insights into how better to manage and be better stewards of the taxpayers' funds. People with those kinds of skills could leave us in a wink and be at a dot com in less than a nanosecond. If we are going to be on the broadband of the future, we need to make sure we have the people with the skills to run a contemporary Congress. And, we need to make sure that these people have security in their jobs and reliability of pay that they need to do just that.

I will now talk about our own congressional staff. They help us serve the Nation. We all know what the people who work for us do. They are the caseworkers who track down Social Security checks for our constituents; they help us answer our mail; and they help us draft legislation. It is the congressional staff who are now working, hopefully, to see that we pass a Medicare prescription drug benefit. It is the congressional staff who are now working around the clock so we can have a conference on the Patients' Bill of Rights.

Whether it's the Democratic side or the Republican side—the fact is that our staff is on our side so we can be on the people's side. We should not be cutting the very staff who help us get the job done.

We should not forget the restaurant workers, the custodial staff, and the facility managers who ensure the U.S. Capitol is a building that is comfortable, clean, and safe to visit.

We know about the draconian cuts in the House. Rumor has it they are going to restore some of those cuts. Good, because I would say to them, shame on them for what they were doing.

Do my colleagues know what the House intended to do? They intended to cut 400 Capitol Police officers, 114 employees from the Congressional Research Service, and 700 employees from GAO—1,700 people could have lost their jobs.

This is not about job security, this is about maintaining the safety, security, and cleanliness of the Capitol and the competency of staff so we can do our job.

I hope we adopt this amendment 100–0.

I close my remarks by saying that the reason I am offering this sense of the Senate amendment is so we know and show the people who work here every day that we are on their side. I believe Senators BENNETT and FEINSTEIN showed that by putting the money in the Federal checkbook, to show there is money which hopefully ensures a high level of morale.

I am also offering this sense of the Senate amendment because we need to keep our promises. A short time ago, we had two gallant police officers die in the line of duty—Officer Chestnut from Maryland and Detective Gibson from Virginia. We all attended their memorial services. We mourned them. We tried to console their families. We thanked them for their sacrifice, and we said that a grateful Congress will never forget. We should not forget Officer Chestnut, and we should not forget Detective Gibson. We should not forget the men and women who work here every day, in every way, in their own way dedicating their lives to serving us.

I hope we adopt this sense of the Senate amendment. Again, I thank Senators BENNETT and FEINSTEIN for their leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I commend my colleague from Maryland, Senator MIKULSKI, for her leadership and for her fine statement on this important issue that is before the Senate today.

I am very proud to join my many colleagues who are here to commend the men and women of the U.S. Capitol Police Force. Day in and day out, these fine officers risk their lives to protect all of us who work in the legislative branch. They also protect the millions of people who travel from across the country to the Capitol every year.

They deserve our respect and they deserve our thanks. They certainly do not deserve pink slips. Unfortunately, that is what the budget that was recently passed by the House Republicans would give them. In fact, in the budget that was passed by the House Appropriations Committee, if it were to take effect, 438 members of the Capitol Police Force would be relieved of duty. That is no way to thank some of the hardest working and most dedicated people I have ever encountered. At the same time that security experts are recommending to us we hire additional officers so we can station two officers at every entrance, the House majority's proposal goes in the opposite direction and requires us to fire officers.

Many people who are visiting the Nation's Capitol often turn to our Capitol Police Force for help in finding their representatives' offices or to get tour information. While our officers are always very gracious and helpful to everyone, the public really does not get a chance to see the many other things they do.

Every day, these officers interact with thousands of people, constantly

assessing potential threats and stopping problems before they ever have a chance to start.

In fact, in recent days, there have been two potential instances of violence in this Capitol complex. Thanks to the quick work of the Capitol Police, and others, those situations were quickly controlled and no one was injured.

In a world where the number of threats seem to be growing, in an age when you never know when someone will act violently, and in a time when the memories of the two officers who died protecting Members of this Congress are still fresh in our minds, we are all better off with a strong, professional, and well-trained Capitol Police.

I think it is fair to say that through their work they help all of us carry out the democratic process.

They do not just protect elected officials; they protect everyone who visits and works near the Capitol Building.

I have been very disappointed to hear what some of the House Republicans have said about the Capitol Police. I do not think those comments reflect accurately on the work of the Capitol Police. I certainly do not want the officers to think that those few Members reflect the way the rest of us feel about the work that you do.

I encourage my colleagues to do three things to honor these fine men and women.

First, I hope Members, as they go about their daily work, take a moment to say thank you to the men and women of the Capitol Police Force, and let them know how much you appreciate the fine work they do.

Secondly, don't let the House Republican budget slap these officers in the face. Instead, let's give them the tools and the resources they need to do their jobs effectively.

Finally, I hope all Members of the Senate will vote for the sense-of-the-Senate resolution and show that you stand with us in supporting our Capitol Police.

I join the Senator from Maryland in commending Senator BENNETT and Senator FEINSTEIN for doing an outstanding job. I hope we can adopt this resolution with a very strong vote so that we can maintain the numbers that they have worked to put into this budget.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I join my colleagues, and thank Senator MIKULSKI for offering this resolution. I join my friend from the State of Washington in urging that all Members—Republicans and Democrats alike—support it. But I commend Senator MIKULSKI for her initiation of this issue. And we express our appreciation to Senators BENNETT and FEINSTEIN for the action they have taken to express our full confidence and support for the police officers here at the Capitol.

How time flies, as we remember those memorial services for Officer Chestnut and Detective Gibson, who gave up their lives in order to try to save the lives of the Members of Congress. That is the kind of professionalism that is typical of this corps of men and women and that all of us too often take for granted. I strongly oppose any provision in the Legislative Branch Appropriations Bill that would slash the Capitol Police budget. Any such reduction would show a flagrant disregard for the security of the Capitol. It is shocking that House Republicans voted for this cut, after a non-partisan study concluded that even the ''current Capitol Police Force staffing is insufficient to meet today's threat environment.'' Members on both sides of the aisle should be able to agree on this basic necessity of our time.

The budget must have room for adequate law enforcement. Police officers deserve a fair wage, equal to their risks and responsibilities. The way we treat Capitol Police officers is a measure of the respect we hold for them as professionals. No officers should have to jeopardize their lives to do their job because of inadequate resources and inadequate support.

The Capitol Police deserve enormous respect for their dedicated service. What these officers do as professionals affects the welfare and the very lives of every member of Congress, every staff person, and every visitor to the Capitol. They deserve our highest praise and gratitude for the skill and commitment they bring to their work.

The House Republican bill is a symptom of the larger problem facing communities across the country. Democrats have strongly supported the hiring of more local police officers and more school resource officers—giving communities and schools the tools they need to ensure the safety of citizens and students. Yet, Senate and House Republicans consistently fight us every step of the way.

Last week, the Senate Republican leadership attempted to block debate on sensible and long overdue gun control measures.

Last year, Republicans defeated an amendment to expand the Community Oriented Policing Program, which would have provided additional needed resources to communities across the United States in the ongoing battle against crime. And Republicans continue to target that successful program for elimination;

On the Juvenile Justice bill, Republicans blocked a Democratic effort to create a National Center for School Safety and Youth Violence;

On the same bill, Republicans rejected a Democratic amendment to encourage more effective after-school programs, so that one million additional children would be off the streets, out of trouble, and engaged in worthwhile school and community activities.

Republicans also defeated one Democratic amendment to expand the Safe Schools/Healthy Students initiative, to enable 150 additional communities to build partnerships between schools, parents and law enforcement to reduce truancy. The initiative would also provide mentoring for troubled youth, and teach students how to resolve conflict without resorting to violence.

Time and again, Democrats are placed in the position of fighting against Republican opposition in our effort to enact public safety measures that make sense—that keep families, schools and neighborhoods safe. Republicans would rather kowtow to the National Rifle Association and other special interest groups than listen to the American people.

We too infrequently recognize the professionalism and also the dedication of these officers. The least we can do is to treat these men and women fairly. And more importantly, what we can do—and we should do—is to commend them for their continued professionalism and for their devotion to duty.

I join my colleagues in expressing our appreciation to the two leaders on this appropriations bill, Senators BENNETT and FEINSTEIN, for what they have done in this area.

I will mention one other area, though, that finds fault with the actions of the leadership in the House of Representatives, in this term, the Republican leadership.

I find it difficult to understand what the Republican leadership has against low-income workers. Here we have the greatest prosperity in the history of this country, and the Republican leadership has been aligned to deny us a simple vote on a 50-cent increase in the minimum wage for 1 year, and a 50-cent increase in the next year. We have effectively been denied the opportunity to do so.

We have had to go through extraordinary gymnastics here on the floor. And then, finally, we end up with a 3-year bill, which is an insult to even the 10 million Americans who are working at the lowest levels of the economic ladder, and then tying on to that $100 billion in unpaid tax goodies for the wealthiest individuals and the most powerful corporations of this country. I think that is shameful action by this body.

But we have been battling, and we are going to continue to battle. We are going to remind our friends that even though they do not like voting on an increase in the minimum wage—and they use every effort to try to avoid that—they are going to be faced with the continued opportunities to do so until we get a fair adjustment in the minimum wage, which these working families are due.

But now we have not only opposition in terms of an increase in the minimum wage, but opposition to an adjustment in the cost of living for those individuals who are at the lowest level of service in the National Government. The House Republican leadership wants

to make sure that these employees are not going to get any cost of living increase, even though we have seen a generous cost-of-living increase for the Members. These workers are the ones who will get no increase—they are the press operators who work the presses, the bindery workers who bind the volumes of paper that we produce in this chamber, and the workers at the printing plant who haul paper and move the printed products. There is no increase for even these workers, the laborers in the printing office who publish the reports that go across to the libraries to inform the American people as to the actions of the Congress.

But it is not just the Government Printing Office employees who will suffer from this cutting of the cost of living adjustment. Mail clerks and laborers in the Library of Congress, Secretaries in the Congressional Budget Office, and Information Receptionists, Library Aides, and Reference Files Assistants at the Congressional Research Service—those who carry and sort the mail, who type and file our various reports and documents, and those who assist with the cataloguing and researching of all the reports and documents that we in Congress generate—all of these employees will be denied a fair cost of living increase by the House Republican leadership.

These are among the lowest of the low paid by the Federal Government. They are men and women who have a great sense of pride and dignity in the work they do. They are part of the team in terms of trying to serve this country. Nonetheless, the way we deal with them is to say: No, you are not going to be able to get the adjustment that others are going to be able to get in the Congress, and that those of the higher level pay scales are going to get in general.

That is basically unfair, and it is unwise and unjust. I do not know what the explanation is. Why is it? Why is it that we effectively make sure that those individuals who are working in the darkest areas of the building and are absolutely key elements do not get an increase? If you take those individuals out of this whole process, you are not going to get the printing of the records, which are reflective of the Government in action, and you are going to basically paralyze, in a very important respect, the representatives of Government having the information which is necessary to make sound judgment.

Maybe there is an explanation for it, but I do not see it. It is unfair and unjust. It is something where we have to say, if you have opposition to an increase in the minimum wage, you are hurting those workers. And who are those workers? They are primarily women because 60 percent of minimum-wage workers are women. This impacts children because fully one-third of the women who are earning the minimum wage have children under 18. It is a children's issue. It is a civil rights issue because a disproportionate percent of minimum-wage workers are men and women of color.

Most of all, it is a fairness issue that men and women who are going to work 40 hours a week, 52 weeks of the year, should not live in poverty in the richest country in the world, when we are having the most extraordinary economic prosperity in the history of this Nation. It just is wrong.

We are facing that blind opposition by the Republican leadership in the House of Representatives and the Senate of the United States that says no to those working members of our economy. Who are they? They are the men and women who work in our nursing homes looking after parents who may be in nursing homes. They are the men and women who are working in our schools as assistant teachers. They are men and women who are looking after children when their parents are out there working and trying to put food on their table.

We are saying, no, they are not going to get an increase in the minimum wage. No, we are not going to give it to them. And no, we are not going to give a cost of living increase to other members who are at the lower level of the pay scale in our nation's Capitol.

That is an absolutely unfair, unjust, and unacceptable position. I am delighted that here in the Senate, in a bipartisan way, that position has been rejected.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, first of all, let me thank both Senator BENNETT and Senator FEINSTEIN for their important work. I just want to echo the comments of my colleague from Massachusetts, Senator KENNEDY, in support of providing adequate funding to pay all the people who help us do our work in the Senate. I too support a wage increase for the many people who work here, who don't make near the money we make, don't have near the salary we have. I promise the Chair that if it were the House Democrats who had made these cuts, my condemnation would be just as strong. The action the House took, cutting funding for salaries was a mistake, and it wasn't fair. I think that on the Senate side, in a bipartisan way, we have done a good job.

I thank Senator MIKULSKI and all the other Senators here, including Senators DASCHLE, MURRAY, REID, SARBANES, and KENNEDY, for their support for full funding for the Capitol Police Department. I just want to read the last part of the Mikulski amendment, that I am proud to be an original cosponsor of:

> It is the sense of the Senate that the United States Capitol Police and all legislative employees are to be commended for their commitment, professionalism, and great patriotism; and the conferees on the legislative branch appropriations legislation should maintain the Senate position on funding for the United States Capitol Police and all legislative branch employees.

My hope is that all 100 Senators will come out here on the floor and speak in support of this amendment and in support of all the work that Capitol Police do to keep the Capitol safe. In a way, it is almost shocking that the Senator from Maryland feels the need to introduce this sense-of-the-Senate amendment. I think we ought to really think deeply as to why it is necessary to come out with an amendment that basically says that we value the Capitol Police and all the Senate employees.

I just want to make this appeal to all my colleagues that they come down to the floor and express their support for all the people who work in the Senate. I hope Republican Senators will come out here as well and speak. Maybe all of us can take 15 or 20 minutes. I think that sends a much more powerful message.

What I regret is that the House Republicans chose to cut the Capitol Police budget by 11 percent; that is a $10 million cut. Here is the problem. Forget the money. Anybody who watches us on the floor might say: What are they talking about, a sense-of-the-Senate amendment, an 11-percent cut, a $10 million cut; what does it mean?

This is what it means. First of all, we will never forget that we lost two officers, Officer Chestnut and Agent Gibson, in 1998. Many of us were at their service. It was so moving and so powerful. We made a commitment we would do everything possible to make sure that the police officers here—Capitol Police officers—would be working under the best of conditions, that they would be safe, that they could do their job and not be put in peril.

Their job is to protect all the people who visit the Capitol. I have given enough speeches to deafen the gods about this. I have probably spoken 15 times on the floor of the Senate in support of the Capitol police. Today, I get to come out here as an original cosponsor of this amendment and say I really believe it is critically important that the Capitol police be recognized for the worth of their work, the importance of their work, and also that we make sure we do everything humanly possible, as legislators, so that they work under the best conditions, which translates into making sure we do everything we know how to do to make sure we never again lose any police officers.

What the House Republicans did in their proposal would mean the elimination of some 400 police officers. That is no way to say thank you to the Capitol police—to have an 11-percent cut in their budget, to have a cut of hundreds of police officers, to have even less backup for officers; that is no way to say thank you to the Capitol Hill Police. It is certainly no way to honor Officer Chestnut, Officer Gibson, and their families—no way.

So I want to make crystal clear on the floor of the Senate that I believe that it is important that we all speak—not just Democrats, but Republicans as well—in support of this amendment to

send a message as Senators to the Capitol Hill police and their families that we have a tremendous amount of appreciation for the work they do, we value the work they do, we value them as friends, and we just simply want to say thank you and we intend to continue to support the Capitol Police. In addition, I believe that the work that Senator BENNETT and Senator FEINSTEIN have done matters more than any words I can utter here on the floor of the Senate.

The last point that this amendment is important, and the reason I hope Senators will speak on it, is to show our united support and respect for the men and women of the Capitol Police force, who protect us each and every day. In the days following the House actions to cut funding for the force, many of the police officers were just demoralized. How many people have said—as a matter of fact, we are losing Capitol Hill police members to the D.C. Police Force because they do feel they have the respect and support of the people they are here to protect.

But part of it is, I say to Senator REID, who was a Capitol Hill policeman—the only Member of the Senate who served on that police force—that part of the question of whether or not people continue to work here and feel good about their work is whether or not people think they are respected. You know, in light of what we have gone through for the past several years, when you then cut the budget and you potentially put some of these police officers in harm's way, you certainly are not communicating a message to these police that we value their work. You are communicating the opposite message. I think what the House Republican ''leadership'' did on this issue was one of the worst things that has been done here, at least since I have served starting in 1991.

I feel really good about what we have done on the Senate side. I feel really good that we have done it in a bipartisan way, and I feel good that I get a chance to support the Mikulski amendment. I want to, one more time, make the appeal to Republican Senators: Look, the truth of the matter is—and I don't want to get people angry at me—it is not as if we are doing a lot right now and we don't have time for people to come out and speak. I think we ought to get as many Senators as possible to speak on this resolution because it is important that we communicate a message of strong support for these police officers.

I thank my colleagues, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that Senators BYRD, BENNETT, FEINSTEIN, KENNEDY, and DURBIN be added as cosponsors to this amendment.

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

Ms. MIKULSKI. Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the vote on this amendment be taken at the appropriate time as agreed upon by the leaders.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I amend the Senator's unanimous-consent request that the vote on the pending amendment occur at 9:45 on Thursday with no amendments in order to the amendment, and that there be 10 minutes of remarks prior to the vote.

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

Ms. MIKULSKI. I thank the chairman of the subcommittee.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, to make the record clear with respect to the statement that was made earlier about employees of the Government Printing Office not receiving an increase in this bill, Senator FEINSTEIN and I have provided funds so those employees will receive the mandatory increases.

It is a little bit confusing as to how the bookkeeping works. The dollar amount stays level, but because we researched the number of positions that had not been filled in previous years and we are funding those positions, we recognize the money that would go for those unfilled positions will be available for the mandatory increases for employees.

I want to make sure the record reflects that. We are not, in fact, forcing those employees to go without their standard mandatory increases in this bill.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. WELLSTONE. Mr. President, could I ask my colleague for 5 seconds?

Mr. DURBIN. Yes.

Mr. WELLSTONE. Mr. President, I forgot to also thank Jim Ziglar, the Sergeant at Arms on the Senate side, who has done great work on this question.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of the amendment offered by the Senator from Maryland.

First, I thank Senator BENNETT of Utah and Senator FEINSTEIN of California, the chairman and ranking member of the Appropriations Subcommittee on Legislative Branch. They have important responsibilities. They have met the responsibility and have done it very well in a very difficult time. I commend both of them for their hard work in preparing this important legislation.

I also commend my colleague from the State of Maryland, Senator MIKULSKI. Because of the proximity of Maryland to the District of Columbia, Senator MIKULSKI has said that she oftentimes feels that she is the Senator for so many people who work on Capitol Hill who come to her with their concerns. I know that is a burden for her to carry, but it is one that she carries with grace.

The offering today of this sense-of-the-Senate amendment is so typical of her dedication and loyalty to the men and women who serve us here in the Capitol.

This Capitol Building is one of the most recognizable buildings in the world. People literally come from across the United States and from around the world to see this magnificent dome.

You can never forget the first time you see it. I can still remember, I guess almost 38 years ago, when I first saw it in person. It made such an impact on me as a student. Little did I realize that I might someday serve in this building. But so many millions of people come to this site on this great hill to see this building, to walk through its Halls, and to witness the history that is here portrayed; to see the magnificent statues in Statutary Hall; to recall the history of this building; the Rotunda; the times that America has gathered in this place to pay homage to the greats who have served our Nation; to recall history when that same Rotunda was used as a hospital for Union soldiers who were injured in battle.

It is a great building and contains a great history. The dome on this building, which was built during the era when Abraham Lincoln of Springfield, IL, served as President during the Civil War, is really a beacon not just for our Nation but for the world.

All of the visitors who come here to be part of this great American historical moment expect the very best treatment, and they deserve it. That is why it is hard for me to understand what happened in the House of Representatives when the Republican leadership decided they would make a substantial cut—a one-third cut or more—in the number of police officers who would be in this building to protect all of us who work here and all of us who visit here.

It is hard to imagine how that could occur under ordinary circumstances; with the millions of people who flock to this building, that we would cut back in the security and protection of those visitors and employees. It is impossible to understand that suggestion in light of what occurred just 2 years ago in this same building—when, on a Friday afternoon, a deranged man came to this building with a gun and opened fire, sadly killing two of the very best Capitol Hill policemen, Officer Chestnut and Officer Gibson.

Those two men died in the line of duty protecting all of us—protecting

the visitors to this building, protecting the workers who come to this building each day, protecting many of the same Members of Congress who have sponsored on the House side this amendment to reduce the number of Capitol Hill policemen. It is an incredible thing that only 2 years later we would forget that basic lesson.

I remember going to the memorial service for the two officers, as so many Members of Congress did, to show our respect and our gratitude to their families—to try to express with our presence what we couldn't say in words; to thank them and their families for what they had given us. So many people were chocked up that day as they looked across at the rows of family members and saw not only the spouses but a lot of young children who would never know their fathers, who, frankly, would miss out on many of life's great moments with their fathers, because Officer Chestnut and Officer Gibson had given their lives to protect us.

Many of the same Members of Congress who stood choking back the tears that day are, 24 months later, offering amendments to reduce the number of Capitol Hill policemen.

How short is their memory? Can they not recall those moments? I certainly can. I know Senator MIKULSKI can.

As I come into this building each day and into the office building that we use, I see these men and women in uniform standing there doing their very best to make sure people know the right place to go and where the offices are located, but also keeping in mind that at any given moment they could have their lives on the line.

When Senator MIKULSKI introduces this resolution, when Senator WELLSTONE takes the floor repeatedly and talks about the security at the doorways of the entrances to the buildings on Capitol Hill, they are talking about a life and death issue for these men and women. They don't just come to work, as many of us do, and shuffle the papers and do our business. They put their lives on the line every day. The thought that the House Republicans would suggest cutting by one-third the number of police officers is incredible when you consider what is at stake here and what we lived through only 2 years ago.

I certainly commend my colleague, Senator MIKULSKI, for offering this amendment. I hope every Member of the Senate in a show of fidelity and support to the men and women who protect us every day will join as cosponsors. This should have a 100–0 vote because it really is an indication of what we feel about these people who mean so much to us and who go out of their way to be kind and helpful.

Some of my favorites—I hate to pick out a few because I know there are many who deserve recognition—Officer Charlie Coffer, who stands at the Russell door every day, is a joy in my life. There cannot be a nicer person on Capitol Hill in any spot. He brings a smile to my lips every time I walk through the door.

Officer Best works on the door on the Senate side. I came here at 10 o'clock one night with a group of visitors, and I asked if it would be possible to walk through Statuary Hall. He went out of his way to clear things and make sure we could bring those visitors through for the time of their lives, to be able to walk through this great building in the darkness of night, and sense the history of this building.

Officer Best, Officer Coffer, and so many others, go out of their way to do such a great job. If they go out of their way every day, we should go out of our way to show our gratitude and respect by passing this amendment and this important appropriations bill.

I close by referring to one other item which I hope this appropriations subcommittee can consider. It has come to our attention that some of the workers on the Senate side, particularly those associated with the restaurant, are technically part-time employees. When we are in session, they may work a full 40-hour week; of course, when we are out of session, they don't. Because of this part-time status, many of them do not qualify for basic employee protection life/health insurance. It is hard for me to imagine the men and women who serve food every day, who make sure this building runs smoothly, don't receive the most basic protections which we would expect for any member of our family.

I ask the committee, I ask Senator BENNETT and Senator FEINSTEIN, if they would be kind enough to look into this situation. I am happy to work with them and make certain we are treating all of the men and women who work here with respect in giving them the benefits which we would expect every American who comes to work every day to enjoy. I think we ought to join to try to set such an example.

If this is not a major problem, I apologize to the subcommittee. However, if it is one that I have been told is a concern to many of the employees, I hope we can work together to resolve it.

Once again, I thank the chairman and the ranking member for their fine work on this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I have sought recognition at this time to commend the chairman of the subcommittee, Senator BENNETT, and the ranking member, Senator FEINSTEIN, for their efforts in bringing out of the Appropriations Committee and out of their subcommittee prior thereto, a bill which I know that all Senators can support.

As noted by the Chairman and Ranking Member, the allocation to the Legislative Branch Subcommittee here in the Senate was substantially larger than the amount allocated to the Subcommittee's House counterpart. That increased allocation was distributed fairly throughout the Legislative Branch.

In particular, as has been noted by Chairman BENNETT and Senator FEINSTEIN, the bill as reported by the Committee recommends a substantial increase for the Capitol Police. I commend these two very able Senators for their excellent work in recommending this increase for the Capitol Police and for the increases they recommended throughout the legislative branch. It should be kept in mind something that Members of this body often forget, perhaps at least temporarily, that the Legislative Branch is the people's branch.

I stand here on this floor time after time to say that again and again that this is the first of the three branches of our Government mentioned in the Constitution, article I. We should adequately fund the legislative branch. I believe this bill does so. We certainly bend over backwards time and time again to fund the executive branch, and the executive branch includes in its budget on every occasion that a budget that comes here, additional persons for various segments of the executive branch. In many instances, few questions are asked, if any. So the executive branch adds to its numbers by the hundreds, from time to time. Yet we respond quite niggardly with appropriations for the legislative branch. We are always pinching pennies when it comes to the legislative branch.

The Legislative Branch Appropriations bill, as reported by the House Appropriations Committee, contains major cuts throughout the legislative branch, including the appropriation for the Capitol Police. Rather than recommending an increase sufficient to continue the growth in the Capitol Police force that we approved two years ago as a result of the tragic shooting that took the lives of Officer Chestnut and Detective Gibson, the bill, reported by the other body requires dramatic reductions in the Capitol Police force. Through a combination of the regular Fiscal Year 2000 Legislative Branch Appropriations Act and the additional funding that had already been provided in the Omnibus Appropriations Act for Fiscal Year 1999, sufficient resources have been provided for 1,511 Capitol Police personnel. That increase in personnel was carefully considered as part of an overall plan to improve security of the U.S. Capitol complex. It was to be a multi-year effort with these additional forces being brought on board as quickly as the new hires could be trained. Yet, that is not what has been recommended in the bill as reported in this year's bill by the House Appropriations Committee. That recommendation provides only $70 million, a cut of almost $39 million below the budget request, and provides for a level of only 1058 personnel, a reduction of 453 positions! Think about that. We all talk about how strongly we support reducing crime throughout the Nation. Let's

start right here in the Nation's Capitol, right now! We have put 100,000 cops on the beat across the Nation. A number of years ago, Senator GRAMM of Texas and I offered an amendment which was subsequently enacted to establish a Violent Crime Reduction Trust Fund.

I was chairman of the Appropriations Committee in the Senate at that time. Since that time, tens of billions of dollars have been appropriated over the years from that trust fund. As a result, we have seen a marked improvement in the statistics on violent crime all across this Nation. When the tragic shooting of Officer Chestnut and Detective Gibson occurred in the Nation's Capitol in the summer of 1998, we all quickly rushed forward with promises of increased funding for the security measures for the Capitol complex.

I have seen this happen time and time and time again over the 48 years I have been virtually an inhabitant of this building. The distinguished Senator from Illinois said a moment ago he first came to this building 38 years ago. Mr. President, I came to this building my first time almost 70 years ago. I was a boy scout from the coal fields in southern West Virginia. Of course, it was never meant that I should ever become a Member of this body, not from the lowly beginnings from which I sprang. Upon that occasion when I sat up in the galleries, I said to the scoutmaster: I'm coming back here one day; I'm going to be a Member of this body. How little did I know that that might come true, really, when I came to this Capitol almost 70 years ago.

I was a Member of the other body when the shooting occurred in the gallery of that body. I was sitting on the opposite side, on the Democratic side, from where the shooting took place. The shooting occurred from the galleries just over the Republican side of the aisle. At first, I thought it was a demonstration of some kind, perhaps some firecrackers or some blank bullets.

I saw—I believe it was one of the Members named Jensen. I saw other Members fall. I saw one fall right in the center of the floor, towards the front of the House Chamber. I saw Members running to the Cloakroom.

A Member from Tennessee had sat in a chair to my left. If I were located in the House Chamber right now, he sat just over to my left. He was called to go out to the Cloakroom to take a telephone call. While he was out, that shooting occurred and a bullet pierced the very center of the chair in which he had sat. The bullet would have gone through his heart.

A Member of the House who sat just directly behind him was from Alabama, and that Member suffered a wound in his leg.

I remember going up to the galleries after they had taken the demonstrators out. There was a TV camera there. They asked me what I thought about it. I said, ''It just shows what a cockeyed old world this has come to be.''

The world hasn't improved any. As a matter of fact, it has gotten worse. I can remember some years ago when there was an explosion on the next floor below us in the Capitol. A bomb exploded right down here where the old barber shop was, where the Senators used to get haircuts. We were criticized so much because we got haircuts in the Capitol that we closed down the room, the barber shop. But in one of the little restrooms just outside the premises of that barber shop a bomb exploded.

Then, a few years later, a bomb exploded right here near the Senate Chamber, beyond the Republican Cloakroom, out in the corridor there. I was the Democratic leader at that time, and I had an office just a few feet away from where that bomb was deposited behind a bench where one of those Vice Presidential busts is now located. That blast occurred at 11 o'clock at night.

As Howard Baker stated the next morning, it could very well have killed a Republican Member or Members in that Republican Cloakroom that night. The explosion was directed toward the Republican Cloakroom. Nevertheless, that explosion blew off the huge doors to my office in S–208. It blew those doors over on the desks where members of my staff worked. As I say, fortunately, it was at 11 o'clock at night, but it just filled my offices with dust. It broke the picture window in that beautiful office.

I have been around this Capitol 48 years, and I know these things happen, and they will happen again. They will happen again. One of these days there may be a major catastrophe in this Capitol. And every time there is a rush to improve the security, and then after a few days or weeks or months, that subsides and the security lapses.

This is the most beautiful Capitol in the world, bar none, with Brumidi's paintings. Brumidi came to this country in 1855 and he died in 1880. He painted these beautiful frescoes in the Rotunda. I have my office now in his old studio down on the next floor. It is in this Capitol that Webster and Hayne had their famous debate. It was not in this Chamber but in the Old Chamber down the hall. Webster and Clay, and Calhoun—where the old Senate sat from 1810 to 1859; the Senators in 1859 moved to this Chamber. Ah, what history here—history, the history of the greatest Republic that was ever created—history fills these Halls. If you walk in these Halls at night, you can almost hear the words of Webster and Clay and Thomas Hart Benton of Missouri. Yet, this Capitol is put in danger by reductions of this kind in appropriations.

Senator BENNETT and Senator FEINSTEIN have performed a great deed for the Nation, for the men and women of yesterday, for the citizens of today, and for our posterity—those who will walk these Halls in future years and gaze with wonder at the beauty of this Capitol.

A lot is expected of the men and the women who serve on the U.S. Capitol Police Force. We expect them to be highly professional, highly skilled, and highly motivated individuals who perform their duties well at all times. They must be courteous to the many thousands, the millions of people who visit this Nation's Capitol while at the same time being alert to the dangers that can arise at any time with little notice or without notice.

Members of the House and Senate, our staffs—Jim English, others on the staff of the Appropriations Committee who sit on this side, and staff people who sit across the aisle and aid Senator BENNETT; there are thousands of them who work in and around this Capitol—their lives are at stake, their lives and the lives of the tourists who come here from the mountains of West Virginia and the level plains of the Midwest, the prairies, from the Rocky Mountains and the sunny shores of California. They come here to see this Capitol and to marvel at it, to gaze in awe. How many times a day I see those tourists come in here and look about these halls; they just gaze in awe. They seem to be entirely unaware that somebody else is walking by. They are entranced by what they see in this Capitol.

These visitors deserve no less from our U.S. Capitol Police Force. But if we are to have the kind of police force that exhibits these qualities and these skills, we cannot subject these men and women to the specter of having their jobs eliminated in massive numbers on the heels of initiating a program to substantially increase their numbers.

It would be unwise in the extreme to cut security personnel at the Capitol complex, so I will join Chairman BENNETT and Senator FEINSTEIN and other members of our committee in defending the funding levels recommended in the Senate bill for the U.S. Capitol Police. I trust we will succeed in convincing our counterparts on the other side of the Capitol of the need for that increase.

I congratulate Senator MIKULSKI, too, on the resolution which she has offered, which she was kind enough to allow me to cosponsor. That is a good amendment and this is a good bill which, I believe, deserves the support of every Senator.

I again congratulate Senator BENNETT and Senator FEINSTEIN. I again thank them. The Senate is in their debt. The Congress is in their debt. The people of the country are in their debt because this is the people's Capitol. This is the people's branch.

These two Senators have done excellent work in bringing recommendations to the Senate. I salute them, thank them, commend them, and say: Long may the great God who is the Judge of us all and in Whose hands rests the destiny of the Nation continue to bless this great country and this great Capitol of the United States.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, it seems just a day or two ago—the fact of the matter is, it was almost 40 years ago—that I served as a Capitol policeman. I can remember being out on the steps on the east front of the Capitol. I worked the night shift while I attended law school during the day. I remember one of my first duty stations was to be present during the concerts which took place every night.

I can remember a lot of things. One thing I remember is Senator Carl Hayden coming to the concerts every night. He had been in Congress more than 50 years at that time. He was still mentally alert but physically infirm. He would come in his wheelchair. As a Capitol policeman, I would stand near him during these concerts.

Quite frankly, Mr. President, the most dangerous thing I did as a Capitol policeman was to direct traffic. Directing traffic was a little dangerous in those days. I can remember that on Constitution Avenue, they had railroad tracks. And there were cars all over the place. It sounds a little facetious when I say it was the most dangerous thing I did, but it was true. I was barely old enough to carry a gun. One had to be 21. I carried a pistol. Thank goodness, I never took it out of the holster during the time I was a Capitol policeman.

I have very fond memories of being a Capitol policeman. Like Senator BYRD, I can remember coming from a town of 200 at the southern tip of the State of Nevada where we had a policeman by the name of Big John. Growing up in Searchlight, he was ''the law.'' But here in Washington, for me to walk in a uniform at night down these Halls—there was nobody in these Halls when I made my rounds—it brought a chill to my soul, thinking I was able to work in this Capitol and walk past the statues of the great men and women who made this country what it is.

For me now, to think I have served in the House of Representatives, the greatest democratic body in the history of the world—no one has ever served in the House unless they have been elected. In the Senate, there have been people who have served who had been appointed, but never in the House of Representatives. And then to serve in the Senate. I told one of my friends I was lucky. He said: ''You are not lucky, you are blessed.'' That is really true. I was wrong, and he was right.

I am blessed to serve in the Senate of the United States. I walk down these Halls many times a week to Senator BYRD's old office. As you know, the Democratic whip's office is down on the next floor. Senator, did you know that the fireplace was put in that office in 1824? When I walk down there, even with people around, I get that same chill I had as a young man in a police uniform. This is truly a wonderful building. I sometimes wonder why I am so fortunate to serve here. I am, and I accept those responsibilities along with the privilege.

I have never forgotten that I was a Capitol Police officer. I can remember when I was transferred to the House. In 1961, Henry Gonzalez from Texas, was a freshman Congressman. I can remember the very lonely duty I had over there. This freshman Congressman from Texas worked late at night, and he would say to me: ''Can I bring you something to eat? Can I bring you something to drink?''

Another Member I remember was Congressman Lindsay from New York, who later became the mayor of New York City. These are the two people I remember reaching out to a police officer, reaching out in kindness. It made me feel good about my job.

Like Senator WELLSTONE so eloquently stated, I have tried to be kind, thoughtful, and considerate to police officers. They have such an important job, and are often overlooked because things get so crazy around here.

The world is so different than it was 40 years ago. Unfortunately, there are people who are hellbent upon destroying this facility, not just damaging the Rayburn Building. I say to my friend from West Virginia, immediately before that bomb went off in the Rayburn Building, the Nevada State Society held a meeting there. We were the last group to meet in that room. I was a Member of the House at the time that explosion took place, and I remember the incident as if it happened yesterday.

Today, it seems that people are no longer content with blowing out a few windows. They want to destroy this facility, and, if given the opportunity, they could. That is why we have to reach out to the men and women who provide security for us on a daily basis. But, it's not just us, Mr. President. The Capitol Police provides security for all the staff we see throughout these buildings, the people without whom we would not be able to do our jobs. Most importantly, the Capitol Police is also charged with providing security for the millions of people who come to this beautiful Capitol complex each year.

We simply must ensure that we take care of the Capitol Police. The Capitol Police are very well trained. Today, as I was proceeding to a meeting in the Dirksen Building, I saw a man climb out of a car dressed in SWAT team apparel. I asked the officer with whom I was walking about him, and he told me that he was a member of the SWAT team. He was dressed like you would see in a movie. He is here because he is needed. We have demolition experts, people who are experts in defusing bombs. They are called upon to do that more often than we know. Again, they are here because, unfortunate as it may be, they are needed.

Often time, we only hear about the heroics of the Capitol Police when something goes wrong. We know when someone breaks a bottle and tries to attack other people because the press is there to capture the event-in-the-making. We know about the tragic deaths of Officer Chestnut and Detective Gibson because the press covered it in such detail. The many things we do not know about are the tragedies that are averted because of the skill and proficiency of the Capitol Police. Their training is as good as any police force in America.

When I served on the Capitol Police, all that training was not necessary. When people came to this building, we did not check to see what they had in their bags. We didn't have electronic machines for visitors to pass through. We did not check to see if they were staff. Our responsibilities were much different, much simpler.

Every day, these men and women put their lives on the line for America—not for me, not for the Presiding Officer, but for America, to protect this beautiful structure and the people who visit it.

Without belaboring the point, I have been fortunate to do a few things in my adult life. I am so privileged to represent the people of Nevada in this body. But this Senator is just as proud to have been a police officer, and I am proud of the fact I was a Capitol policeman.

I extend to my friend from Utah, the chairman of this subcommittee, and my friend from California, the ranking member, my appreciation for crafting this bill on a bipartisan basis. Not only have they reached out to protect the Capitol Police, which is so important, but they have also reached out to protect the rest of the staff.

I had the good fortune to serve as chairman of the legislative branch appropriations subcommittee when I first came to the Senate. I loved that job, because we did some very constructive things.

We see things in the other body on the other side of the Capitol that have not been very constructive. In fact, they have been destructive. I would say to my colleagues that the chairman and ranking member have brought about some dignity to the legislative branch of Government.

The other body, for example, drastically cut the Government Printing Office which does very important things for this country. In the State of Nevada, the Government Printing Office has 11 different institutions to which they supply periodicals and other materials.

Across the country, there are more than 1,300 institutions that serve as official depository libraries which disseminate more than 16.1 million official Government documents to the general public every year—every year, over 16 million documents the public gets from the Government Printing Office.

In Nevada, there are 11 such libraries, the 2 largest of which exist on the campuses of the University of Nevada at Las Vegas and Reno.

The depository is a bargain when one considers the program as a whole.

While the GPO supplies the printed materials, the university, college, and other public libraries which participate in the Federal Depository Library Program supply the space to house the documents, the staff to assist the public, as well as the computers, the photocopiers, and other equipment needed to use this information. In other words, the GPO embodies the public's access to government.

What if we were to cut off that access? There would be—rightfully so—a public outcry that such access to government had been denied. If we were to cut back the staff the way the other body did, that is what we would have to do—limit the public's access to their government. The ranking member and the chairman have made every effort to stop this, and that is very important.

I also think that it is very important we recognize that the General Accounting Office—because of the work you have done—has been, in effect, spared. We complain because we do not get our reports and other information fast enough from the General Accounting Office. Why? Because in the past we have cut them back a significant amount. They are already working with a very lean staff. Thank goodness the ranking member and the chairman have taken care of this. This Senator appreciates that very much.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. REID. Yes.

Mr. BYRD. The Senator was talking about how the Capitol Police are careful to search our briefcases and to be on the alert for all people who walk through the doors.

A couple weeks ago, after I reached my house one evening, I got to looking for something, and I decided I left it on my desk in my office.

I said to my wife: I am going back up to the Capitol.

She said: Do you want me to go with you?

I said: Yes.

She and I are going to be married, by the way, this coming Monday, 63 years.

As I said, she said: Do you want me to go with you?

Anyhow, she came up here with me. I had already changed clothes. I had an old slouch rainhat on. I had some old wear-around-the-house trousers and some scuffy-looking shoes. I came up here with a slouch sweatshirt and had it outside my trousers.

I walked in down here and went through the magnetometer. I guess I am the only Senator who goes through the magnetometer. I don't know. But I do. I do that so the police and others who may get some complaints from some people who go through that magnetometer can say, Senator BYRD, who has been around this floor longer than any other Member of the House or Senate, who has been around here longer than any staff member on this Hill, goes through that.

So I went through that magnetometer. And there were two policemen standing there. They were not the regular attendants at the door. And they did not see any ID card on me with a chain around my neck. So one of them said to me: Sir, are you a staff member? And I laughed. I said: No, I'm not a staff member. I just want to compliment you on doing the kind of job you are supposed to do. No, I'm not a staff member.

So they were on the alert. They did what they were supposed to do. I salute them for it. I thank the Senator for yielding.

Mr. REID. Thank you very much, I say to Senator BYRD.

Let me say that I sat with awe as I listened to your presentation. It was very well done, as usual. There is no one in this institution who has the feeling for not only this building, not only this institution, the Senate, but for our country than you do. I have great, great respect for what you have done to inspire me to try to do a better job.

Mr. BYRD. I thank the Senator.

Mr. REID. Mr. President, one of the things I say to my two colleagues, the chairman and the ranking member, is, if the other body is looking for additional sources of money, I think they should take a closer look at their franking practices. I am the last person to tell the other body what to do with franking, even though in the past, when I was chairman of the Appropriations Legislative Branch Subcommittee, we had some real battles dealing with franking. We cut our Senate franking practices tremendously. In fact, we now hear complaints that we do not have enough money to mail to our constituents. We have really tightened our belts, especially with mass mailings.

But, let's talk about the other body. In 1994, as part of a bipartisan effort that was initiated by Senator MACK and myself, our subcommittee successfully instituted sweeping reforms regarding franking privileges in the Senate. In fact, we cut overall mail costs by 50 percent between 1994 and 1995.

As part of the same initiative, the House, in 1995, combined its mail, staff, and office expense accounts, and instituted an expenditure limit on mail based upon an allowance fund.

However, Mr. President, that was changed. In 1999, according to the Congressional Research Service, the House, unfortunately, eliminated any expenditure limit on franking privileges.

So if the House is looking for some ways to get some money, they can always use some of the money they reapplied to franking just last year.

Also, I want to talk about the Congressional Research Service, for which I have the greatest respect. It is a great program, the Congressional Research Service. If we have a problem, we can have some research done. That is what it is. It helps our constituents, our staffs, and helps us Members of Congress.

These cutbacks that have been requested in the other body are simply not wise. I think it goes without saying that we need the Congressional Research Service so that we are not forced to rely upon a group of lobbyists.

I, again, commend the chairman and ranking member for their work to ensure that the Congressional Research Service is protected.

Finally, let me say, in closing, we have appropriated $100 million for the Visitors Center. I am not happy with the fact we are reaching out to the private sector to get money to help build what I think should be a totally Government institution.

A Visitors Center is long overdue. I hope we get it done quickly. I have been told, though I have heard this before, that construction is going to start soon.

I think it says a lot that we, in Washington, do not have a facility for visitors to come into this Capitol. That is one of the reasons why Officer Gibson and Detective Chestnut are dead, because we did not have a visitor entrance where people could be checked to see if they have weapons before coming into the Capitol.

Also, separate and apart from the security aspect of it, it is important that visitors have a place to come in during cold weather to stay warm until they can come into the Capitol, and a place during hot weather to stay cool, and a place where they can get a soft drink, a glass of water, or go to the bathroom. This is long overdue.

I hope this initiative will move forward expeditiously. I also hope this eyesore that we have out here with the painted lines on the road and all that other stuff will quickly be done away with. The east front of the Capitol should be just as beautiful as the rest of the Capitol complex. I hope we take care of that very quickly.

Mr. President, I reiterate my gratitude and recognition of the leadership of Senators BENNETT and FEINSTEIN. I wish them well not only in the passage of this bill, but also wishing them well in conference, where all eyes of the Senate, including our staff and the brave men and women of the Capitol police and other legislative branch agencies, will be upon them.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I thank the Senators who have spoken in such generous terms. It helps to have a bill that is relatively noncontroversial and to be on the side of the issues where most Senators are to get those glowing terms, but nonetheless, I am grateful for them. I appreciate the comments.

AMENDMENT NOS. 3167 THROUGH 3170, EN BLOC

Mr. BENNETT. Mr. President, I send to the desk a managers' package of four amendments and ask for their immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. BENNETT], for himself and Mrs. FEINSTEIN, proposes amendments en bloc numbered 3167 through 3170.

Mr. BENNETT. I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 3167

At the appropriate place insert:

The first sentence under the subheading ''SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE'' under the heading ''CONTINGENT EXPENSES OF THE SENATE'' under title I of the bill is amended by inserting '', of which $2,500,000 shall remain available until September 30, 2003'' after ''$71,261,000''.

AMENDMENT NO. 3168

At the appropriate place insert:

ADMINISTRATIVE PROVISION

SEC. ____. (a) Section 201 of the Legislative Branch Appropriations Act, 1993 (40 U.S.C. 216c note) is amended by striking ''$10,000,000'' each place it appears and inserting ''$14,500,000''.

(b) Section 201 of such Act is amended—

(1) by inserting ''(a)'' before ''Pursuant'', and

(2) by adding at the end the following:

''(b) The Architect of the Capitol is authorized to solicit, receive, accept, and hold amounts under section 307E(a)(2) of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c(a)(2)) in excess of the $14,500,000 authorized under subsection (a), but such amounts (and any interest thereon) shall not be expended by the Architect without approval in appropriation Acts as required under section 307E(b)(3) of such Act (40 U.S.C. 216c(b)(3)).''.

AMENDMENT NO. 3169

At the end of title III, insert:

SEC. 312. CENTER FOR RUSSIAN LEADERSHIP DEVELOPMENT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the legislative branch of the Government a center to be known as the ''Center for Russian Leadership Development'' (the ''Center'').

(2) BOARD OF TRUSTEES.—The Center shall be subject to the supervision and direction of a Board of Trustees which shall be composed of 9 members as follows:

(A) 2 members appointed by the Speaker of the House of Representatives, 1 of whom shall be designated by the Majority Leader of the House of Representatives and 1 of whom shall be designated by the Minority Leader of the House of Representatives.

(B) 2 members appointed by the President pro tempore of the Senate, 1 of whom shall be designated by the Majority Leader of the Senate and 1 of whom shall be designated by the Minority Leader of the Senate.

(C) The Librarian of Congress.

(D) 4 private individuals with interests in improving United States and Russian relations, designated by the Librarian of Congress.

Each member appointed under this paragraph shall serve for a term of 3 years. Any vacancy shall be filled in the same manner as the original appointment and the individual so appointed shall serve for the remainder of the term. Members of the Board shall serve without pay, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties.

(b) PURPOSE AND AUTHORITY OF THE CENTER.—

(1) PURPOSE.—The purpose of the Center is to establish, in accordance with the provisions of paragraph (2), a program to enable emerging political leaders of Russia at all levels of government to gain significant, firsthand exposure to the American free market economic system and the operation of American democratic institutions through visits to governments and communities at comparable levels in the United States.

(2) GRANT PROGRAM.—Subject to the provisions of paragraphs (3) and (4), the Center shall establish a program under which the Center annually awards grants to government or community organizations in the United States that seek to establish programs under which those organizations will host Russian nationals who are emerging political leaders at any level of government.

(3) RESTRICTIONS.—

(A) DURATION.—The period of stay in the United States for any individual supported with grant funds under the program shall not exceed 30 days.

(B) LIMITATION.—The number of individuals supported with grant funds under the program shall not exceed 3,000 in any fiscal year.

(C) USE OF FUNDS.—Grant funds under the program shall be used to pay—

(i) the costs and expenses incurred by each program participant in traveling between Russia and the United States and in traveling within the United States;

(ii) the costs of providing lodging in the United States to each program participant, whether in public accommodations or in private homes; and

(iii) such additional administrative expenses incurred by organizations in carrying out the program as the Center may prescribe.

(4) APPLICATION.—

(A) IN GENERAL.—Each organization in the United States desiring a grant under this section shall submit an application to the Center at such time, in such manner, and accompanied by such information as the Center may reasonably require.

(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

(i) describe the activities for which assistance under this section is sought;

(ii) include the number of program participants to be supported;

(iii) describe the qualifications of the individuals who will be participating in the program; and

(iv) provide such additional assurances as the Center determines to be essential to ensure compliance with the requirements of this section.

(c) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Russian Leadership Development Center Trust Fund'' (the ''Fund'') which shall consist of amounts which may be appropriated, credited, or transferred to it under this section.

(2) DONATIONS.—Any money or other property donated, bequeathed, or devised to the Center under the authority of this section shall be credited to the Fund.

(3) FUND MANAGEMENT.—

(A) IN GENERAL.—The provisions of subsections (b), (c), and (d) of section 116 of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 1105 (b), (c), and (d)), and the provisions of section 117(b) of such Act (2 U.S.C. 1106(b)), shall apply to the Fund.

(B) EXPENDITURES.—The Secretary of the Treasury is authorized to pay to the Center from amounts in the Fund such sums as the Board of Trustees of the Center determines are necessary and appropriate to enable the Center to carry out the provisions of this section.

(d) EXECUTIVE DIRECTOR.—The Board shall appoint an Executive Director who shall be the chief executive officer of the Center and who shall carry out the functions of the Center subject to the supervision and direction of the Board of Trustees. The Executive Director of the Center shall be compensated at the annual rate specified by the Board, but in no event shall such rate exceed level III of the Executive Schedule under section 5314 of title 5, United States Code.

(e) ADMINISTRATIVE PROVISIONS.—

(1) IN GENERAL.—The provisions of section 119 of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 1108) shall apply to the Center.

(2) SUPPORT PROVIDED BY LIBRARY OF CONGRESS.—The Library of Congress may disburse funds appropriated to the Center, compute and disburse the basic pay for all personnel of the Center, provide administrative, legal, financial management, and other appropriate services to the Center, and collect from the Fund the full costs of providing services under this paragraph, as provided under an agreement for services ordered under sections 1535 and 1536 of title 31, United States Code.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(g) TRANSFER OF FUNDS.—Any amounts appropriated for use in the program established under section 3011 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat 93) shall be transferred to the Fund and shall remain available without fiscal year limitation.

(h) EFFECTIVE DATES.—

(1) IN GENERAL.—This section shall take effect on the date of enactment of this Act.

(2) TRANSFER.—Subsection (g) shall only apply to amounts which remain unexpended on and after the date the Board of Trustees of the Center certifies to the Librarian of Congress that grants are ready to be made under the program established under this section.

AMENDMENT NO. 3170

Section 309(1) of the bill is amended by striking ''fiscal year 2000'' and inserting ''fiscal years 1999 and 2000.''

Mr. BENNETT. Mr. President, these amendments have been cleared on both sides. The first one is an amendment for the Sergeant at Arms to make $2.5 million of funds appropriated available until September 2003. The second is an amendment to raise the cap on the amount of private funds that can be provided to the National Garden. The third is an amendment to create a fund to allow for private funds to endow the Russian Leadership Program of the Library of Congress. And the fourth amendment is a technical correction to section 309.

The PRESIDING OFFICER. The question is on agreeing to the amendments. Without objection, the amendments are agreed to.

The amendments (Nos. 3167 through 3170), en bloc, were agreed to.

Mr. BENNETT. Mr. President, I understand that the chairman of the full committee, Senator STEVENS, is anxious to come to the floor to make a statement. I will suggest the absence of a quorum to allow him to come, unless the Senator from California has something that she wishes to say at this time.

Mrs. FEINSTEIN. That is fine.

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

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

Mr. DASCHLE. Mr. President, I want to talk about a couple of issues. First of all, I commend the distinguished ranking member, Senator FEINSTEIN, and the chair of the appropriations subcommittee for their outstanding work on the legislative appropriations bill. Many of our colleagues have come to the floor already to speak as eloquently as I have heard about the importance of the Capitol Police, about the importance of those who serve us in so many capacities throughout the Capitol and throughout the Capitol complex itself.

I want to express my support for this bill and for the statement that it makes about the importance that we as Senators put on the work done by our Capitol Police each and every day. Those of us who are fortunate enough to be in Leadership especially recognize the unique role the Capitol Police play. They are with us almost from the time we leave the house to the time we are dropped off at the house late at night. They are with us publicly. They follow us. They protect us. They provide service to us in the most exemplary and professional manner. I think it would be all too easy for some to misinterpret the ill-advised actions taken thus far by the House in their legislative branch appropriations bill.

It was really for that reason many of us felt the need not only to support a good Senate legislative appropriations bill, but to underscore the numbers and the commitment made in the Senate version of this bill by cosponsoring and supporting the amendment offered by the distinguished Senator from Maryland.

We want to say just two words without equivocation to the Capitol Police, to the members of the Congressional Research Service, to the GAO, and to all of those who work so diligently and professionally each and every day: Thank you. Thank you for what you do. Thank you for how you do it. Thank you for setting the example. Thank you for the extraordinary dedication you demonstrate to public service.

That is really the message. I will be surprised if we don't see a 100–0 vote in our expression of gratitude and our desire to ensure that they realize how much we appreciate what they do. While we may not say it each and every day, and we may not walk up as we probably should from time to time to a Capitol Police officer, or to one of our floor staff, or to any of those who serve us, maybe in this small way we can say as a body, as Senators, regardless of political or philosophical persuasion, thank you. We express our sincere and heartfelt gratitude to each and every one of you for dedicating your lives to public service, and in some cases dedicating your lives to the safety of others, safety that oftentimes asks too much of police officers and their families, as we saw just 2 years ago.

So this is as an important a statement as I think we will make this year regarding our Capitol Police and our staff in many respects, and I am hopeful that it won't go unnoticed. I am hopeful that this will serve as a big exclamation point that we are very grateful, and that we are appreciative in ways that probably are not articulated on a regular basis.

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NOMINATION OF BRADLEY SMITH

Mr. DASCHLE. Mr. President I also want to address the matter concerning Bradley Smith. I know there will be time allocated for his nomination later on this afternoon. I will simply take time as if in morning business using the quorum call to address his nomination at this time.

As I have stated before, I have come to the conclusion that I must oppose this nomination. For me, this is not just a vote on a particular nominee with whom I don't agree, this vote is about whether or not we will prove the cynics in America wrong in demonstrating our commitment to strong campaign finance laws.

Yesterday morning in the Washington Post, a Republican strategist who advises Governor Bush and the Republican National Committee said the following:

> There are no rules any more . . . There were few if any to begin with but there are virtually none today. They know it, we know it, everybody knows it.

That wasn't Common Cause or Ralph Nader. That was an adviser to Texas Governor George W. Bush.

Governor Bush's adviser is right. In many ways, we have entered the post-Federal Election Campaign Act era. It is the Wild West of ''soft money,'' issue advocacy ads and secret donors.

The system is broken, and everybody knows it. A vote in favor of this nomination will simply confirm what we already know. It doesn't have to be this way. It shouldn't be this way.

I know very few Members of the House and the Senate, of either party, who like our current campaign finance system. I know very few members of either party who prefer raising money to meeting with constituents and working on issues. I know very few members of either party who enjoy the fact that, every time they face reelection, the amount of money that has to be raised to be competitive has risen exponentially. And frankly, I know very few members of either party who don't resent the fact that so many of our legislative activities are scrutinized solely in the context of donations—which groups backed which said of the argument, and whose money prevailed.

I am irritated by that. I am frustrated by that. That screen should not be the consideration. Even in the media, it shouldn't be the frame within which we view the debate on issues. But that is exactly how it is framed on the Sunday talk shows and in the newspapers.

If we think the current system is unacceptable, that is nothing compared to the way our constituents feel.

Our constituents don't like the current campaign finance system. They don't think it puts their interests first. But they also don't think we'll ever really change it.

In fact, they are convinced of it. Poll after poll showed the American people responding in single digits—not double digits, but single digits—to the question: Do you think Congress will ever change the campaign finance laws? Overwhelmingly, over 90 percent say no.

Today, it seems to me, the Senate can take the first step toward restoring at least a modicum of public trust in American political campaigns.

One thing we can do to promote greater confidence in our electoral system is to ask a simple question before we confirm the men and women who will serve on the Federal Election Commission. It seems to me that fundamental question ought to be: whether those who may be interested in serving believe in the laws on the books today? Do you believe you can objectively enforce the laws? We are asked that question every time we are sworn in. Will you uphold the Constitution? It seems to me upholding the Constitution and all the statutes and the compendium of laws that have been created as a result of our fundamental freedoms established in the Constitution is a prerequisite for serving in public office.

The men and women who, as Commissioners, would have the courage to issue clearer guidelines about what is permissible, and would have the courage to enforce those guidelines are the people whom we should encourage to serve on this and all bodies.

Brad Smith, it is clear to me, does not fit that description. Rather than decrying the weaknesses of our current campaign laws, Mr. Smith has made a career out of criticizing the utility of our federal election law scheme. He has argued for the repeal of the Federal Elections Campaign Act, and he denies that money has a corrupting influence on the political system.

Simply put, when it comes to campaign finance laws, Brad Smith is an anarchist. This is not the marshal who will save the day in Dodge City. Confirming Brad Smith is more like asking Billy the Kid to preserve peace.

Let's be clear. Putting reform-minded FEC Commissioners in place is not enough by itself. We created the FEC and our inaction has created some of

the problems within the FEC with respect to enforcing the laws we have today. Congress has a responsibility to act today to close loopholes, clarify the law, and do everything possible to stem the endless chase of money in which we all engage.

We should pass McCain-Feingold immediately. We should end the abuse of section 527 of the Internal Revenue Code immediately.

Our Constitution doesn't stand in the way. The only thing standing in the way of our taking these modest steps is the reluctance to tamper with the system that we know and that has gotten us elected, even if we don't like it.

We are worried our careers won't survive. It seems to me we should be more worried about whether faith in our system will survive.

The trends are ominous. The soft money accounts in both parties' coffers are at record levels. In the first 15 months of the 2000 election cycle, the national Democratic and Republican Party committees have raised over $160 million in soft money. Mr. President, $160 million in corporate, union, and large individual contributions. Is there any real question why Americans are losing faith in our elections system?

Every election cycle, the cost of campaigns goes up and the number of people who vote goes down. If we really want to increase voter participation, we have to address that reality. The reality is, there is simply too much money in politics. We all know, whether we admit it or not, that the current system is broken. We have a choice: Do we reduce the influence of special interests money in Washington? Do we want to wink and nod at the few flimsy campaign laws we have?

Today we have an opportunity to answer that question. It seems to me that if we defeat Brad Smith's nomination and demand we be presented a nominee who will work with us to regain public confidence in our campaign laws, we will be taking the first step. Then we could pass campaign finance reform, the McCain-Feingold bill, and put an end to the flood of soft money into campaigns once and for all, and then shut down the so-called 527 loophole. Those three steps would go a long way in this election cycle, in this session of Congress, to do the right thing. They are things we can and should do. The currency of politics should be ideas, not cash.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Before I begin, I commend the distinguished Democratic leader, the minority leader, for his very eloquent statement and comments, particularly in regard to the need for this body to take up the issue of campaign finance reform. I could not agree more. We have had a series of hearings at the Rules Committee on the campaign finance system. We have heard from all sides, but we heard a little more from one side than another.

I tried to arrange for our good friends, Senator FEINGOLD and Senator MCCAIN, to testify. I talked to my colleague from Wisconsin about this so we could hear about the McCain-Feingold bill. I hope our colleagues and others heard the remarks. This is a very important issue. Nothing is more fundamental than trying to get a handle on this process that has gone wild. It is absolutely out of control, and it is getting worse by the day.

While there is obviously a great need to deal with other issues, nothing is more fundamental than how people get here, where their attention is spent, their time and effort, how it is allocated. Until we change the system, in my view, it will only get worse.

I applaud my leader for his comments. I know he reflects the views of the overwhelming majority on this side of the aisle and some on the other side. More importantly, I think the Senator reflects the views of the American public. There may be differences on details, but fundamentally the American public understands this system is not working well at all. The point that we spend more money each year on campaigns, while voter participation seems to be heading in the opposite direction, paints a very clear picture of what the American public thinks. I associate myself with those remarks and commend the Senator for those remarks.

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LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001—Continued

Mr. DODD. Mr. President, I want to spend a couple of minutes on the legislative appropriations bill and to commend Senator STEVENS and Senator BYRD, the chair and ranking member of the Appropriations Committee, as well as our good friends, the chair and ranking member of the subcommittee, Senator FEINSTEIN and Senator BENNETT, for the work they have done in putting together, I think, a very responsible bill on the Senate side in terms of dealing with the costs of running the legislative branch of Government.

They have put together a good bill. They have been fiscally restrained in their approach. Obviously, our legislative branch should not be exempt from the kind of scrutiny we apply to every single aspect of this, the Federal budget. They are to be commended for packaging a bill that does less than the administration wanted but is certainly far more responsible, far more thoughtful, far more balanced than what the other body has apparently crafted.

The bill here is $59 million over current spending but $147 million below the President's budget request for operations of the legislative branch. We need to remember we are not just talking about Members' salary or staffs. We are talking about being the temporary custodians of these buildings we call the Capitol Grounds.

A few minutes ago, I greeted another student group from my State, from Woodstock High School, a group of eighth graders, and, earlier, a group of students from a school in Washington, DC. I try to tell the young people when they are here, these are their buildings; this is their Government. They are not voters yet, but I want them to develop an appreciation of what has been handed down to us as temporary custodians, what we will be handing down to them in the coming generation so their children and their grandchildren will be able to come to this great Capital City of ours, come to the great buildings, and cherish and appreciate what it represents to them as citizens of the greatest democracy ever created in the history of mankind. As temporary custodians of their well-being, we have a responsibility not to somehow pad the budgets to serve our own comfortable interests but to see to it that we preserve this venue, this seat of democracy, for coming generations.

That is what Senator FEINSTEIN and Senator BENNETT have done with this budget. Regretfully, it is what the other body has not done. That is what makes me so sad. We can have differences here—Democrats, Republicans, conservatives, liberals, moderates—and debate issues. When it comes to the buildings, when it comes to the people every day who work here, whose names you will never know, who care for the facilities, who guard these buildings, not just the Members and the staffs who work here but the 10,000-plus tourists who come to their Nation's Capitol every day and come into the buildings. Officer Chestnut and Officer Gibson, who lost their lives just a few feet from where I am speaking, were protecting not only the membership when those shots fired but protecting hundreds of tourists gathered in the building.

To see a budget that disregards the importance of having good security here, not just for the Senators and Congressmen but for the innocent tourists who come to see their Nation's Capitol, is something of which we ought to be very mindful. What the House has done, of course, was to cut the police force by almost 12 percent, resulting in a reduction in force of almost 30 percent of the police force on these grounds.

I was a young boy in the 1950s in the other Chamber, a few feet from that Chamber, when shots rang out from the gallery, and Members of Congress were shot on that day. I was down in Washington on a spring break. I literally just missed being in the Chamber as a tourist on that day.

We have taken a lot of steps since then to try to see to it that people who are armed can't come in here and threaten the lives of people in these buildings. I remember being a relatively new Member in this Chamber when, I thank the Lord, we had all left on a Monday night and a bomb went off in the building. Had we been here, there would have been those, I suspect, who would have been severely injured, if not killed.

And of course the tragedy involving Officers Chestnut and Gibson and the gunfire in the Capitol Building is a sad commentary on the times in which we live. We all know this. But to talk about reducing the police force of these grounds by 30 percent, cutting the present force, is irresponsible. Hopefully, it will be reversed.

I commend our champions of this legislative appropriations bill for fighting back and putting their foot down, and saying you are not going to tolerate this because it is wrong to do this to the American public.

The Library of Congress as well would be cut here, the greatest library in the world just a few blocks from this Capitol—again, a great public library. The people of Connecticut may be more sensitive to this issue than others are. The very first public library in the United States was founded in New Haven in the 1600s, so we in my State have a special affection for libraries and their value.

The greatest of all libraries in the world is the Library of Congress. There is a wonderful exhibit going on as we celebrate the 200th anniversary of the Library of Congress. I encourage people who are coming to Washington to visit the wonderful exhibit of the Jefferson library. It is Thomas Jefferson's library. It was the greatest private library in the hands of any citizen in this country when he donated it. Actually, it was sold for a very modest amount after the Capitol was burned in the War of 1812. Thomas Jefferson took the 6,000 volumes that was his library, the greatest private library in the world, and said this ought to be the basis of a great national library. At the cost of $23,000, those volumes became the core of the Library of Congress we now celebrate, as we should, here in our Nation's Capital. The House proposal to cut into that budget by 1 percent, again, doesn't make a lot of sense to me.

The Congressional Research Service, again, is of great value to us as we try to do our work. They are wonderful people. It does not matter, when you are provided a report, whether it is Democrats, Republicans, Independents—they give us the facts, data, hard evidence that we rely on as we try to do the people's business. We couldn't possibly afford, nor should we, to expand our staffs to include all these people who serve as our extended staff. The Congressional Research Service, the CRS, has been of great value to people in these Chambers over the years. The House proposal eliminating one out of seven employees is an example of an unwise reduction in force.

With regard to the General Accounting Office, the House cuts it by 7 percent. Again, the General Accounting Office is tremendously valuable. I don't know of a single Member who has not relied on the General Accounting Office at one time or another to get good, hard, clean facts and evidence behind some of the more perplexing problems we face in our country.

As to the Government Printing Office, the Congressional Budget Office, as well, the House has acted very irresponsibly. I commend our leaders, as the ranking member on the authorizing committee, the Rules Committee, and express my support for what they are trying to do.

I say to the literally dozens and dozens of people who work in these buildings, be they police officers or custodial staff, doorkeepers, and the like, we do not get a chance to say this to you as often as we should but we appreciate immensely what you do. The American public, as I said, may never get to know your names, but you preserve their assets here every single day. The majority of us in this Chamber appreciate what you do. We appreciate the efforts you make around the clock.

Many us have been here late in the night and meet these wonderful people, many of them women—women, not young women—who come by and clean these offices after everyone leaves, doing the tremendous work that they do. They are never seen by the Members or staff around here. I want to tell them today on this floor how much I appreciate the work they do. Again, I am confident I reflect the views of the overwhelming majority of Members in this body.

We thank Senator FEINSTEIN and we thank Senator BENNETT for their efforts. We applaud Senator STEVENS and Senator BYRD for demonstrating once again their deep appreciation for being good temporary caretakers, temporary custodians, of these facilities and these assets that belong to the American public. I am proud to be associated with both of these fine leaders.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I ask unanimous consent to speak as in morning business for 12 minutes.

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

The Senator from Wisconsin is recognized.

Mr. FEINGOLD. I thank the Chair.

(The remarks of Mr. FEINGOLD pertaining to the introduction of S. 2621 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. FEINGOLD. I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania.

Mr. SPECTER. I thank the Chair. Mr. President, I have reserved time for an amendment which would deal with funding for mailings for open house town meetings. The budgets today are very restrictive. In years gone by, there was an opportunity for a Senator to schedule an open house town meeting in a county seat and send out postal patron notices to everybody in the county. Then, an open house town meeting would be held where a relatively small number of people would appear, but at least everybody in the county had notice that the Senator was coming. Everyone had an opportunity to hear a short report about what was going on in Washington and then an opportunity to ask the Senator questions.

We are under considerable fire and criticism on the issue of fundraising and the issue of access. For example, when we have fundraisers and people attend, they certainly do have access to Senators. There is no way to have a fundraiser where people attend without having that kind of access.

The question then arises: Is that kind of access unfair? I believe there is a very good answer to that by having the Senator go to the county seat, and make it convenient for people in the county to have access to the Senator to ask questions. The concept of having a town meeting to let people express themselves is something that I believe is very important and very fundamental.

The budget we have today does not allow for that. I was just discussing the matter with the distinguished chairman of the subcommittee to see if we might structure something which could be accommodated without having a contested amendment and a contested debate and then a rollcall vote.

What the Senator from Utah and I were talking about was an analysis of how many of our colleagues want to have open house town meetings. Many of our colleagues do not choose that as a form of communication with constituents. Others may have only a few open house town meetings. There is a big difference between small States and big States. There is a different picture that certainly arises in Utah than Pennsylvania.

As I said to the Senator from Utah, I would not necessarily be concerned about having the town meetings in the big metropolitan areas where there is a greater opportunity to communicate with the citizens through television and through newspaper stories. However, if you take, say, some of the northern tier counties of Pennsylvania or the north central or southern tier, unless you actually go to the county, it is very hard to make that kind of contact.

I would not want the entire year to go by without taking action. As I discussed with the Senator from Utah, perhaps in collaboration with the Senator from California, who is the ranking member on this subcommittee, and the Senators on the Rules Committee, we could try to get an estimate and perhaps put a funding mechanism in one of the later appropriations bills. Perhaps it could come in the appropriations bill on Labor, Health and Human Services and Education, which I chair.

I do believe Senators would like to have this opportunity. It may well be that it would not be very expensive, depending on how many Senators chose it. Maybe we could, on an experimental basis, create a relatively small fund and find some way to administer it so

the people who want to have the town meetings can but with some limitations so that one or a few Senators do not take too much of the fund. Therefore, we could move in the direction of encouraging these open house town meetings.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. I thank the Senator from Pennsylvania for raising this issue because it is a very legitimate issue, and I think it is a legitimate issue for the legislative branch subcommittee to deal with. We did not deal with it in subcommittee and in full committee. It becomes a challenge to try to find the money right now in terms of an offset within the bill.

The point the Senator from Pennsylvania makes is an extremely valid one. There are people who, in rural areas particularly, do not really have any sense of opportunity to interact with a Senator unless that Senator physically goes to those counties. Then when you try to notify the people that you are coming, you have a real challenge because they do not have the mass media coverage. Yes, they may get a major newspaper from a major metropolitan area, but they do not read it for hometown announcements. If you try local newspapers, many times they do not do the job, either.

The problem we have in terms of the reactions from members of the Rules Committee is that the Rules Committee has attempted to create the opportunity for this in terms of flexibility for the overall budget and saying to a Senator, ''You have a pot of money you can use either for franking or for stationery, for travel, or some other item,'' and they are opposed to earmarking a particular amount of money for this particular purpose.

If we sit down with members of the Rules Committee and lay out the importance of what it is the Senator from Pennsylvania is highlighting and talk it through to find some creative way, I think we can move in that direction. I pledge to the Senator from Pennsylvania that I will work with him to see if we cannot do that because I agree absolutely with the end he is trying to achieve.

I think it is very important that we try to help Members communicate with their constituents in a meaningful kind of way.

As I understand it, from the Senator from Pennsylvania, this is not talking about a mass mailing of campaign literature, as we are accused of doing under newsletters and use of the franking. This is talking about simply a notice that would go out under the frank with respect to town meetings.

I am very sympathetic with that and would be happy to work with the Senator and the Senators from the Rules Committee and, of course, Senator FEINSTEIN, to see if we can't find a way to devise something that is not overly expensive—because I agree with the Senator, not every Senator would want to use it—but that at the same time we could provide an opportunity for those Senators who would be willing to do the town meeting.

So I am happy to deal with the Senator to see if we can't find way to work this out.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

Mrs. FEINSTEIN. Mr. President, in response to Chairman BENNETT's suggestion, I would like to assure the Senator from Pennsylvania, as a member of the Rules Committee, I would be very happy to take a look at this and see what the problem is. The ranking member of the Rules Committee was here and is familiar with the subject. I believe he would be agreeable, as well, to take a look. And we will see what the problem is.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank the Senator from Utah and the Senator from California for those statements. Let us proceed on that basis.

Picking up on what the Senator from Utah said, it isn't a political mailing touting what any of us may think he or she has done. It is notice that the Senator is going to have his or her body at a given place.

As open house town meetings go, that can be a fairly high price to pay, to go out and face the music and face the constituents because they do keep track of our votes. But they have a very hard time following us if they live in Coudersport in Potter County or live in the northern tier of Pennsylvania or a southern tier county such as Fulton. They don't necessarily get any of the major newspapers and are outside television range. They may see some national television, but that is not an effective way for Senators to communicate with the people of their States.

When you appear at a town meeting, there is a feeling that something is going on that is positive. We Members of Congress in the Senate and the House are subject to a lot of criticism as being ''inside the beltway'' and not being accessible. People don't know what we are doing. And then we are going to these fundraisers where people have to make contributions to have access to us.

This is something which is not very healthy for a democracy. So let us proceed.

I will not offer an amendment at this time. I will see if we can work it out, starting with the chairman and ranking member on this subcommittee, and moving over to the chairman and ranking member on the Rules Committee, to try to structure a program which would accomplish the purpose and be affordable.

I thank the Senator from Utah and the Senator from California.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. I thank the Senator from Pennsylvania. I think, as I said, he has raised an issue very much worth pursuing and one that we will, in all good faith, go forward on, to see if we can't work out some kind of solution that can get us where it is we need to be.

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UNANIMOUS CONSENT AGREEMENTS—EXECUTIVE NOMINATIONS

Mr. BENNETT. Mr. President, as in executive session, I ask unanimous consent that the 40 minutes of debate with respect to the nominations begin at 2:20 p.m. today, with the votes to occur at the expiration of that time.

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

Mr. BENNETT. Mr. President, as in executive session, I ask unanimous consent that Executive Calendar No. 454 be added to the list of nominations to be confirmed following the votes on the FEC and judicial nominations.

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

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LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001—Continued

Mr. BENNETT. Mr. President, we come to the time where we have another 25 minutes before the time comes for voting. I had been expecting the Senator from Alaska. He is still tied up in a previous meeting. So we will look forward to hearing from him.

It has been an interesting experience for me to serve as chairman of this particular subcommittee on Appropriations. There are those who say this subcommittee does not matter very much because its dollar allocation is the lowest of all of the subcommittees in the Appropriations Committee, with the exception of the District of Columbia. I disagree. I think this subcommittee, in fact, can have as much impact on the Government as some of the others that have greater amounts of money to spend because of its area of jurisdiction.

I will take a little of the time here to express my gratitude for the opportunity of chairing this subcommittee and for those with whom we work. The subcommittee deals with the Architect of the Capitol. That is a term that most people in the country do not understand. They would think of the Architect of the Capitol as the person who sits down and draws the lines on paper that produces the building of the Capitol. That is what architects do.

They do not realize that the Architect of the Capitol is charged with the responsibility of maintaining the Capitol. In this situation, I have been able to go around and meet those people who oversee the activities that go on with respect to maintaining our operation. They work for the Architect of the Capitol, and they are concerned with such things as the air-conditioning, the cleaning, the repairs, the restoration of the Brumidi paintings about which the Senator from West Virginia spoke.

We take it for granted that this beautiful place will always remain beautiful. It takes a virtual army of people working behind the scenes to see that this is, in fact, the case.

I have spoken of my business experience. I remember one company where I worked where a particular manager was under very heavy pressure from top management to show improved results on the bottom line. This manager was determined to do that. Pretty soon the reports started coming in that the bottom line was getting better and getting better, and he basked in the glow of the approval that he got for his tough measures and his great turnaround procedures.

Then the bill came due, and we discovered what he had been doing. He had been increasing his bottom line by cutting back on his maintenance budget. And all of a sudden the facilities over which he had responsibility began to show the deterioration. In that company, we ultimately had to pay enormous capital costs to restore the facilities to the level they should have been at by virtue of significant day-to-day maintenance. Yes, he could make the bottom line look better temporarily by shutting down the day-to-day maintenance, but, overall, he cost us a great deal of money.

That is the responsibility of the Architect of the Capitol: To see to it that, overall, this entire complex works. It is not only the Capitol. He has the responsibility for the Senate office buildings and the House office buildings.

We have watched the renovation of the Dirksen Office Building go forward under the direction of the Architect of the Capitol. I am happy to be able to report that it is on time and under budget. For those who say that every Federal program is a boondoggle, this is one that is moving forward. As an occupant of a Dirksen Building suite in the renovated area, I can tell you that this office space will be good for the next 30 or 40 years before it has to be done again. It is being done properly, it is being done intelligently, and it is being done within the allocated budget.

Something that I did not know anything about until I became chairman of this subcommittee is the Botanic Garden.

I have all my life driven by the Botanic Gardens without ever going in and without ever having any understanding of what went on inside. The Architect of the Capitol came to me when I got this assignment and said: Let's go down and take a look at the Botanic Gardens. Well, one walk through the Botanic Gardens made it clear that there had been a lot of delay and neglect of ordinary maintenance. This was a major mess.

Now, under the direction of the Architect of the Capitol, the Botanic Gardens are being raised up to the level where they should be. One may ask: Who cares about the Botanic Gardens? I asked the somewhat impudent question: How many Americans come to the Botanic Gardens? How many see this? Well, if it were in a city other than Washington, DC, it would be a major tourist attraction. There are literally millions of Americans who go through the Botanic Gardens every year. It had been allowed to deteriorate and had to be brought up to proper standards.

I could go on and on about the work of the Architect of the Capitol. It is significant work, and it requires a great deal of effort. I am delighted to be involved in understanding that.

I see other Members coming to the floor. I want them to know I am not filibustering, but I don't want the time to go just in a quorum call, when I have an opportunity to express my gratitude for the assignment that I have. If anyone has something they want to say, just give me a signal and I will conclude quickly.

Absent that, I will talk about the Library of Congress. The Library of Congress Thomas Jefferson building is one of the hidden jewels, architecturally, in this town. I always tell tourists from Utah, when they come and visit me in my office, to go see the Jefferson building. They say: Well, we are going to go see the major sites. We are going to go to the Vietnam War Memorial. We are going to go to the Lincoln Memorial and the Jefferson Memorial and the new FDR Memorial, and so on. I only have so much time.

I say: I don't care how limited your time is. If you have any time at all, walk down the street and walk into the Jefferson building.

This is the most beautiful building on Capitol Hill except for the Capitol itself. It represents in many ways the story of America.

My favorite story about the Library of Congress and the building is one that is told about Boris Yeltsin, when he walked into the Jefferson building. He stood there and looked around, and then turned to his guide and said: How did you Americans get a building like this? You didn't have any czars?

Well, maybe we didn't have any czars, but we had the Army Corps of Engineers, and we had the American spirit 100 years ago that said America has arrived. America is going to take its place as one of the major nations of the world. In that spirit of enthusiasm and excitement, they built the Jefferson building to house the Library of Congress. That building came in under budget and on time. It stands as a reminder of the spirit of manifest destiny that we associate with Theodore Roosevelt. The building was finished before Theodore Roosevelt became President, but it was in that era that it happened. That is a reminder that all Americans ought to have as part of their history.

It has been magnificently restored by the Congress, and by this subcommittee. Admittedly, it was restored prior to my being involved with the subcommittee, but it is something we in Congress should be proud of because it is part of the heritage we leave to our children and our grandchildren. They can come to Capitol Hill—yes, the Capitol and the continuity of democracy that is represented here—but there is also the commitment to knowledge and spreading that knowledge that is represented by the largest and finest library in the world. It exists to serve the Congress. It is sustained by the Congress. It is part of the responsibility of this particular subcommittee.

I am delighted with the opportunity of serving in this capacity. I appreciate the support we have received not only from the full committee but from all of the Members of the Senate as well.

I see my friend from Connecticut is here. I am happy to yield the floor.

Mr. DODD. Mr. President, if I may, I commend our colleague from Utah for the job he and the ranking Democrat, Senator FEINSTEIN of California, have done on this bill. I echo his sentiments about the role we play as custodians of these buildings.

I noted earlier that all of us on a daily basis greet students who come to the Nation's Capital as part of the graduation programs of various schools. I had the wonderful privilege earlier today of meeting a group of students from Woodstock, a school in Connecticut, as part of their eighth grade graduation.

It is a violation of the rules of the Senate to identify anybody who is in the galleries, and I won't do that. I am not going to identify any school groups in the gallery. If you happen to notice somebody dressed in green up there, you might notice someone who might come from that school along the way. They are very attentive students and interested about these buildings. As I explained to them, these are their buildings. We are mere custodians of them.

I associate myself with the remarks of the Senator from Utah and the Senator from California. We are doing what we can to see to it that they are secure and well cared for so that future generations will be able to enjoy them as much as this generation does.

I thank the Chair 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. BENNETT. 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, I rise in support of S. 2603, the pending legislative branch appropriations bill for fiscal year 2001, as reported by the Senate Appropriations Committee.

I commend the distinguished subcommittee chairman, Senator BENNETT, and the distinguished ranking member, Senator FEINSTEIN, for bringing a balanced bill to the floor. The bill supports ongoing Senate operations and those of the congressional support agencies we depend upon, such as the

Congressional Budget Office, the Library of Congress, the Government Printing Office, and the General Accounting Office. It also sustains a commitment to increased security for the entire Capitol complex and the thousands of visitors we receive each day.

The bill as reported to the Senate provides $1.7 billion in new budget authority and $1.45 billion in new outlays for the operations of the Senate, joint items, and our related agencies. The House will add the funding for its operations to its version of this bill. When outlays from prior-year budget authority, funding for House items, and other actions are taken into account, the bill totals $2.6 billion in both budget authority and outlays for fiscal year 2001.

The Senate bill is at the subcommittee's 302(b) allocation for budget authority, and it is $4 million in outlays below the 302(b) allocation. The Senate bill is $54 million in budget authority and $53 million in outlays above the FY 2000 level. It is $216 million in budget authority and $169 million in outlays below the budget request.

I urge my colleagues to support the bill.

Mr. President, I ask unanimous consent that a table displaying the Senate Budget Committee scoring of the reported bill be inserted in the RECORD at this point.

S. 2603, LEGISLATIVE BRANCH APPROPRIATIONS, 2001—SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal Year 2001, $ millions]

	General Purpose	Mandatory	Total
Senate-reported bill [1]:			
Budget authority	2,500	97	2,597
Outlays	2,498	97	2,595
Senate 302(b) allocation:			
Budget authority	2,500	97	2,597
Outlays	2,502	97	2,599
2000 level:			
Budget authority	2,449	94	2,543
Outlays	2,448	94	2,542
President's request:			
Budget authority	2,716	97	2,813
Outlays	2,667	97	2,764
SENATE-REPORTED BILL COMPARED TO:			
Senate 302(b) allocation:			
Budget authority	.....	.....	.....
Outlays	−4	.....	−4
2000 level:			
Budget authority	51	3	54
Outlays	50	3	53
President's request:			
Budget authority	−216	.....	−216
Outlays	−169	.....	−169

[1] Includes adjustment for House-only items not considered in Senate.

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

LITTLE SCHOLARS CHILD DEVELOPMENT CENTER

Mr. JEFFORDS. Mr. President, I thank my distinguished colleague from Utah, Senator BENNETT, for his excellent work on the FY 2001 Legislative Branch Appropriations bill and the attention he and his staff have paid to my concerns. I would like to engage in a brief colloquy with Senator BENNETT on one of my priorities, the issue of extending health and retirement benefits to employees of the Library of Congress' child care center.

As the Senator knows, providing quality and affordable child care is a very important issue to me. I was, therefore, shocked to learn that child care workers in the Legislative Branch are not all afforded the same benefits. While employees of both the Senate and the House child care centers receive Federal health and retirement benefits, employees of the Library of Congress' child care center, the Little Scholars Child Development Center, do not. I ask Senator BENNETT if he agrees that employees of all Legislative Branch child care centers should be provided benefits in a consistent manner?

Mr. BENNETT. I thank the Senator from Vermont for bringing this issue to my attention. Like him, members of my staff have also had their children enrolled in the Little Scholars Center and speak highly of the staff and quality of the care there. In this competitive job market, it is very important that Legislative Branch child care centers be able to attract and retain quality staff. I share the Senator from Vermont's goal that health and retirement benefits are extended to employees of the Library of Congress' child care center as soon as possible.

I inform Senator JEFFORDS that I have received a copy of a memo, dated May 24, from Teresa Smith, Director of the Library's Human Resource Services, to John D. Webster, Director of the Library's Financial Services, committing to working out a fair and equitable agreement on the issue of extending benefits to employees of the center with the governing board of the child care center. Rest assured, my staff and I will be monitoring the Library's progress towards this goal with the intent that this issue be resolved before the beginning of the next fiscal year.

Mr. JEFFORDS. I thank Senator BENNETT for his attention to this important matter and am pleased that he shares my belief that the Legislative Branch should set an example of high child care standards for the rest of the Federal government to follow.

Mr. BENNETT. Mr. President, I ask unanimous consent that the memorandum of which I spoke be printed in the RECORD.

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

MEMORANDUM

LIBRARY OF CONGRESS, MAY 24, 2000.

To: John D. Webster, Director, Financial Services.

From: Teresa Smith, Director, Human Resource Services.

Subject: Little Scholars Child Development Center.

The purpose of this memorandum is to respond to your request for information regarding the Little Scholars Child Development Center (Center) and to provide preliminary comments regarding the draft legislation that would provide Federal benefits to the Center's staff.

The Center began operations in 1993 and has an enrollment of 100 children (13 Library of Congress, 29 Senate, 17 House, 17 other Federal, 24 public). The Library and the Library of Congress Child Care Association (LCCCA) have entered into a Memorandum of Understanding (MOU) to run the Center. The Library and the Architect of the Capitol are responsible for providing facilities and certain administrative support services to the LCCCA. The LCCCA is responsible for hiring the Center's staff and running the program. The Center has a staff of 28 with a payroll of approximately $650,000. The LCCCA pays for current payroll taxes (FICA) and health benefits costs.

Human Resource Services (HRS) and Office of General Counsel are now working with the LCCCA to update the MOU. We are committed to working out a fair and equitable agreement in a timely manner and are ready to meet with the LCCCA as soon as arrangements can be made.

HRS believes that the proposed legislation is premature because a number of issues should be discussed prior to submitting any legislation and the MOU update needs to be finalized first. For example, the proposed legislation is based upon the Senate child care model, which operates in a different administrative environment than the Library. The Library uses a contractor to handle benefit accounting and does not have a direct accounting relationship with the Office of Personnel Management. In addition to the estimated increase in the Library's government contributions for LCCCA staff of $130,000, the Library would need to significantly change its administrative operations to handle the legislation which may be avoided with a further evaluation of the alternatives. With more time, HRS and the LCCCA may be able to work out a better model for use at the Center. The Library believes that other changes to the Center's legal authority may be appropriate, which would be accomplished more effectively at the same time as any other proposed changes and after an analysis of the practices of other day care centers.

In summary, HRS believes that the proposed legislative change is premature and would like to first have the opportunity to work through the MOU issues and then on a joint request for legislative changes.

Mr. BENNETT. Mr. President, I ask unanimous consent that no other amendments be in order to the bill. I further ask consent that following the vote in relation to the Mikulski amendment, the bill be advanced to third reading, a vote occur on the question of third reading, and following that vote, the bill be placed back on the calendar.

Finally, I ask unanimous consent that the previous agreement be modified to allow for those two back-to-back votes to begin at 10:45 on Thursday morning, with the same 10 minutes in order prior to the 10:45 a.m. vote.

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

Mr. BENNETT. I yield the floor.

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

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

EXECUTIVE SESSION

NOMINATION OF BRADLEY A. SMITH, OF OHIO, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION—Resumed

The PRESIDING OFFICER. The Senate will now proceed to executive session, and the clerk will report the nomination.

The legislative clerk read the nomination of Bradley A. Smith, of Ohio, to be a member of the Federal Election Commission.

Mr. FEINGOLD. Mr. President, it is my understanding under the unanimous consent agreement I am allotted 10 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. FEINGOLD. Mr. President, I regret, even though this is the time that has been allocated by unanimous consent for the final debate on the nominations, particularly the nomination of Brad Smith, I regret there are no other Senators here to debate the nomination. However, I will proceed in any event because it is an important nomination, an important issue.

There is an irony about the vote we are about to have in the Senate. The Senate is sure to close up shop at a reasonable hour today. Why? Because tonight the Democratic Party will host the largest fund-raiser in history at the MCI Center here in Washington. The party expects to rake in $24 million in one night, tonight. And this will surpass the previous record for a single fund-raiser of $21.3 million set less than 1 month ago by the Republican Party. That record fundraiser swamped the previous record, also held by the Republican Party, at an event a year earlier, of $14 million.

We are in an arms race. The escalation is truly staggering. The insatiable need for bigger and bigger checks is turning our great political parties into little more than fundraiser machines. Forty-seven donors raised or contributed $250,000 or more to go to the fundraiser tonight that my party will hold. Back in April, 45 donors raised or contributed that amount to join the Republican Party leaders at the National Armory. A quarter of a million dollars. Can anyone honestly say the donors who give that money will get no special treatment in return? We all know this money can be corrupting. It certainly provides the appearance of corruption.

The Supreme Court knows that contributions of this size can be corrupting. Let me quote the Court, once again, from the Shrink Missouri case decided a few months ago:

> There is little reason to doubt that sometimes large contributions will work actual corruption of our political system, and no reason to question the existence of a corresponding suspicion among voters.

There is little reason to doubt the corrupting influence of large contributions on our political system, said the Court.

At least one person doubts this. Professor Bradley Smith doubts it. Listen to what he wrote in a 1997 Law Review article: Whatever the particulars of reform proposes, it is increasingly clear that reformers have overstated the Government interest in the anticorruption rationale. Money's alleged corrupting effects are far from proven, Professor Smith says.

Brad Smith sees nothing wrong with unlimited contributions to parties or even to candidates. He said in a newspaper article that ''people should be allowed to spend whatever they want on politics.'' In an interview on MSNBC he said: ''I think we should deregulate and just let it go. That is how our politics was run for over 100 years.''

That ''100 years'' he is referring to is the 19th century. That is the world Brad Smith would like to see; no contribution is too big for us to tolerate in the world he sees.

I assure my colleagues that this is not some caricature of this nominee's views. These are not distortions nor are they words taken out of context. This is what this nominee believes. This is what he has said over and over and over again, including at his confirmation hearing before the Rules Committee. Brad Smith sees nothing wrong with the enormous soft money contributions that both parties are so greedily seeking, the kind of contributions my party will rake in, in the largest fundraiser in history, tonight, just a few hours from now. Not only that, he believes to ban soft money would violate the first amendment of the Constitution.

Virtually no one still clings to that belief in the wake of the Supreme Court's decision in the Shrink Missouri case. Brad Smith does.

This nomination may be just as important to the cause of campaign finance reform as any bill that has been before the Senate in recent years. This vote on this nomination is just as significant for campaign finance reform as many of the votes we have had on those bills. I submit to those Senators who have voted time and time again to ban soft money—and I do thank them for their votes, and I thank them for their support of the McCain-Feingold bill—those Senators should think very carefully about what they are doing here.

To confirm Brad Smith to a seat on the FEC is to confirm a man whose most deeply held beliefs about the Federal election system are wholly at odds with the reforms we are seeking. If we somehow are able to get past the filibuster and pass a soft money ban this year, Brad Smith will be on the Commission that is charged by law with the duty to implementing that ban.

I emphasize again I hold absolutely no personal animus toward Mr. Smith. This is not personal. It is not a matter of personality. I do not question Mr. Smith's integrity. I do not question his honesty. I certainly do not question his right to criticize the laws from outside his perch as a law professor and commentator. However, his views on the very laws he will be called to enforce scare me. It is simply not possible for me to ignore the views he has repeatedly and stridently expressed simply because he now claims he will faithfully execute the laws if he is confirmed. He may try to do that, but in matters of interpretation he will certainly come down on the side of big money in campaigns every time.

In a 1997 opinion piece in the Wall Street Journal, Mr. Smith wrote the following:

> When a law is in need of continual revision to close a series of ever-changing ''loopholes,'' it is probably the law, and not the people, that is in error. Most sensible reform is a simple one: Repeal of the Federal Elections Campaign Act.

I cannot in good conscience vote to confirm a man to the FEC who believes the statute that created that body should be scrapped. I urge my colleagues to think about this very hard. Professor Smith's views are not anywhere near the mainstream of legal thought on this issue. Professor Smith may be a wonderful professor and scholar, but he should not be on the Federal Election Commission.

I reserve the remainder of my time.

Mr. KOHL. Mr. President, I have serious concerns about confirming Bradley Smith to fill a vacancy on the Federal Election Commission or the FEC. The FEC is an independent regulatory agency entrusted with administering and enforcing the Nation's campaign finance laws. Yet, Bradley Smith believes that the very campaign finance laws he would be required to administer and enforce should be thrown out.

I am not questioning the integrity of this nominee or his fitness for government service in general. I also believe we must be careful not to reject nominees just because we object to their views. However, when a person like Bradley Smith is put forward, a person whose views seem to undermine the very purpose for which he is being nominated, I believe we have a responsibility to speak out. Bradley Smith is not an appropriate choice for FEC commissioner and I will be voting against this nomination.

Mr. LEVIN. Mr. President, I will be voting today against the nomination of Mr. Bradley Smith to serve as a Commissioner of the Federal Election Commission. It is with a fair amount of reluctance that I take this position, given the longstanding custom of allowing each party to appoint its own choices to this six member commission and the fact that FEC nominees are, by statute, supposed to be the representatives of their political parties on that commission. I respect that history.

I also believe Mr. Smith is a man of intelligence, integrity, and competence. So, my vote against his nomination is not a vote against him as a person. Nor will I vote against him because I disagree strongly with most of Mr. Smith's opinions on the campaign

finance system. He favors no contribution limits; I think they are essential. He doesn't see a link between corruption or the appearance of corruption and the contributions made to candidates and holders of public office; I do. He thinks the Federal Election Campaign Act and the Federal Election Commission should be dismantled; I don't.

The reason I will vote ''no'' is because I cannot support the nomination of an individual to the position of commissioner of an agency which the nominee doesn't think should exist or which has as its operating statute one which the nominee thinks should be repealed. I do not relish voting against this nominee to the FEC offered by the Republican leadership but Mr. Smith's opposition to the existence of the institution to which he is being nominated compels me to vote against him.

Mr. MCCONNELL. Mr. President, I rise today in support of the nomination of Professor Bradley A. Smith to fill the open Republican seat on the bipartisan Federal Election Commission. In considering the two FEC nominees, Professor Brad Smith and Commissioner Danny McDonald, the Senate must answer two fundamental questions:

Is each nominee experienced, principled and ethical? And,

Will the FEC continue to be a balanced, bipartisan commission?

I want to take a minute to rebut some of the myths that have been perpetuated by the reform groups over the past several months.

Myth No. 1: Professor Smith's First Amendment views are radical and disqualify him for government service at a bipartisan agency.

Over 30 renowned First Amendment and Election Law experts, including past members of the governing Board of Common Cause, urge Brad Smith's confirmation and attest to the validity of Brad Smith's actual views—that is distinguished from the views that have been attributed to him by his critics.

Moreover, these renowned scholars are indignant about the misrepresentation of Smith's scholarship. Let me share just a few examples:

First Amendment Scholar Michael McConnell of the University of Utah Law School writes:

> [S]ome opponents of the nomination of Bradley A. Smith to the Federal Elections Commission are claiming his scholarly writings regarding the First Amendment and campaign finance laws are irresponsible or otherwise beyond the pale. This is simply partisan nonsense. * * * The merits of his nomination should not be clouded by charges of this sort, which have no scholarly validity.

Professor Daniel Kobil, a former governing Board Member of Common Cause in Ohio writes:

> I believe that * * * [the] opposition is based not on what Brad has written or said about campaign finance regulations, but on crude caricatures of his ideas that have been circulated.

Even one of the scholars who support McCain-Feingold has written in support of Professor Smith's nomination. Professor Jamin Raskin, a signatory to the McCain-Feingold letter, writes:

> The political reform community would actually be better off with Smith on the FEC. * * * Smith is no party hack, but a serious scholar who cares about political liberty. * * * He is a dream candidate * * * [who] should not be opposed by political reformers.

In fact, Smith's views on election law are shared by many fine scholars, like Kathleen Sullivan, the Dean of Stanford Law School, who praised Smith stating:

> I do think Mr. Smith's views are in the mainstream of constitutional opinion. I like to think that I am enough in the mainstream of constitutional opinion that our agreement on many points would place us both there.

Let me paraphrase Dean Sullivan to rebut those who argue that appointing Brad Smith is like appointing a conscientious objector to be Secretary of Defense: appointing a First Amendment election law scholar to the FEC is, in fact, like appointing a seasoned U.S. Attorney who values the constitutional liberties of every American citizen.

Or what about 46 political scientists who echo Smith and Sullivan's concerns about the current campaign finance laws and some of the proposed reforms? I ask unanimous consent that a letter be printed in the RECORD at the conclusion of my remarks. It is signed by 46 political scientists, including esteemed scholars like Brandice Canes of MIT, Michael Munger of Duke, Patrick Lynch of Georgetown, and—from the flagship university in Arizona—University of Arizona professors Price Fishback and Vernon Smith.

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

(See Exhibit 1.)

Mr. MCCONNELL. Would my colleagues on the other side vote to reject all of these individuals, including the Dean of Stanford Law School, who have questioned the wisdom and workability of our campaign finance laws and the proposed reforms?

Myth No. 2: Professor Smith fails to acknowledge the Supreme Court's recent decision in Shrink-Pac.

As for this assertion, I would direct my colleagues to pages 20, 31, 36 and 40 of the published Rules Committee hearing report from March 8 of this year. Professor Smith clearly acknowledged the holding of the Shrink PAC decision, and, in particular explained:

> Had I been on the Commission and the case had come forward under Federal law . . . I would have had no problem voting for [the] enforcement action . . . .

Of course, the reform groups won't tell you that the Supreme Court agreed with Smith's views and declared campaign finance laws unconstitutional in cases such as Colorado Republican, and McIntyre v. Ohio, and just last year in Buckley v. American Constitutional Law Foundation, or that, as Professor Nagle of Notre Dame Law School has written: Smith's ''understanding of the First Amendment has been adopted by courts in sustaining state campaign finance laws.''

Myth No. 3: Professor Smith will not enforce the law.

The letter of Dan Lowenstein of UCLA Law School, a 6 year member of the national governing Board of Common Cause rebuts this myth. He writes:

> [Smith] will understand that his job is to enforce the law, even when he does not agree with it. I doubt if anyone can credibly deny that [Smith] is an individual of high intelligence and energy and unquestioned integrity. When such an individual is nominated for the FEC, he or she should be enthusiastically and quickly confirmed by the Senate.

Let me address the Democrats' nominee, Commissioner Danny McDonald.

Commissioner McDonald and I are clearly in different campaign reform camps. If I follow the new litmus test that is being put forth by some in this confirmation debate, then I have no choice but to vigorously oppose his nomination.

I want to be clear that Danny McDonald is not my choice for the Federal Election Commission. I have serious questions about his 18-year track record at the FEC. McDonald's views and actions have been soundly rejected by the federal courts in dozens of cases.

Two of these cases even resulted in the U.S. Treasury paying fines because the action taken by McDonald and the FEC was ''not substantially justified in law or fact.'' And, just this month, the 10th Circuit struck down yet another FEC enforcement action as unconstitutional—finding, I might add, that reformer concerns of corruption were unsubstantiated.

I think Commissioner McDonald's voting record has displayed a disregard for the law, the courts and the Constitution. And, it has hurt the reputation of the Commission, chilled constitutionally protected political speech, and cost the taxpayers money.

Equally troubling, is the fact that Commissioner McDonald apparently chose to pursue the chairmanship of the Democratic National Committee while serving as a commissioner to the Federal Election Commission.

I must say that I have serious questions about whether an FEC Commissioner exhibits ''impartiality and good judgment'' when he seeks the highest position in his political party and simultaneously regulates that party and its candidates—and regulates the competitor party and its candidates.

All of that being said, I am prepared to reject this new litmus test whereby we ''Bork'' nominations to this bipartisan panel. I am prepared to follow the tradition of respecting the other party's choice and to support Commissioner McDonald's nomination—assuming that McDonald's party grants similar latitude to the Republicans' choice, Professor Smith, which will be voted on first.

As an aside, let me say to my distinguished colleague from Arizona and my distinguished colleague from Wisconsin: even though we are in different

campaign reform camps and even though we famously disagree on the First Amendment and federal election law, I would wholeheartedly support either of you to serve as the Democrat's nominee to the Federal Election Commission.

I urge my colleagues to also reject this new litmus test of barring government service for those who question Congress and its laws. Harvard Law professor and former solicitor general of the United States, Charles Fried, has summed up this point. This is what Solicitor Fried had to say:

I address . . . the proposition that because [Professor Smith] has been critical of the Commission to which he has been nominated and some of the laws which it administers he is somehow disqualified for confirmation to the post of Commissioner. This argument is not only dangerous, but so far-fetched, so out of line with historic practice, that it is hard to believe it is not being deployed strategically only, and that those who urge it in this case would not repeat it were they more in sympathy with the nominee or his philosophical orientation. . ..

[I]f these arguments against Mr. Smith should prevail it would have two dangerous consequences. It would limit more and more the administration of laws to zealots. And it would inhibit robust debate about the wisdom of laws, by using views expressed in such debates as weapons used deny the opportunity for public service on the basis of those views. The first danger would give us an administration of zealots; the second an administration of malleable non-entities.

In conclusion, I believe that Professor Smith's intelligence, his work ethic, his fairness, his knowledge of election law and—to quote from the statute: his ''experience, integrity, impartiality and good judgment'' will be a tremendous asset to the FEC and to the American taxpayers who have been forced to pay for unconstitutional FEC actions.

Professor Smith is a widely-respected and prolific author on federal election law, and, in my opinion, the most qualified nominee in the twenty-five year history of the Federal Election Commission. I wholeheartedly support his nomination to the bipartisan Federal Election Commission.

I yield the floor.

EXHIBIT 1

DUKE UNIVERSITY,
Durham, NC, April 1, 2000.

Senator MITCH MCCONNELL,
Chairman, U.S. Senate Committee on Rules and Administration, Washington, DC.

DEAR SENATOR MCCONNELL: I have found that one of the main principles of political sciences is that power, like nature, abhors a vacuum. The current reform measures being considered by the Congress, including the McCain-Feingold bill on campaign finance and ''soft money'' regulation, will have the opposite of their intended effects, which (apparently) is the restriction of the power of special interests. The problem is that weakening parties always increases the power of interest groups.

This opinion is widely held among social scientists, but the fact that so many people recognize the danger of legislation is not often recognized. As a way of bringing this fact to public notice, I have solicited the signatures of colleagues on the attached latter. Forty-five distinguished scholars of the political process, including six past Presidents of the Public Choice Society, have asked that I list their names as supporters. This I have done, and offer the attached open letter as a means of ensuring that the dangers of wrong-headed reforms can be prevented.

Sincerely,

MICHAEL C. MUNGER,
Professor of Political Science.

SCHOLARS' LETTER TO CONGRESS: WHY CAMPAIGN FINANCE ''REFORM'' IS ILL-ADVISED AND WILL NOT WORK

Senator MITCH MCCONNELL,
Chairman, Senate Rules Committee.

DEAR SENATOR MCCONNELL AND MEMBERS OF CONGRESS: Restrictions on campaign donations or expenditures do little to limit the total amount spent on campaign and make campaigns less competitive. Such rules entrench incumbents, force donations to take hidden forms, increase corruption through such mechanisms as ''straw donations,'' and make it more likely that wealthy candidates will win election.

Campaign finance restrictions are similar to price controls that deal with the symptoms rather than the reasons for the donations and are likewise doomed to fail. With campaign financing amounting to less than one-tenth of one percent of government expenditures, campaign spending does not seem large in either an absolute sense or relative to other product advertising. The restrictions force campaign expenditures to be spent in less effective ways and actually leave voters less well informed.

The McCain/Fiengold bill's provisions on parties making independent and coordinated expenditures on behalf of candidates, and prohibitions on issue advocacy that refers to a candidate, as well as restrictions on raising or spending ''soft money'' in connection with elections are typical of the rules that produce these problems. So called ''voluntary'' limits that restrict who can help certain candidates who violate certain rules are anything but voluntary.

The different forms contributions can take are essentially infinite and this makes regulation exceptionally difficult. For example, in the extreme case, it would be possible to buy up television and radio stations or newspapers to support particular candidates. Providing favorable new coverage for desired candidates would certainly benefit their candidacy, but it is difficult to see how these kinds of ''in-kind'' donations would be regulated.

We advise Congress, before enacting yet more new laws, to investigate whether many of the existing laws may have contributed to the problems we currently face. The new legislation is ill-advised.

Sincerely,

Professor Brandice Canes, Department of Political Science, Massachusetts Institute of Technology.

Professor William Fischel, Department of Economics, Dartmouth College.

Professor Michael Munger, Department of Political Science, Duke University.

Professor G. Patrick Lynch, Department of Government, Georgetown University.

Professor Jeffrey Milyo, Department of Economics, Tufts University.

Professor Otto Davis, W.W. Cooper University Professor of Economics and Public Policy, Carnegie Mellon University.

Professor John Matsusaka, Department of Finance and Business Economics, Marshall School of Business, University of Southern California.

Professor Price Fishback, Frank and Clara Kramer Professor of Economics, University of Arizona.

Professor Keith Poole, Professor of Political Economy, Research Director of the Donald H. Jones, Center for Entrepreneurship, Carnegie Mellon University.

Professor Vernon Smith, Regents' Professor of Economics, University of Arizona.

Professor Brian Roberts, Department of Government, The University of Texas at Austin.

Professor John Danford, Department of Political Science, Loyola University—Chicago.

Professor John R. Lott, Yale Law School.

Professor Joe Reid, Department of Economics, George Mason University.

Professor Mark Toma, Department of Economics, Unversity of Kentucky.

Professor Robert Tollison, Robert M. Hearin Professor of Economics, University of Mississippi.

Professor Daniel Sutter, Department of Economics, University of Oklahoma.

Jeffrey Jenkins, Department of Political Science, Michigan State University.

Professor Brian Gaines, Department of Political Science, University of Illinois.

Professor Jay Dow, Department of Political Science, University of Missouri.

Professor Geoffrey T. Andron, Department of Economics, Huston-Tillotson College.

Professor John Scott, Department of Economics, Northwest Louisiana University.

Professor Mathew McCubbins, Department of Political Science, University of California San Diego.

Professor Melvin Hinich, Mike Hogg Professor of State and Local Government, The University of Texas at Austin.

Professor Burton Abrams, Department of Economics, University of Delaware.

Professor Adam Gifford, Jr., Chairman, Department of Economics, California State University, Northridge.

Professor William Shugart, Barnard Distinguished Professor of Economics, University of Mississippi.

Professor Dean Lacy, Department of Political Science, The Ohio State University.

Professor Mark Crain, Center for the Study of Public Choice, George Mason University.

Professor Peter Calgano, Department of Economics, Wingate University.

Professor Chris Paul, Department of Economics, Armstrong Atlantic State University.

Professor Peter Ordershook, Division of Humanities and Social Sciences, California Institute of Technology.

Professor Gary Anderson, Department of Economics, California State University, Northridge.

Professor Mikhail Filipov, Department of Political Science, Washington University—St. Louis.

Professor Arthur Fleisher III, Department of Economics, Metropolitan State College of Denver.

Professor Steve Knack, Center for Institutional Reform, University of Maryland.

Professor Randy Simons, Director, Institute of Political Economy, Utah State University.

Professor Randall Holcombe, Department of Economics, Florida State University.

Professor Thomas Borcherding, Department of Economics, Claremont Graduate University.

Professor Dennis Halcoussis, Department of Economics, California State University, Northridge.

Professor James Endersby, Department of Political Science, University of Missouri.

Professor Brian Sala, Department of Political Science, University of Illinois.

Professor Elizabeth Gerber, Department of Political Science, University of California, San Diego.

Professor William Kaempfer, Department of Economics, University of Colorado at Boulder.

Professor Paul Zak, Department of Economics, Claremont Graduate University.

Professor Charles Rowley, Department of Economics, George Mason University.

Mr. MCCONNELL. I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, in the brief time I have remaining, I want to quickly respond to some of the remarks of the Senator from Kentucky.

First of all, the suggestion that the arguments on this side have relied on a caricature of the views of the nominee is simply false. We have been very cautious in the debate to simply rely on Professor Smith's actual words from his voluminous writings, and the Senator from Kentucky in no instance has denied that we accurately quoted Professor Smith. These are his views. There has been no distortion and no caricaturing of his views.

Second, the Senator denies the nominee's views on the campaign finance law will affect his ability to discharge his duties as an FEC Commissioner. Of course, I do not believe that people involved in the enforcment of laws have to accept the premise of every single law they are charged to enforce, but this nominee rejects essentially the entire campaign finance law of our country, from the notion dating back to 1907, that is still supposed to be good law today, that a corporation should not be able to give contributions in connection with federal elections, to the notion that labor unions should not be able to make such contributions, according to a 1947 law, to his rejection of the fundamental post-Watergate laws restricting the amounts that individuals can give candidates and parties that we are supposed to live under today. Professor Smith is essentially a campaign finance law anarchist. He does not believe we should have any campaign finance law. The notion that such a person should be on the FEC makes virtually no sense. To take the analogy of the Senator from Kentucky, he says having Professor Smith on the Commission will be like having a prosecutor who cares very much about people's constitutional rights. But the real analogy is that this nominee would be a prosecutor who believes we should repeal just about all of the U.S. Criminal Code. That, to me, is too much.

This is not about a litmus test. This is absolutely not about barring this gentleman from public service, as the Senator from Kentucky suggests. If he wants to run for the Senate and pass laws about campaign finance reform, there is an election for the Senate in Ohio this year. He can run. But if his job is to enforce the main body of campaign finance laws in this country, that job cannot be done by someone who believes those laws are entirely inconsistent with the first amendment and have no legal merit. Our election laws are too important to put them at risk in this way. For those reasons, I hope my colleagues reject this nomination.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that my time be counted against the time allocated to the opposition.

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

Mr. WELLSTONE. Mr. President, I will build on the comments of my colleague from Wisconsin. I heard the Senator from Kentucky talk about the fact that Brad Smith—and I said yesterday he is somebody I like and enjoy being with—has been critical of the Federal election laws. It is not just being critical. He has called the Federal Elections Campaign Act unconstitutional and undemocratic. That is more than just being critical.

I cannot remember a time when this body confirmed a nominee for any executive position whose own views were so completely at odds with the law he was meant to uphold.

Let me repeat that. That is what this debate is about. I cannot remember a time when this body confirmed a nominee for any executive position whose own views were so completely at odds with the law he was meant to uphold. He believes the Federal election law is unconstitutional and undemocratic.

I do not have the time today to summarize a complete position. I had a chance yesterday to speak about this nominee. I say to my colleagues, this vote is not just about Brad Smith; it is about whether or not the Senate is committed to reform. I do not think we give people in the country much confidence that we are committed to reform, that we are committed to passing legislation which will get some of this big money out of politics and which will lead to some authentic democracy as opposed to just democracy for the few, when we then turn around and confirm someone to the Federal Election Commission who does not even believe in any of this campaign finance reform. The Senate would be sending a terrible message to the country if we vote for this nominee.

I appreciate Brad Smith's right to express his views in writing and in person. He is articulate, he is intelligent, but we have a situation where we have a nominee who basically has said the Federal election laws are undemocratic, that they are unconstitutional, basically antithetical to all the values he holds dear about government and democracy.

Why in the world would we then want to confirm such a nominee and put him in a position of enforcing the very laws with which he is so at odds? To me it is a huge mistake. This is a vote about reform. This is a vote about Brad Smith. More importantly, it is a vote about whether or not we are serious about reform and getting some of the money out of politics and getting people back into politics.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I want to summarize the case against the confirmation of Professor Smith to the FEC.

My colleague from Kentucky yesterday stated Mr. Smith has been demonized. That is not true. I have criticized the nominee because I strongly disagree with his view that ''The most sensible reform is a simple one: repeal of the Federal Elections Campaign Act.''

I understand Professor Smith is not very old. In fact, Professor Smith could not have read the history or known about the abuses that took place in the 1972 campaign associated with the Watergate scandal which brought about the modern Federal Elections Campaign Act.

I strongly disagree with his conclusion that ''campaign reform is not about good government. It's about silencing people whose views are inconvenient to those with power. . . .''

Professor Smith goes on to say—these are his words:

> The real campaign-finance scandal has little to do with Senator Fred Thompson's investigation. The real scandal is the brazen effort of reformers to silence the American people.

I take strong exception to that view of history and the motivation of those of us and millions of decent men and women, honest men and women, who believe this situation needs to be cleaned up.

This morning's Washington Post has a story about ''MCI Center's Menu: Ribs and a Record Democratic Fundraiser:

> ''There is no donor fatigue, no Clinton fatigue, no Democratic fatigue,'' said an exhilarated Terence R. McAuliffe, who made 200 calls a day for seven weeks for his crowning achievement as Clinton's mean man in chief.
>
> McAuliffe used four telephones at a time—three for aides to dial, to put would-be donors on hold, and one for him to coo into his headset, bringing home the big-dollar bacon.
>
> The tribute has 21 vice chairs, who gave or raised $250,000; 42 Friends, who gave $100,000; and 32 hosts, who gave or raised $50,000. But what sets this dinner apart is the altitude of the top donor tier—the co-chairs, who each gave or raised $500,000.
>
> There are 26 of them, including 10 labor unions.

The article goes on:

> Another of the co-chairs is Senator Bob Kerrey (D-Neb.) who is not seeking reelection and will become president of New School University, in New York City. Kerrey said such efforts renew his commitment to campaign finance reform. ''When someone puts up half a million, you just cannot persuade people that they aren't getting something for it.''

Senator KERREY aptly described the situation that will take place at the dinner at the MCI Center: ribs and a record Democratic fundraiser, which is a record only because it exceeds the Republican fundraiser that recently was held where $24 million was raised.

If on the floor of this body 10 years ago I said there were going to be $500,000 donors, no one would give any credibility to that statement.

The Supreme Court also disagrees with Mr. Smith. We seem to be debating this issue of campaign finance reform and its validity in a vacuum because neither the Senator from Kentucky nor Mr. Smith seem to believe that, in January of the year 2000, the Court upheld Missouri campaign contribution limitations in a 6–3 opinion. The Court rejected Mr. Smith's premise that large contributions do not affect votes.

This is what Justice Souter wrote for the Court on the issue of the constitutionality of contribution limits:

In speaking of ''improper influence'' and ''opportunities for abuse'' in addition to ''quid pro quo'' arrangements, we recognized a concern not confined to bribery of public officials, but extending to the broader threat from politicians too compliant with the wishes of large contributors. These were the obvious points behind our recognition that Congress could constitutionally address the power of money ''to influence governmental actions'' in ways less ''blatant and specific'' than bribery.

In defending its own statute, Missouri espouses those same interests of preventing corruption and the appearance of it that flowed from munificent campaign contributions. Even without the authority of Buckley there would be no serious question about the legitimacy of the interests claimed, which, after all, underlie bribery and antigratuity statutes. While neither law nor morals equate all political contributions, without more, to bribes, we spoke in Buckley of the perception of corruption ''inherent in a regime of large individual financial contributions'' to candidates for political office . . . as a source of concern almost equal to ''quid pro quo'' improbity. . . . Leave the perception of impropriety unanswered and the cynical assumption that large donors call the tune could jeopardize the willingness of voters to take part in democratic governance. Democracy works ''only if the people have faith in those who govern, and that faith is bound to be shattered when high officials and their appointees engage in activities which arouse suspicions of malfeasance and corruption. . . .''

Mr. President, the event tonight, I promise you, has aroused amongst my constituents suspicions of malfeasance and corruption for any objective observer of the political process.

Justice Stevens, in his concurring opinion said:

Justice Kennedy suggests that the misuse of soft money tolerated by this Court's misguided decision in Colorado Republican Federal Campaign Committee v. Federal Election Commission, demonstrates the need for a fresh examination of the constitutional issues raised by Congress' enactment of the Federal Election Campaign Acts of 1971 and 1974 and this Court's resolution of those issues in Buckley v. Valeo. In response to his call for a new beginning therefore, I make one simple point. Money is property; it is not speech.

Speech has the power to inspire volunteers to perform a multitude of tasks on a campaign trail, on a battleground, or even on a football field. Money, meanwhile, has the power to pay hired laborers to perform the same tasks. It does not follow, however, that the First Amendment provides the same measure of protection to the use of money to accomplish such goals as it provides to the use of ideas to achieve the same results.

Mr. President, we must consider this nomination, and the message it sends to the people of this country, in light of the reality of this year's campaign fundraising excesses.

Let me reiterate four points that summarize my opposition to Mr. Smith's nomination to become an FEC Commissioner.

He has long advocated the repeal of campaign finance regulation. How can he now take an oath to uphold and enforce the very laws he has so long sought to eliminate altogether?

He has continually argued the unconstitutionality of restraints on campaign finance regulation. His position has been that the Supreme Court erred in its Buckley v. Valeo opinion which upheld restraints on campaign contributions. Even as recently as his confirmation hearing in March, after the Supreme Court had again upheld campaign contributions limitations in the Missouri Shrink case, he neither acknowledged that most recent pronouncement of the Supreme Court, nor changed his viewpoint as to the constitutionality of contribution regulation. How can he now agree to uphold and enforce laws and regulations which he believes are unconstitutional?

Mr. President, I do not believe that we would confirm as EPA Administrator someone who advocated the repeal of environmental laws. I do not believe we would appoint an Attorney General who believes that the criminal laws are unconstitutional or a conscientious objector to be Secretary of Defense. Why should we confirm Mr. Smith as a Commissioner for the FEC?

Although he acknowledges the campaign finance abuses of the 1996 election, he sees nothing wrong with giving free rein to such activity by eliminating all campaign finance regulation.

If we would not conform as EPA Administrator someone who advocated the repeal of the environmental laws, nor confirm an Attorney General who believes that the criminal laws are unconstitutional, or a conscientious objector as the Secretary of Defense, why would we confirm Brad Smith as a Commissioner for the FEC?

Also in yesterday's debate, Senator MCCONNELL raised questions about the appropriateness of Danny McDonald, the choice of the Democrats as a nominee, to serve on the FEC. I appreciate the concerns that my colleague from Kentucky has raised. I totally concur that we should apply the standards equally for nominees to these most important positions. Based upon the issues Senator MCCONNELL has raised, I will rethink my position on Mr. McDonald, and vote against his confirmation as well.

Mr. President, I cannot speak more directly or frankly against this nominee. I urge my colleagues who have fought for campaign finance reform—my colleagues who believe in the need for integrity in our election system—to vote no on Brad Smith. As the New York Times said earlier this year:

A vote to confirm Mr. Smith is a vote to perpetuate big-money politics. . . . Mr. Smith does not belong on the FEC, and anyone in the Senate who cares about fashioning a fair and honest system for financing campaigns should vote against his appointment.

As chairman of the Commerce Committee, I have been involved with moving more nominees that almost any other Member of this body. I have allowed nominees to move forward, even when I disagreed with the nominee. But, Mr. President, this case is different.

I do not expect to agree with all the views of those nominated. But Mr. Smith's views are not just different from mine—again, a fact I would respect—they are radically different from 100 years of court and congressional precedence that some restrictions on campaign contributions are necessary to ensure the integrity of this body and the electoral process as a whole.

This is not just my opinion of the law. Let me read from Justice Breyer's concurring opinion, in which Justice Ginsberg joined, in the most recent pronouncement of the Supreme Court on campaign finance regulation—the Shrink Missouri PAC case:

If the dissent believes that the Court diminishes the importance of the first Amendment interests before us, it is wrong. The court's opinion does not question the constitutional importance of political speech or that its protection lies at the heart of the First Amendment. Nor does it question the need for particularly careful, precise, and independent judicial review where, as here, that protection is at issue. But this is a case where constitutionally protected interests lie on both sides of the legal equation. . . .

On the one hand, a decision to contribute money to a campaign is a matter of First Amendment—not because the money is speech (it is not); but because it enables speech. Through contributions the contributor associates himself with the candidates's cause, helps the candidate communicate a political message with which the contributor agrees, and helps the candidate win by attracting votes of similarly minded voters. . . . both political association and political communication are at stake. . . .

On the other hand, restrictions upon the amount any one individual can contribute to a particular candidate seek to protect the integrity of the electoral process—the means through which a free society democratically translates political speech into concrete governmental action. . . . Moreover, by limiting the size of the largest contributions, such restrictions aim to democratize the influence that money itself may bring to bear upon the electoral process . . . In doing so, they seek to build public confidence in that process and broaden the base of a candidate's meaningful financial support, encouraging the public participation and open discussion that the First Amendment itself presupposes.

Unfortunately, the views of this nominee make him unfit to serve on the FEC. This is not, as I have stated, meant to be personal. I have nothing against Mr. Smith personally. I am sure he is a fine individual. But this body is constitutionally mandated to advise and consent on nominations. I take that role extremely seriously. And as such, I cannot support this nominee, and I urge my colleagues to do the same.

Mr. President, I yield back the remainder of my time.

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

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that all remaining time be yielded back on both sides.

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

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on the Smith nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Bradley A. Smith, of Ohio, to be a Member of the Federal Election Commission? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 35, as follows:

[Rollcall Vote No. 107 Ex.]

YEAS—64

Abraham	Fitzgerald	Moynihan
Allard	Frist	Murkowski
Ashcroft	Gorton	Nickles
Baucus	Graham	Reid
Bennett	Gramm	Roberts
Bond	Grams	Roth
Breaux	Grassley	Santorum
Brownback	Gregg	Sessions
Bryan	Hagel	Shelby
Bunning	Hatch	Smith (NH)
Burns	Helms	Smith (OR)
Campbell	Hutchinson	Snowe
Chafee, L.	Hutchison	Specter
Cochran	Inhofe	Stevens
Collins	Inouye	Thomas
Coverdell	Jeffords	Thompson
Craig	Kyl	Thurmond
Crapo	Leahy	Torricelli
DeWine	Lott	Voinovich
Dodd	Lugar	Warner
Domenici	Mack	
Enzi	McConnell	

NAYS—35

Akaka	Feinstein	Lincoln
Bayh	Harkin	McCain
Bingaman	Hollings	Mikulski
Boxer	Johnson	Murray
Byrd	Kennedy	Reed
Cleland	Kerrey	Robb
Conrad	Kerry	Rockefeller
Daschle	Kohl	Sarbanes
Dorgan	Landrieu	Schumer
Durbin	Lautenberg	Wellstone
Edwards	Levin	Wyden
Feingold	Lieberman	

NOT VOTING—1

Biden

The nomination was confirmed.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the next votes in this series be limited to 10 minutes each.

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

—

NOMINATION OF DANNY LEE MCDONALD, OF OKLAHOMA, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION

The legislative clerk read the nomination of Danny Lee McDonald, of Oklahoma, to be a member of the Federal Election Commission.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Danny Lee McDonald, of Oklahoma, to be a member of the Federal Election Commission?

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 108 Ex.]

YEAS—98

Abraham	Feingold	Lugar
Akaka	Feinstein	Mack
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Bingaman	Grams	Nickles
Bond	Grassley	Reed
Boxer	Gregg	Reid
Breaux	Hagel	Robb
Brownback	Harkin	Roberts
Bryan	Hatch	Rockefeller
Bunning	Helms	Roth
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee, L.	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
Crapo	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden
Enzi	Lott	

NAYS—1

McCain

NOT VOTING—1

Biden

The nomination was confirmed.

NOMINATION OF TIMOTHY B. DYK, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT

The PRESIDING OFFICER. The clerk will report the next nomination.

The assistant legislative clerk read the nomination of Timothy B. Dyk, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit.

Mr. LEAHY. Mr. President, yesterday some Republicans opposed Tim Dyk's confirmation to the Federal Circuit based on the workload of that court. Last evening I inserted in the RECORD a letter from the Chamber of Commerce that argued for his nomination in terms of the court's important workload and cases.

I am troubled that at a time when we are working through the night to try to preserve a digital signature bill to help encourage electronic commerce and protect consumers, when we are trying to work through Republican holds on the H1–B visa bill and increase the availability of high tech workers and improve training of American workers, when we are trying to improve on-line privacy and Internet security, I see such insensitivity to the needs of the Federal Circuit and its role in our economy and in our judicial system.

We designed the Federal Circuit to be our patent court. It has extraordinarily complex cases that are of increasing importance as our economy becomes more and more based on technological developments. Prompt and proper adjudication of cases before that court are in many ways critical to the continued growth of our economy and our economic future.

I see vacancies on that court as high priorities. I know that the other Democratic Senators share my view. I have been greatly troubled by the perpetuation of this vacancy on the Federal Circuit for more than two years while the Dyk nomination has been held back from Senate action. That is wrong. It is unfair to Tim Dyk and his family. It is short-sighted with respect to the important matters on the docket of the Federal Circuit.

That was the point of the Chamber of Commerce letter last August. Filling the vacancy on the Federal Circuit should be a priority of the Senate. The Federal Circuit should have all the resources it needs to do its job and resolve intellectual property disputes intelligently, fairly, and expeditiously.

Nonetheless, in spite of all these considerations and what I had hoped was a bipartisan commitment to the growth of our high tech economy, some are arguing that because its caseload numbers are not inflated by prisoner petition, criminal cases or scores of simple civil cases our nation's patent court ought not to have its needs fulfilled. I disagree.

Moreover, I have to wonder whether we would even be hearing that argument if a Republican President were

making this nomination. I thank the Chamber of Commerce for showing that business supports the confirmation of Tim Dyk to fill this vacancy on the Federal Circuit and for not playing politics with this nomination. The nature of the Federal Circuit's caseload merits a full complement of judges as authorized by Congress so that its intellectual property docket can get the attention that it deserves and that our economy requires.

Mr. KENNEDY. Mr. President, at long last, the Senate is considering the nomination of Timothy Dyk for the U.S. Court of Appeals for the Federal Circuit. Mr. Dyk is an exceptional nominee who has waited far too long for action by the Senate. He is a nationally known and respected attorney who has been approved by the American Bar Association and was well received by the Senate Judiciary Committee. He deserves confirmation by the Senate by an overwhelming bipartisan majority today.

Mr. Dyk is an honors graduate of Harvard College and Harvard Law School, where he was a member of the Law Review. After graduation, he served as a Supreme Court law clerk for Chief Justice Earl Warren, as well as for Justices Stanley REED and Harold Burton. He served in the Justice Department for a year in the early 1960's and has spent the last 37 years as a distinguished and highly respected attorney in private practice in Washington, D.C.. He has argued cases before the Supreme Court and in numerous federal courts of appeals, including five cases before the Federal Circuit. He clearly has the qualifications and ability to serve on that Circuit with great distinction.

Mr. Dyk's nomination is supported by a variety of corporations and organizations, including the U.S. Chamber of Commerce, the National Association of Manufacturers, the National Association of Broadcasters, the Labor Policy Association, the American Trucking Association, Kodak, and IBM. He is also supported by the American Center for Law and Justice and has been described by that group as ''an exceptional advocate,'' who ''would be a fine jurist on the Federal Circuit.''

For a number of years, Mr. Dyk served as lead counsel for the Lubrizol Corporation in a number of patent litigations. Lubrizol's Chairman and CEO has written,

> Mr. Dyk was exceptionally effective in briefing and arguing the several appeals in the Federal Circuit that occurred in those cases and demonstrated the ability to provide exceptional service on the federal bench. He also performed an instrumental role in ultimate disposition of those cases through mediation, which he urged on the parties and skillfully guided through extensive and difficult negotiations.

Mr. Dyk is also an active member of numerous bar organizations, and he has served as Chair of the D.C. Circuit Membership Evaluation Committee of the American Academy of Appellate Lawyers. In addition, he is an active participant in the community. In every respect, he is well-qualified for appointment to the Federal Circuit. He should have been confirmed long ago, and I urge my colleagues to approve his nomination today.

Mr. CAMPBELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Timothy B. Dyk, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

The PRESIDING OFFICER (Mr. SESSIONS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 74, nays 25, as follows:

[Rollcall Vote No. 109 Ex.]

YEAS—74

Abraham	Feinstein	Mack
Akaka	Fitzgerald	McCain
Baucus	Frist	Mikulski
Bayh	Gorton	Moynihan
Bennett	Graham	Murray
Bingaman	Grams	Nickles
Bond	Hagel	Reed
Boxer	Harkin	Reid
Breaux	Hatch	Robb
Bryan	Hollings	Rockefeller
Burns	Hutchison	Roth
Byrd	Inouye	Santorum
Campbell	Jeffords	Sarbanes
Chafee, L.	Johnson	Schumer
Cleland	Kennedy	Smith (OR)
Collins	Kerrey	Snowe
Conrad	Kerry	Specter
Daschle	Kohl	Stevens
DeWine	Landrieu	Thompson
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden
Feingold	Lugar	

NAYS—25

Allard	Gramm	Murkowski
Ashcroft	Grassley	Roberts
Brownback	Gregg	Sessions
Bunning	Helms	Shelby
Cochran	Hutchinson	Smith (NH)
Coverdell	Inhofe	Thomas
Craig	Kyl	Thurmond
Crapo	Lott	
Enzi	McConnell	

NOT VOTING—1

Biden

The nomination was confirmed.

—

VISIT TO THE SENATE BY MUGUR ISARESCU, PRIME MINISTER OF ROMANIA

Ms. LANDRIEU. Mr. President, visiting us is the Prime Minister of Romania, Mugur Isarescu.

—

RECESS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate stand in recess to greet the Prime Minister appropriately.

There being no objection, the Senate, at 4:09 p.m., recessed until 4:13 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. SESSIONS).

—

NOMINATION OF GERARD E. LYNCH, OF NEW YORK, TO BE A UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Gerard E. Lynch, of New York, to be a United States District Judge for the Southern District of New York.

Mr. BURNS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is, Will the Senate advise and consent to the nomination of Gerard E. Lynch, of New York, to be a United States District Judge for the Southern District of New York? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

The result was announced—yeas 63, nays 36, as follows:

[Rollcall Vote No. 110 Ex.]

YEAS—63

Akaka	Fitzgerald	Moynihan
Baucus	Gorton	Murray
Bayh	Graham	Reed
Bennett	Harkin	Reid
Bingaman	Hatch	Robb
Boxer	Hollings	Rockefeller
Breaux	Inouye	Roth
Bryan	Jeffords	Sarbanes
Byrd	Johnson	Schumer
Chafee, L.	Kennedy	Shelby
Cleland	Kerrey	Smith (OR)
Collins	Kerry	Snowe
Conrad	Kohl	Specter
Daschle	Landrieu	Stevens
Dodd	Lautenberg	Thompson
Domenici	Leahy	Thurmond
Dorgan	Levin	Torricelli
Durbin	Lieberman	Voinovich
Edwards	Lincoln	Warner
Feingold	Lugar	Wellstone
Feinstein	Mikulski	Wyden

NAYS—36

Abraham	DeWine	Kyl
Allard	Enzi	Lott
Ashcroft	Frist	Mack
Bond	Gramm	McCain
Brownback	Grams	McConnell
Bunning	Grassley	Murkowski
Burns	Gregg	Nickles
Campbell	Hagel	Roberts
Cochran	Helms	Santorum
Coverdell	Hutchinson	Sessions
Craig	Hutchison	Smith (NH)
Crapo	Inhofe	Thomas

NOT VOTING—1

Biden

The nomination was confirmed.

—

NOMINATION OF JAMES J. BRADY, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA

The legislative clerk read the nomination of James J. Brady, of Louisiana,

to be United States District Judge for the Middle District of Louisiana.

The PRESIDING OFFICER (Mr. BUNNING). The question is, Will the Senate advise and consent to the nomination of James J. Brady, of Louisiana, to be United States District Judge for the Middle District of Louisiana?

Mr. ASHCROFT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

The result was announced—yeas 83, nays 16, as follows:

[Rollcall Vote No. 111 Ex.]

YEAS—83

Abraham	Durbin	Lugar
Akaka	Edwards	McConnell
Ashcroft	Feingold	Mikulski
Baucus	Feinstein	Moynihan
Bayh	Fitzgerald	Murkowski
Bennett	Frist	Murray
Bingaman	Graham	Reed
Bond	Grassley	Reid
Boxer	Gregg	Robb
Breaux	Hagel	Rockefeller
Brownback	Harkin	Roth
Bryan	Hatch	Santorum
Burns	Hollings	Sarbanes
Byrd	Hutchinson	Schumer
Campbell	Inouye	Sessions
Chafee, L.	Jeffords	Shelby
Cleland	Johnson	Smith (OR)
Cochran	Kennedy	Snowe
Collins	Kerrey	Specter
Conrad	Kerry	Stevens
Coverdell	Kohl	Thomas
Craig	Landrieu	Thurmond
Crapo	Lautenberg	Torricelli
Daschle	Leahy	Voinovich
DeWine	Levin	Warner
Dodd	Lieberman	Wellstone
Domenici	Lincoln	Wyden
Dorgan	Lott	

NAYS—16

Allard	Helms	Nickles
Bunning	Hutchison	Roberts
Enzi	Inhofe	Smith (NH)
Gorton	Kyl	Thompson
Gramm	Mack	
Grams	McCain	

NOT VOTING—1

Biden

The nomination was confirmed.

—

NOMINATION OF MARY A. MCLAUGHLIN, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Mary A. McLaughlin, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Mr. KOHL. Mr. President, I rise in strong support of the nomination of Mary McLaughlin to the U.S. District Court for the Eastern District of Pennsylvania. Those of us on the Judiciary Committee know Ms. McLaughlin from her outstanding work as Special Counsel for our Terrorism Subcommittee during the Ruby Ridge investigation in 1995. During those hearings, Ms. McLaughlin demonstrated precisely the qualities we want in a federal judge—she is intelligent, fair-minded, tough, possesses a judicial temperament, and is deeply committed to the cause of justice. Once we put her on the bench, she is going to be a terrific federal judge.

Our Ruby Ridge subcommittee ran the ideological gamut. Yet Ms. McLaughlin gained the respect and admiration of all of our colleagues from both parties who worked with her—Senators SPECTER, THOMPSON, ABRAHAM, THURMOND, LEAHY, FEINSTEIN, GRASSLEY, and CRAIG—for the skill and professionalism she brought to her work. Let me make special mention of how tough and persistent Ms. McLaughlin was when the Justice Department was ''less than enthusiastic'' about supplying us with documents. Largely as a result of her efforts, we obtained the information that we needed, and our investigation went on to become a true model of bipartisan cooperation.

Beyond her service to the U.S. Senate, Ms. McLaughlin has stellar credentials for a judgeship. She is a senior partner in the leading Philadelphia law firm of Dechert, Price and Rhoads, where her practice has concentrated in a myriad of complex litigation matters. She was a recipient of a 1998 ''Women of Distinction'' Award from the Philadelphia Business Journal, the National Association of Women Business Owners, and The Forum of Executive Women. Her career has also included teaching at the law schools of Vanderbilt University, the University of Pennsylvania and Rutgers University. In addition, Ms. McLaughlin served for four years as an Assistant U.S. Attorney for the District of Columbia where, Mr. President, she put criminals behind bars. Not surprisingly, given this stellar record, she was unanimously rated ''well qualified'' by the American Bar Association.

Unfortunately, a few outside groups have raised questions about her candidacy based on a small portion of Ms. McLaughlin's pro bono work. While it is true that she is a person of strong convictions, none is stronger than her dedication to the Rule of Law. In other words, I am confident that she will in all cases apply the law, not make it.

I wouldn't say that about everybody who has been nominated for a federal judgeship in recent years.

Mr. President, Ms. McLaughlin deserves the type of strong, bipartisan support from the entire Senate that she has already obtained from those of us who worked with her on Ruby Ridge. ''There's something about Mary's'' record of distinguished public service, her professional experience, her legal talents, and her personal integrity that will make her an outstanding Judge on the Eastern District bench. I urge my colleagues to swiftly confirm her.

Mr. STEVENS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Mary A. McLaughlin, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 86, nays 14, as follows:

[Rollcall Vote No. 112 Ex.]

YEAS—86

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Ashcroft	Frist	McConnell
Baucus	Gorton	Mikulski
Bayh	Graham	Moynihan
Bennett	Grassley	Murkowski
Biden	Gregg	Murray
Bingaman	Hagel	Reed
Bond	Harkin	Reid
Boxer	Hatch	Robb
Breaux	Hollings	Rockefeller
Bryan	Hutchinson	Roth
Burns	Hutchison	Santorum
Byrd	Inouye	Sarbanes
Campbell	Jeffords	Schumer
Chafee, L.	Johnson	Sessions
Cleland	Kennedy	Shelby
Cochran	Kerrey	Smith (OR)
Collins	Kerry	Snowe
Conrad	Kohl	Specter
Coverdell	Kyl	Stevens
Craig	Landrieu	Thomas
Crapo	Lautenberg	Thompson
Daschle	Leahy	Thurmond
Dodd	Levin	Torricelli
Domenici	Lieberman	Warner
Dorgan	Lincoln	Wellstone
Durbin	Lott	Wyden
Edwards	Lugar	

NAYS—14

Allard	Fitzgerald	Nickles
Brownback	Gramm	Roberts
Bunning	Grams	Smith (NH)
DeWine	Helms	Voinovich
Enzi	Inhofe	

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the nominations enumerated in the order are confirmed en bloc, the motions to reconsider are laid upon the table, the President will be notified of the Senate's actions, and the Senate will return to legislative session.

The nominations considered and confirmed are as follows:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Christopher C. Gallagher, of New Hampshire, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2003.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Amy C. Achor, of Texas, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2003.

THE JUDICIARY

James D. Whittemore, of Florida, to be United States District Judge for the Middle District of Florida.

DEPARTMENT OF THE TREASURY

Jay Johnson, of Wisconsin, to be Director of the Mint for a term of five years.

EXECUTIVE OFFICE OF THE PRESIDENT

Kathryn Shaw, of Pennsylvania, to be a Member of the Council of Economic Advisers.

DEPARTMENT OF STATE

Alan Phillip Larson, of Iowa, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years; United States Alternate Governor of the Inter-American Development Bank for a term of five years; United States Alternate Governor of the African Development Bank for a term of five years; United States Alternate Governor of the African Development Fund; United States Alternate Governor of the Asian Development Bank; and United States Alternate Governor of the European Bank for Reconstruction and Development.

ASIAN DEVELOPMENT BANK

N. Cinnamon Dornsife, of the District of Columbia, to be United States Director of the Asian Development Bank, with the rank of Ambassador.

DEPARTMENT OF STATE

Earl Anthony Wayne, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be an Assistant Secretary of State (Economic and Business Affairs).

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

Bobby L. Roberts, of Arkansas, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2003.

NATIONAL SCIENCE FOUNDATION

Michael G. Rossmann, of Indiana, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2006.

Daniel Simberloff, of Tennessee, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2006.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Leslie Lenkowsky, of Indiana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring February 8, 2004.

Juanita Sims Doty, of Mississippi, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring June 10, 2004.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

Joan R. Challinor, of the District of Columbia, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2004.

RAILROAD RETIREMENT BOARD

Jerome F. Kever, of Illinois, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2003.

Virgil M. Speakman, Jr., of Ohio, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2004.

NATIONAL SECURITY EDUCATION BOARD

Herschelle S. Challenor, of Georgia, to be a Member of the National Security Education Board for a term of four years.

DEPARTMENT OF DEFENSE

Douglas A. Dworkin, of Maryland, to be General Counsel of the Department of Defense.

DEPARTMENT OF THE INTERIOR

Thomas A. Fry, III, of Texas, to be Director of the Bureau of Land Management.

DEPARTMENT OF THE INTERIOR

Thomas N. Slonaker, of Arizona, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior.

DEPARTMENT OF LABOR

Edward B. Montgomery, of Maryland, to be Deputy Secretary of Labor.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

Mel Carnahan, of Missouri, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2005.

Scott O. Wright, of Missouri, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for the remainder of the term expiring December 10, 2003.

CORPORATION FOR NATIONAL COMMUNITY SERVICE

Marc Racicot, of Montana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2004.

Alan D. Solomont, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2004.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Nathan O. Hatch, of Indiana, to be a Member of the National Council on the Humanities for a term expiring January 26, 2006.

THE JUDICIARY

Richard C. Tallman, of Washington, to be United States Circuit Judge for the Ninth Circuit.

Marianne O. Battani, of Michigan, to be United States District judge for the Eastern District of Michigan.

David M. Lawson, of Michigan, to be United States District judge for the Eastern District of Michigan.

John Antoon II, of Florida, to be United States District judge for the Middle District of Florida.

DEPARTMENT OF JUSTICE

Mark Reid Tucker, of North Carolina, to be United States Marshal for the Eastern District of North Carolina for the term of four years.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

John Paul Hammerschmidt, of Arkansas, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term of four years.

Norman Y. Mineta, of California, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term of six years.

Robert Clarke Brown, of Ohio, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring November 22, 2005.

NATIONAL TRANSPORTATION SAFETY BOARD

John Goglia, of Massachusetts, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2003.

Carol Jones Carmody, of Louisiana, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2004.

NUCLEAR REGULATORY COMMISSION

Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2005.

OVERSEAS PRIVATE INVESTMENT CORPORATION

Gary A. Barron, of Florida, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2002.

DEPARTMENT OF STATE

Thomas G. Weston, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as Special Coordinator for Cyprus.

Carey Cavanaugh, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, for the rank of Ambassador during his tenure of service as Special Negotiator for Nagorno-Karabakh and New Independent States Regional Conflicts.

Christopher Robert Hill, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Poland.

Donald Arthur Mahley, of Virginia, a Career Member of the Senior Executive Service, for the rank of Ambassador during his tenure of service as Special Negotiator for Chemical and Biological Arms Control Issues.

Gregory G. Govan, of Virginia, for the rank of Ambassador during his tenure of service as Chief U.S. Delegate to the Joint Consultative Group.

DEPARTMENT OF DEFENSE

Bruce Sundlun, of Rhode Island, to be a Member of the National Security Education Board for a term of four years.

Manuel Trinidad Pacheco, of Arizona, to be a Member of the National Security Education Board for a term of four years.

THE JUDICIARY

Phyllis J. Hamilton, of California, to be United States District Judge for the Northern District of California.

Nicholas G. Garaufis, of New York, to be United States District Judge for the Eastern District of New York.

Roger L. Hunt, of Nevada, to be United States District Judge for the District of Nevada.

Kent J. Dawson, of Nevada, to be United States District Judge for the District of Nevada.

DEPARTMENT OF JUSTICE

Audrey G. Fleissig, of Missouri, to be United States Attorney for the Eastern District of Missouri for the term of four years.

Steven S. Reed, of Kentucky, to be United States Attorney for the Western District of Kentucky for the term of four years.

Donald W. Horton, of Maryland, to be United States Marshal for the District of Columbia for the term of four years.

E. Douglas Hamilton, of Kentucky, to be United States Marshal for the Western District of Kentucky for the term of four years.

Jose Antonio Periz, of California, to be United States Marshal for the Central District of California for the term of four years.

Donnie R. Marshall, of Texas, to be Administrator of Drug Enforcement.

DEPARTMENT OF THE TREASURY

Michelle Andrews Smith, of Texas, to be an Assistant Secretary of the Treasury.

THE JUDICIARY

Berle M. Schiller, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Richard Barclay Surrick, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Petrese B. Tucker, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

[Nominations placed on the Secretary's Desk]

FOREIGN SERVICE

Foreign Service nominations beginning John Patrice Groarke, and ending James Curtis Struble, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 1999.

Foreign Service nominations beginning Mattie R. Sharpless, and ending Howard R. Wetzel, which nominations were received by the Senate and appeared in the Congressional Record of February 24, 2000.

Foreign Service nominations beginning Nancy M. McKay, and ending Nancy Morgan Serpa, which nominations were received by the Senate and appeared in the Congressional Record of February 24, 2000.

PUBLIC HEALTH SERVICE

Pubic Health Service nominations beginning Edwin L. Jones, III, and ending Colleen E. White, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 1999.

Pubic Health Service nominations beginning Susan J. Blumenthal, and ending William Tool, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 1999.

NOMINATION OF NATHAN HATCH

Mr. BAYH. Mr. President, I rise today to congratulate Dr. Nathan Hatch for receiving the Senate's approval of his nomination to serve as a member of the National Council on the Humanities. Dr. Hatch has dedicated his life to academia. He currently serves as Provost of the University of Notre Dame and is also a Professor of History. As Provost, Dr. Hatch has focused on three areas: the establishment of academic centers of excellence, including the expansion of the Keough Institute for Irish Studies and the enhancement of the Medieval Institute; revitalization of undergraduate education through the creation of the Kaneb Center for Teaching and Learning; and the pursuit of outstanding faculty.

Dr. Hatch is considered to be one of the most influential scholars in the study of the history of religion in America. His book, The Democratization of American Christianity, won both the Albert Outler Prize in Ecumenical Church History and the John Hope Franklin Prize for the best book in American Studies; it was also chosen by his peers as one of the two most important books in the study of American religion.

Dr. Hatch is a remarkable asset for the University of Notre Dame and the State of Indiana. His experiences at Notre Dame will make him a valuable addition to the National Council on the Humanities. I applaud the Senate today for confirming this outstanding Hoosier.

NOMINATIONS OF MARIANNE BATTANI AND DAVID LAWSON

Mr. LEVIN. Mr. President, I am pleased that the Senate has confirmed the two nominees for the Federal District Court in the Eastern District of Michigan, Judge Marianne Battani and David Lawson.

Mr. President, Michigan could not be better served. These nominees are well-known in Michigan for their long and distinguished careers, high standards of moral and ethical conduct, and knowledge and commitment to the law. I have every confidence that they will both be outstanding federal judges.

While I am glad that the Senate has finally confirmed these two district court judges, I am deeply concerned about the vacancies in the Sixth Circuit U.S. Court of Appeals. The length of time that nominees for these positions have remained pending is unfair, both to the nominees, and to the State of Michigan.

There are now three Michigan vacancies on the Sixth Circuit. One of the nominees for these vacancies is Helene White, who was nominated more than three years ago, and is still awaiting a hearing. Kathleen McCree Lewis has been pending at the Committee awaiting a hearing for more than eight months. And the third candidate for a Michigan seat has not yet been nominated but hopefully will be at any time.

These Michigan candidates are intelligent and hardworking advocates of the law, who at a minimum, deserve to have and up or down vote on their nominations. Yet, Circuit Court of Appeals nominees continue to face unconscionable delays in this Senate.

The Senate slowdown has a serious impact on the administration of justice. In a March 20, 2000 letter to Senator HATCH, Judge Gilbert Merritt, Chief Judge of the U.S. Court of Appeals for the Sixth Circuit, notes that these vacancies have hampered the Court's ability to complete the public's business. The Court, in his words, is deteriorating rapidly due to the high number of judicial vacancies.

Judge Merritt writes:

The Sixth Circuit Court of Appeals now has four vacancies. Twenty-five per cent of the seats on the Sixth Circuit are vacant. The Court is hurting badly and will not be able to keep up with its work load due to the fact that the Senate Judiciary Committee has acted on none of the nominations to our Court. One of the vacancies is five years old and no vote has ever been taken. One is two years old. We have lost many years of judge time because of the vacancies.

By the time the next President is inaugurated, there will be six vacancies on the Court of Appeals. Almost half of the Court will be vacant and will remain so for most of 2001 due to the exigencies of the nomination process. Although the President has nominated candidates, the Senate has refused to take a vote on any of them.

Our Court should not be treated in this fashion. The public's business should not be treated this way. The litigants in the federal courts should not be treated this way. The remaining judges on a court should not be treated this way. The situation in our Court is rapidly deteriorating due to the fact that 25% of the judgeships are vacant. Each active judge of our Court is now participating in deciding more than 550 cases a year—a case load that is excessive by any standard. In addition, we have almost 200 death penalty cases that will be facing us before the end of next year. I presently have six pending before me right now and many more in the pipeline. Although the death cases are very time consuming (the records often run to 5000 pages), we are under very short deadlines imposed by Congress for acting on these cases. Under present circumstances, we will be unable to meet these deadlines. Unlike the Supreme Court, we have no discretionary jurisdiction and must hear every case.

The Founding Fathers certainly intended that the Senate ''advise'' as to judicial nominations, i.e., consider, debate and vote up or down. They surely did not intend that the Senate, for partisan or factional reasons, would remain silent and simply refuse to give any advice or consider and vote at all, thereby leaving the courts in limbo, understaffed and unable properly to carry out their responsibilities for each year.

I again urge the Senate Judiciary Committee to promptly hold a confirmation hearing for the Sixth Circuit Court of Appeals nominees from Michigan. They are highly qualified individuals who deserve to be voted on by this Senate.

NOMINATION OF RICHARD TALLMAN

Mr. GORTON. Mr. President, it is my pleasure to support the confirmation today of Richard Tallman to the Ninth Circuit Court of Appeals. In an unusual, if not unprecedented arrangement, particularly at this time and for the controversial Ninth Circuit, the White House, Senator MURRAY, and I have worked together quietly to select and confirm absolutely first rate judges from Washington State. Dick Tallman is no exception.

I had not met Mr. Tallman before he was chosen as a finalist for a district court vacancy by a Judicial Merit Selection Committee jointly appointed by Senator MURRAY and me. He impressed me tremendously at the time and I was privileged to be able later to recommend him to fill a vacancy on the Ninth Circuit Court of Appeals.

Mr. Tallman enjoys broad bi-partisan support within Washington's legal community, including that of the Democratic State Attorney General, two former United States Attorneys for Western Washington, the Federal Public Defender from Western Washington, the President of the Ninth Circuit District Judges Association, and the Federal Bar Association for the Western District of Washington.

Prior to starting his own small firm where he continues to specialize in white collar criminal defense, Mr. Tallman practiced law for many years at one of the largest private firms in Seattle, Bogle & Gates. Before that he served as an Assistant United States Attorney for the Western District of Washington. He has also been sought out by all levels of state government, serving as a Special Assistant City Attorney for Seattle, a Special Deputy Prosecuting Attorney for King County, as well as a Special Assistant Attorney General for Washington State. Over the years, Mr. Tallman has taught and lectured extensively to groups of lawyers and non-lawyers on a range of legal topics, instructing groups including the National Park Service, the Washington Medical Association, and the Seattle Police Academy.

Mr. Tallman's involvement in bar and civic activities is no less impressive than his professional record. In addition to extensive pro bono work, he has served as president of the local federal bar association and as chair of the lawyer delegates to the Ninth Circuit

Judicial Conference. He has been active in committees for local, state, and federal bar associations, in the selection of judges, bench-bar relations, and in helping women and minorities interested in legal careers.

As the accomplishments I have just reviewed attest, Mr. Tallman is an impressive man. What these accomplishments to not convey, however, is the warmth, good humor, and the clear unpretentious intelligence I have observed in my short acquaintance with him. The Ninth Circuit will clearly benefit from our action today.

Mr. LEAHY. Mr. President, one of our most important constitutional responsibilities is to provide advice and consent on the scores of judicial nominations sent to us to fill the vacancies on the federal courts around the country. Today we made some progress. We confirmed 16 new judges. For that I thank the Democratic leader and the majority leader, my counterpart on the Judiciary Committee, Senator HATCH, and all those who worked with us to achieve Senate action on these judicial nominees.

The Senate has finally begun to consider the judges needed to serve the American people in our federal courts. But before any Senator thinks that our work is done for the year, let us take stock: We are only one-third of the way to the number of judges nominated by a Republican President and confirmed by a Democratic majority in 1992, and only half way to the levels of confirmations achieved in 1984 and 1988. Today we finally passed the level of 17 confirmations achieved in 1996, the year before I became the Ranking Democrat on the Judiciary Committee. That low water mark is no measure of success, however.

Today we face more judicial vacancies than when the Senate adjourned in 1994. That means there are more vacancies across the country than when the Republican majority took controlling responsibility for the Senate in January 1995. Over the last six years we have gained no ground in our efforts to fill longstanding judicial vacancies that are plaguing the federal courts.

In addition, recall that this is the first action that the Senate has taken on judicial nominees since March 9, when the Senate ended 4-years of delay and finally voted to confirm Judge Richard Paez to the Ninth Circuit. For more than two months, for more than 10 weeks, the Senate has not acted to confirm a single judge, not one. That stall accounts for the backlog in judicial nominations that results in there being 16 judicial nominations on the Senate calendar today. On the other hand, since March 9, seven additional vacancies have arisen and the Senate has received 17 additional nominations.

There remain 36 judicial nominations pending in the Judiciary Committee, plus new nominations that the President is sending us every week. I have challenged the Senate to regain the pace it met in 1998 when the Committee held 13 hearing and the Senate confirmed 65 judges. That would still be one less than the number of judges confirmed by a Democratic Senate majority in the last year of the Bush Administration in 1992. Indeed, in the last two years of the Bush Administration, a Democratic Senate majority confirmed 124 judges. It would take an additional 67 confirmations this year for this Senate to equal that total.

Over the last five years the Republican-controlled Senate confirmed the following: 58 federal judges in the 1995 session; 17 in 1996; 36 in 1997; 65 in 1998; and 34 in 1999. By contrast, in one year, 1994, with a Democratic majority in the Senate, we confirmed 101 judges. With commitment and hard work many things are achievable.

Of the confirmations achieved this year, seven were nominations that were reported last year and should have been confirmed last year. That would have made last year's total slightly more respectable. Instead, they were held over and inflate this year's numbers. In addition, Tim Dyk, one of the nominees finally being considered today, was nominated in 1998 and has been held over two years.

Moreover, the Republican Congress has refused to consider the authorization of the additional judges needed by the federal judiciary to deal with their ever increasing workload. In 1984, and again in 1990, Congress responded to requests by the Chief Justice and the Judiciary Conference for needed judicial resources. Indeed, in 1990, a Democratic majority in the Congress created scores of needed new judgeships during a Republican Administration.

Three years ago the Judicial Conference of the United States requested that an additional 53 judgeships be authorized around the country. Last year the Judicial Conference renewed its request but increased it to 72 judgeships needing to be authorized around the country. Instead, the only federal judgeships created since 1990 were the nine District Court judgeships authorized in the omnibus appropriations bill at the end of last year.

If Congress had timely considered and passed the Federal Judgeship Act of 1999, S.1145, as it should have, the federal judiciary would have nearly 130 vacancies today. That is the more accurate measure of the needs of the federal judiciary that have been ignored by the Congress over the past several years and places the vacancy rate for the federal judiciary at 14 percent (128 out of 915). As it is, the vacancy rate is almost 10 percent (65 out of 852) and has remained too high throughout the five years that the Republican majority has controlled the Senate.

Especially troubling is the vacancy rate on the courts of appeals, which continues at over 11 percent (20 out of 179) without the creation of any of the additional judgeships that those courts need to handle their increased workloads.

Most troubling is the circuit emergency that had to be declared more than seven months ago by the Chief Judge of the Court of Appeals for the Fifth Circuit. I recall when the Second Circuit had such an emergency two years ago. Along with the other Senators representing States from the Circuit, I worked hard to fill the five vacancies then plaguing my circuit. The situation in the Fifth Circuit is not one that we should tolerate; it is a situation that I wished we had confronted by expediting consideration of the nominations of Alston Johnson and Enrique Moreno last year. I still hope that the Senate will consider both this year.

I deeply regret that the Senate adjourned last November and left the Fifth Circuit to deal with the crisis in the federal administration of justice in Texas, Louisiana and Mississippi without the resources that it desperately needs. I look forward to our resolving this difficult situation. I will work with the Majority Leader and the Democratic Leader to resolve that emergency at the earliest possible time.

With 20 vacancies on the Federal appellate courts across the country and nearly half of the total judicial emergency vacancies in the Federal courts system in our appellate courts, our courts of appeals are being denied the resources that they need, and their ability to administer justice for the American people is being hurt. There continue to be multiple vacancies on the Ninth Circuit. Three vacancies is too many and perpetuating these four judicial emergency vacancies, as the Senate has in this one circuit, is irresponsible. We should act on these nominations promptly and provide the Ninth Circuit with the judicial resources it needs and to which it is entitled.

I am likewise concerned that the Fourth, Sixth and District of Columbia Circuits are suffering from multiple vacancies.

I continue to urge the Senate to meet our responsibilities to all nominees, including women and minorities, and look forward to action on the nominations of Judge James Wynn, Jr. to the Fourth Circuit, Enrique Moreno to the Fifth Circuit, Kathleen McCree Lewis to the Sixth Circuit and Judge Johnnie Rawlinson to the Ninth Circuit. Working together the Senate can join with the President to confirm well-qualified, diverse and fair-minded judges to fulfill the needs of the federal courts around the country.

Having begun so slowly in the first five months of this year, we have much more to do before the Senate takes its final action on judicial nominees this year. We should be considering 20 to 40 more judges this year. Having begun so slowly, we cannot afford to follow the ''Thurmond rule'' and stop acting on these nominees at the end of the summer in anticipation of the presidential election. We must use all the time until adjournment to remedy the vacancies that have been perpetuated on

the courts to the detriment of the American people and the administration of justice. I urge all Senators to make the federal administration of justice a top priority for the Senate for the rest of this year.

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LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

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MORNING BUSINESS

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

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

—

RETIREMENT OF STEVE HEMMINGSEN

Mr. DASCHLE. Mr. President, this day marks the retirement of a legend in broadcast journalism in South Dakota. Steve Hemmingsen, who has faithfully delivered news to living rooms in my home state for over twenty-five years, will give his last regular broadcast tonight.

There's an old story about Calvin Coolidge, told shortly after he left the White House. He was filling out a standard form, which asked for standard information. Line 1 asked for his name and address. Line 2 asked for his ''Occupation'', for which he answered ''Retired''. Line 3 was titled ''Remarks.'' Mr. Coolidge responded ''Glad of it.''

I hope that Steve Hemmingsen will share that sentiment: glad to be retired from the rigors of his job—but never fully removed from his audience, the thousands of people who have relied on him for their news for more than two decades.

Steve grew up just across the border in Minnesota, and after graduating from high school, he landed his first job in broadcasting at the ''Polka Station of the Nation'' in New Ulm. Later, he studied at the Brown Institute and was hired by KELO–TV in 1969. He has been a fixture there and on our nightly news ever since.

It has been estimated that since Steve began working the 6:00 and 10:00 pm news at KELO, he has delivered about eighteen thousand newscasts. He's shouldered the responsibility of helping our state get through some of its most trying times—such as the devastating Rapid City flood in 1972, the tragic plane crash that took the lives of Governor George Mickelson and several of South Dakota's economic development leaders in 1993, the horrible tornado in Spencer two years ago and countless South Dakota blizzards. When South Dakotans have faced adversity, Steve's steady voice and calm demeanor brought us up to speed on the latest events and talked us through each crisis we encountered.

But Steve has been there through the good times as well. When we celebrated our state's centennial in 1989, Steve reported on the numerous celebrations going on around South Dakota, giving us insight on where our state had been, and where it was going. When Scotland, South Dakota's own Chuck Gemar went into space, Steve helped express the collective sense of pride that was felt throughout the state. You could say that during his career at KELO, Steve's familiar voice was the first that brought news of noteworthy events to the people in South Dakota.

Over the last twenty-five years, Steve Hemmingsen has earned the trust of the people of South Dakota. Although Steve and I haven't always seen eye-to-eye on some issues, I have never had a reason to question his dedication as a broadcaster, his fairness as a reporter or his integrity as a person. In my years in public service, I have had the opportunity to work with hundreds of reporters both in South Dakota and across the nation and there is no doubt in my mind that Steve Hemmingsen is one of the best. Today we congratulate him, but tomorrow he will certainly be missed.

It brings me great pleasure to join all of KELO-Land in wishing Steve the best as he signs off tonight. The evening news will never be the same.

—

MITCH ROSE TO LEAVE THE HALLS OF CONGRESS

Mr. STEVENS. Mr. President, Mitch Rose, my chief of staff, who before that was my press secretary, will leave the Senate within the next few days.

Mitch has been a great member of our staff, with his understanding of the nuances of legislation, his ability to articulate concerns, and his courage to challenge debate when he believes strongly in an issue. His talents with words, written and spoken, are really legendary.

But no matter how tough the argument, or how serious the discussion, Mitch's sense of humor always helps to keep things in perspective.

It's safe to say that he's not only famous for that sense of humor, but at times, he's infamous.

Born in Alaska, a product of a great family and of Alaska's public schools, Mitch came to Capitol Hill after graduation from the University of Washington, almost 15 years ago.

He first went to work for our friend and former colleague Bob Dole, and later toiled for the other members of our Alaska delegation, DON YOUNG in the House and FRANK MURKOWSKI here in the Senate.

When Mitch joined our staff, he took on the added responsibility of attending law school at night. His wife, Dale Cabaniss, attended a different law school in the evenings, while she worked for Senator MURKOWSKI.

Mitch's work on aviation and telecommunications issues has been particularly important. As chief of staff, he has kept ahead of the curve on all of our concerns, providing insight and guidance to my staff and me.

The Alaska Humanities Forum has created a program named after Mitch, based on his experience as a youngster, when his parents made sure he knew how life in a rural Alaska village contrasts with life in urban Alaska. The Rose Urban-Rural Alaska Partnership Program will take urban youth to rural villages to promote better understanding of the very different ways of life in our small communities. It will provide the same type of opportunity his parents, Dave and Fran Rose, provided for Mitch when he was a young Anchorage school boy.

Mitch is an example, Mr. President, of the best of his generation. He's worked hard, taken on heavy responsibilities at work and at home, maintained close and good relationships with Alaska and Alaskans, and with those with whom he works.

He and Dale, who is now a Commissioner of the Federal Labor Relations Authority, are the parents of Ben 5, and twins Haley and Shelby, eight months.

There is no question that we will miss Mitch. But there's also no question that he will be a valuable member of the private sector.

My thanks to him for the work he's done, the loyalty he's shown and the friendship he's shared. With so many others who have known him over the years, I wish him well.

—

JAROSLAV PELIKAN, STERLING PROFESSOR EMERITUS

Mr. STEVENS. Mr. President, as a product of the World War II years, I rushed through my undergraduate education after that war. In the process, my education was of the Yogi Berra variety: If I came to a fork in the road, I took it.

Now, having acquired seniority here, I have privileges I never dreamed would be part of my life, and am more and more aware of what I missed by not spending more time in basic educational endeavors.

For instance, because of my service on the Senate Rules Committee, it is my honor to be chairman of the Joint committee of the Library. This position opened my eyes and ears and filled my mind with joys totally unexpected.

For instance, my increasing visits with Dr. Jim Billington, Librarian of the Library of Congress, a national treasure and our preeminent Russian scholar, have led to meeting more and more of the distinguished academics of our time.

One of these persons is Jaroslav Pelikan, Sterling Professor Emeritus at Yale university and Immediate Past President of the American Academy of Arts and Sciences. Sadly, because of business here in the Senate, I missed Dr. Pelikan's brilliant luncheon address to the Bicentennial of the Library of Congress on April 24 of this

year. Arriving late, I was overwhelmed by the comments about his speech to the ''Library Legends Luncheon'' and requested a copy of it. The title of this address was: ''Hospital for the Soul.''

Now, I realize why we address those who have received Phd's as ''Doctor''. On behalf of all who have continued to support our Library of Congress, I thank Jaroslav Pelikan for all he has done to earn his ''Living Legend'' Award. Because of this address, I shall never again think of libraries as simply depositories for books. Our great Library of Congress is now the ''World's Hospital for the Soul.''

I ask unanimous consent that Dr. Pelikan's address be printed in the RECORD.

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

HOSPITAL FOR THE SOUL

(By Jaroslav Pelikan)

Thank you for this ''Living Legend'' Award: I promise to take it out and look at it whenever I get a sudden attack of humility. Seriously, though, even someone to whom humility does not come easily would have to be humbled today by the names of all these others who are being honored here—and then of those who are not! And if I ask myself the even more humbling question why it is I who have been asked to speak in the name of these men and women who are becoming my new colleagues, my first thought is that I seem to be the only one among those present whose last name puts him into the same class with Big Bird. (Big Bird's cousin Larry Bird, who is also a Living Legend, was unavoidably detained, and as a sometime Hoosier I with his Pacers well in the playoffs.) Or is the explanation simply that I am, at least as much as anyone here, the offspring of the library? Or perhaps it is that all my life I have been studying various languages, which, while only a small fraction of those represented by the collections of the Library of Congress, do manage to include the ancestral tongues of several of my classmates, as well as ''the universal language'' played so eloquently by Maestro Isaac Stern or by my dear friend Yo-Yo Ma.

But of all languages, there is a special place reserved in my mind and heart for Greek, the language of Plato and Sophocles and Sappho (whom Plato called ''the Tenth Muse'')—and the language of the New Testament and of the ''Four Cappadocians'' (Basil of Caesarea, his brother Gregory of Nyssa, their sister Macrina, and Gregory of Nazianzus). So let me turn, as I do so often, to the pleasures of Greek. For in Book One of a work appropriately entitled Bibliotheke [Library], the Hellenistic historian Diodorus Siculus reports that the inscription on the Library of Alexandria read: Pysches iatreion, ''Hospital for the soul''—a profound and brilliant metaphor, even in a language justly celebrated for its metaphors.

The library is a hospital for the soul because it is here that the soul can find instruments for diagnosis. Those men and women, physicians of the soul, who have thought deeply and spoken movingly about the illnesses that plague us all have put their case studies permanently on deposit here. It is here in the library that Thomas Jefferson traces so many ailments to the dreadful affliction of not holding together ''an honest heart'' and ''a knowing head''; here in the library that George Eliot devastatingly portrays in Middlemarch, my favorite English novel, the pedant who, she says, ''dreams footnotes'' and who lurks in the soul of every scholar (present company excepted, of course!); here in the library that, in my favorite novel of all, the Grand Inquisitor propounds again the three questions in which ''are united all the unresolved contradictions of human nature'', here in the library that Gibbons, celebrated in the Great Hall, carries out an autopsy on ''the natural and inevitable effect of immoderate greatness'' that bears implications for every other empire, also for the American empire; here in the library that Immanuel Kant probes ''the radical evil that corrupts all maxims,'' making the worse appear the better reason; and here in the library that Beatrice, in her quiet but solemn voice, warns us that all our actions carry consequences regardless of our station, evade them though we may for a very long time. And because, in the deathless words of that celebrated scholar and philosopher Professor Pogo of Okefenokee Swamp (whose sayings are also preserved here in the library), ''We got problems we ain't even used yet,'' men and women in generations yet to come will keep turning here for diagnosis and help. But they will be able to do so only if we in this generation have the foresight and the commitment that Joseph had in Egypt, to store up during the fat years what will be needed during the lean years.

It is likewise to the library that the soul can turn for healing, in the collective memory of the human race. Even for the healing of the soul in a special sense, the writers of the New Testament, in trying to find the most towering and luminous metaphor of all to cope with the miracle and the mystery of what had happened to them, turned to the miracle and the mystery of language: ''In the beginning was the Word.'' But by that metaphor they were in fact attaching themselves to the far more comprehensive tradition of what Pedro Laín Entralgo has called ''the therapy of the word in Classical Antiquity,'' the ancient and yet universal recognition that if the diseases of the human mind and spirit are to be cured, they need to be (as we still say) addressed, that means, spoken to, as they are by biography and autobiography and hagiography from many traditions and diverse cultures, including even our own past, as those can be found in the library and only there. Corny though the cynical may find it, these lives do indeed still

. . . remind us,
We can make our lives sublime.

But increasingly we are beginning to recognize that both diagnosis and healing can be vastly more successful if we have been using the resources of the hospital and the health care system all along for prevention, which is why the library must be, as we say nowadays, a ''research hospital'' and a ''teaching hospital.'' Having spent a scholarly lifetime learning and admonishing that there is a fundamental distinction between knowledge and wisdom, I find myself today stressing the even more fundamental, and even more elusive, distinction between knowledge and information. The library functions as a hospital for the soul by teaching us both of those distinctions, making available enormous stores of information, resources of knowledge, and, to those who have the willingness and patience to learn, treasures of wisdom. (Konrad Adenauer once said that he planned to ask the Almighty, ''Why is it, after putting such limitations on human intelligence, that You did not put similar ones on human stupidity?'') As the chroniclers and commentators and critics of all those traditions, scholars dependent on the library, by introducing us to our grandfathers and more recently to our long lost grandmothers, can help us to bequeath these riches to our grandchildren. For in words of Edmund Burke, who still speaks in the library, it can be defined as ''a partnership in all science; a partnership in all art; a partnership in every virtue, and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born.''

On that particular program for universal health care, my old friend, Mr. Librarian of Congress—and (at least for today) Dr. Surgeon General of the Hospital for the Soul—everyone would, I hope, have to agree, even in an election year. It was, I firmly believe, providential that exactly 200 years ago today, in this city where there would eventually be so many fiefdoms and kingdoms and dukedoms and monuments, the Congress was inspired to found this monumental institution, of which Shakespeare has Prospero say prophetically, ''My library was dukedom large enough.'' For as all the other dukedoms have risen and fallen, the Library of Congress has stood as a monument and a ''hospital for the soul,'' pointing to the life of the mind as the antidote to the twin poisons of political tyranny and moral anarchy.

Whenever people ask me, after more than half a century of historical research, reflection, and writing (my Three R's), what are the lessons of the past, I apologize that I can't come up with very many. But there is one, which those of you who know me will not be surprised to learn I find stated most profoundly by Goethe's Faust; and it speaks of the library:

''Was du ererbt von deinen Vätern hast,
Erwirb' es, um es zu besitzen.''

[What you have as heritage, now take as task; For only thus will you make it your own.]

—

REMEMBERING THOSE WHO DIED ON D-DAY

Mr. ROBB. Mr. President, as we approach the 56th Anniversary of D-Day, June 6th, 1944, we should pause to reflect on the valor and sacrifice of the men who died on the beaches of Normandy. In the vanguard of the force that landed on that June morning, was the 116th Infantry Regiment, 29th Infantry Division. In 1944 the 116th Infantry Regiment, as it is today, was a National Guard unit mustering at the armory in Bedford, Virginia. They drew their members from a town of only 3,200 people and the rich country in southwestern Virginia nestled in the cool shadows of the Blue Ridge Mountains.

On the morning of June 6th, 1944, Company A led the 116th Infantry Regiment and the 29th Infantry Division ashore, landing on Omaha Beach in the face of withering enemy fire. Within minutes, the company suffered ninety-six percent casualties, to include twenty-one killed in action. Before nightfall, two more sons of Bedford from Companies C and F perished in the desperate fighting to gain a foothold on the blood-soaked beachhead. On D-Day, the town of Bedford, Virginia gave more of her sons to the defense of freedom and the defeat of dictatorship, than any other community (per capita) in the nation. It is fitting that Bedford is home to the national D-Day Memorial. But we must remember that this

memorial represents not just a day or a battle—it is a marker that represents individual soldiers like the men of the 116th Infantry Regiment—every one a father, son, or brother. Each sacrifice has a name, held dear in the hearts of a patriotic Virginia town—Bedford.

Mr. President, in memory of the men from Bedford, Virginia who died on June 6th, 1944, I ask unanimous consent that their names be printed in the RECORD at the end of my statement as a tribute to the town of Bedford, and every soldier, sailor, and airman, who has made the supreme sacrifice in the service of our country.

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

COMPANY A

Leslie C. Abbott, Jr., Wallace R. Carter, John D. Clifton, Andrew J. Coleman, Frank P. Draper, Jr., Taylor N. Fellers, Charles W. Fizer, Nick N. Gillaspie, Bedford T. Hoback, Raymond S. Hoback, Clifton G. Lee, Earl L. Parker, Jack G. Powers, John F. Reynolds, Weldon A. Rosazza, John B. Schenk, Ray O. Stevens, Gordon H. White, Jr., John L. Wilkes, Elmere P. Wright, Grant C. Yopp

COMPANY C

Joseph E. Parker, Jr.

COMPANY F

John W. Dean.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, May 23, 2000, the Federal debt stood at $5,670,641,391,640.46 (Five trillion, six hundred seventy billion, six hundred forty-one million, three hundred ninety-one thousand, six hundred forty dollars and forty-six cents).

Five years ago, May 23, 1995, the Federal debt stood at $4,885,335,000,000 (Four trillion, eight hundred eighty-five billion, three hundred thirty-five million).

Ten years ago, May 23, 1990, the Federal debt stood at $3,093,087,000,000 (Three trillion, ninety-three billion, eighty-seven million).

Fifteen years ago, May 23, 1985, the Federal debt stood at $1,750,995,000,000 (One trillion, seven hundred fifty billion, nine hundred ninety-five million) which reflects a debt increase of almost $4 trillion—$3,919,646,391,640.46 (Three trillion, nine hundred nineteen billion, six hundred forty-six million, three hundred ninety-one thousand, six hundred forty dollars and forty-six cents) during the past 15 years.

ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

Mr. SANTORUM. Mr. President, I rise today to speak about S. Con. Res. 116, a concurrent resolution introduced by Senator TRENT LOTT of Mississippi which commends Israel's redeployment from southern Lebanon. I should have been reflected as a cosponsor of that resolution but my name was inadvertently left off the list of cosponsors. I ask that I be shown as a cosponsor of S. Con. Res. 116.

Mr. President, I fully support the resolution and would like to offer my comments on the historic events that have recently transpired. Just yesterday, I met with a group of young students who were visiting Washington, DC, as part of a legislative conference sponsored by the American Israel Public Affairs Committee. I was truly impressed by the level of interest and knowledge of these students.

One of the items we discussed was the need for the United States to provide support for Israel as it withdraws from southern Lebanon. I support the efforts of Prime Minister Barak to withdraw Israeli forces from southern Lebanon and echo the comments that it is time for all foreign military forces to leave Lebanon. Furthermore, the Governments of Syria and Iran must be held accountable for acts of terrorism committed in Lebanon.

Mr. President, Israel has demonstrated its commitment to the peace process and its commitment to comply with United Nations Security Council Resolution 425. It is now time for the United Nations and the international community in general to fulfill their obligations to the peace process and to ensure that southern Lebanon does not become a staging ground for attacks against Israel.

THE ORIGINATION CLAUSE OF THE CONSTITUTION

Mr. INHOFE. Mr. President, on Wednesday, May 17, at page S. 4069 of the RECORD, the distinguished minority leader announced, ''I am going to demand that every single appropriations bill that comes to the Senate before it can be completed be passed in the House first because that is regular order.'' To be clear he repeated, ''We are going to require the regular order when it comes to appropriations bills.''

The Senator refers to the origination clause of our Constitution Art. 1, Sec. 7, Cl. 1. The origination clause states that ''All bills for raising revenue shall originate in the House of Representatives.'' The meaning of this clause is widely known, and I do not know why the distinguished minority leader would attempt to make an erroneous claim before those who know better. I do know why he did not challenge his 99 colleagues to correct this statement, as he did with another. The reason is that many could have come forward to tell him he was mistaken.

When I open Riddick's Senate Procedure, I read that ''[i]n 1935, the Chair ruled that there is no Constitutional limitation upon the Senate to initiate an appropriation bill.'' The House does claim ''the exclusive right to originate all general appropriations bills.'' Specific appropriations, however, ''have frequently originated in the Senate.''

If the Senator intends to say that there is no precedent for the initiation of appropriation bills in the Senate, that is false. Perhaps there is some confusion between ''raising revenue'' and ''appropriating.'' The former the Senate cannot do. The latter it can.

Also, the room the Senate has to work within is broad rather than narrow. The Rules of the House of Representatives note that ''[a] bill raising revenue incidentally [has been] held not to infringe upon the Constitutional prerogative of the House to originate revenue legislation.''

The courts agree with these constitutional interpretations. In fact, as recently as 1989, the Court of Appeals for the Tenth District in U.S. v. King, 891 F.2d 780, 781 ruled that where a bill does not qualify as a revenue bill, it is not subject to the provisions of the origination clause.

The United States Supreme Court, in Twin City Nat. Bank of New Brighton v. Nebecker, 167 U.S. 196, 202. ruled in an 1897 decision, which is cited as precedent to this day, that ''revenue bills are those that levy taxes, in the strict sense of the word, and are not bills for other purposes which may incidentally create revenue.''

On another occasion, the Supreme Court, in U.S. v. Norton, 91 U.S. 566, 569 (1875) said that ''[t]he construction of the [origination clause] limitation is practically well settled by the uniform action of Congress'' and that ''it 'has been confined to bills to levy taxes in the strict sense of the word, and has not been understood to extend to bills for other purposes which incidentally create revenue.' ''

Indeed, in 1997, the Court of Appeals for the Ninth District in Walthall v. U.S., 131 F.3d 1289 ruled that the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) did not violate the originations clause.

It was not the intent of our Founding Fathers not to allow the Senate to decide how to spend government monies. Obviously, we must do that. Almost every action we take requires some money to be spent. What the Founding Fathers wanted to achieve with the origination clause was a check on government by which the most representative body had to authorize the extraction from the people of taxes.

The only obstacle I know of to the Senate passing certain appropriation bills is the objection of the distinguished minority leader. He claims, ''This is getting to be more and more a second House of Representatives.'' Who is making it so, I ask.

According to Procedure in the U.S. House of Representatives, Sec. 3.2, p. 134 it is the other body in which ''[i]nfringement of the Senate on the constitutional prerogative of the House to initiate revenue measures may be raised * * * as a matter of privilege.''

ADDITIONAL STATEMENTS

FAREWELL TO TAIWAN REPRESENTATIVE STEPHEN CHEN

• Mr. CRAIG. Mr. President, today I rise to bid farewell to Taiwan Representative Stephen Chen. Representative Chen has been an effective envoy

for Taiwan in the United States. One of his more remarkable accomplishments has been his ability to promote and strengthen improved relationships between Taiwan and the United States. Over the last two years, he has secured important contacts for Taiwan.

Assisted by Mr. Leonard Chao, his chief aide in congressional relations, Representative Stephen Chen has kept us informed of developments within Taiwan, including trading relationships, advances in human rights, moves toward a complete and open democracy, and the peaceful transition of power from the Nationalist Party to the Democratic Progressive Party on May 20th.

Representative Stephen Chen and his wife, Rosa, have been cordial hosts at Twin Oaks. They have gracefully entertained their guests with stories and anecdotes from their many diplomatic postings throughout the world. A master of seven languages, Representative Chen's ability to interpret language nuances has invariably impressed his guests. He is also known for his unique calligraphic capacity of scripting English with a Chinese writing brush. Along with these skills, Representative Chen's foremost gift is his diplomatic courtesy—ever so subtly, he makes his guests want to understand more about his family, his country, and our world through his views.

After nearly fifty years of dedicated diplomatic service to Taiwan, Representative Stephen Chen and Mrs. Rosa Chen, will retire from public service and return to Taiwan. They can be duly proud of their many accomplishments. They will be missed by all who were acquainted with them here in Washington, and we send them off to Taiwan with our best wishes and appreciation.●

NATIONAL CHILD'S DAY: A TRIBUTE TO AMERICA'S CHILDREN

● Mr. GRAHAM. Mr. President, I rise today to thank my colleagues for joining me in this recognition of America's children. Last night, our body passed an important resolution, affirming the sacred role of children in our society.

I have often heard the phrase ''every day is children's day.'' Sadly, this is not always the case. There are too many children in America who are hungry, abused, neglected, and abandoned. Despite the best efforts of our parents, our foster parents, and our social services networks, not all children feel that they are loved and valued.

Today, the United States Senate has taken a monumental step towards recognizing the merit and worth of all of our children.

We already give special tribute to the efforts of our mothers and fathers. On both Mother's Day and Father's Day, we honor the hard work and sacrifices which parents make on behalf of their children and families. These are days where we pay homage to our parents, both acknowledging and giving thanks for their contributions to both society and home.

I am pleased that June 4, 2000, will be National Child's Day—a day during which parents and friends alike can affirm the love we share for our children. This will be a day devoted to our youth, reminding children and ourselves of the special, blessed place which they have within both our hearts and our lives.

I would like to give special recognition to those organizations whose tireless efforts greatly aided in the success of this resolution, specifically Ms. Lee Rechter, Executive Director of FOCUS (Friends of Children United Succeed) and Mr. David Levy, Director of the Children's Rights Council.

Mr. President, National Child's Day provides a wonderful opportunity for us to celebrate America's children. But, we must also remember that every day should indeed be children's day. Let our expression of love and appreciation for our youth not be confined to a single day, but be shared with them on June 4th and always.●

50TH ANNIVERSARY OF BISHOP EDWARD PEVEC

● Mr. VOINOVICH. Mr. President, this Sunday, May 28th, the Catholic diocese of Cleveland will observe the 50th anniversary of the ordination of Bishop A. Edward Pevec into the priesthood. I rise today to pay tribute to this wonderful man and to offer my thanks for the spiritual guidance he has given to Catholics throughout the City of Cleveland and northeastern Ohio.

Born in Cleveland, Ohio on April 16, 1925, Bishop Edward Pevec is the oldest of four children born to Anton and Frances Pevec, immigrants from Slovenia. On April 29, 1950, at the age of 25, Edward Pevec was ordained into the priesthood. Over the fifty years since his ordination, Bishop Pevec has served northeastern Ohio in a number of capacities. He has been the Associate Pastor at St. Mary Church in Elyria and at St. Lawrence Church in Cleveland. He has been a teacher, assistant principal/vice rector and principal/rector at Borromeo Seminary High School in Wickliffe and a graduate instructor at St. John College in Cleveland. During his service at Borromeo Seminary High School, Bishop Pevec continued his own education at two well-respected Cleveland institutions, earning a Masters degree from John Carroll University and Ph.D. from Western Reserve University. In 1975, he became pastor of his home parish, St. Vitus Church in Cleveland, and four years later, became the President-Rector of Borromeo College of Ohio. In 1982, Edward Pevec was ordained Auxiliary Bishop of Cleveland by His Holiness, Pope John Paul II.

Over the years, I have personally come to know Bishop Pevec, not only as a devout Christian, but as a man of deep caring for all mankind. I still remember the first time that my wife, Janet, and I saw Bishop Pevec celebrate mass. We were so impressed at the manner in which he conducted himself, that I said to my wife on our way out of the church that there's a priest who ought to be a Bishop! We were both grateful that the Holy Father recognized his good work for the diocese of Cleveland by appointing him Bishop.

Bishop Pevec's warmth and compassion have been felt by many in the City of Cleveland over the past half-century, and I am certain his light shall shine upon us for many years to come. I join all my fellow Cleveland parishioners, and all who have come to know Bishop Pevec in congratulating him on his 50 years of service to the Lord and to his fellow man. He is a true inspiration to us all.●

TOOTSIE FERRELL AND THE DELAWARE SPORTS HALL OF FAME INDUCTEES

● Mr. ROTH. Mr. President, on May 11, eight new members were inducted into the Delaware Sports Hall of Fame. I congratulate all the honorees. They truly deserve to be recognized for their unique, individual contributions to athletics and to the state of Delaware.

The inductees are: Dale Farmer, former executive director of the Delaware Secondary Schools Athletic Association; Robert ''Clyde'' Farmer, a stand-out pitcher in the local fast-pitch softball leagues of the 1940s and 50s; C. Walter Kadel, who coached and taught physical education to Wilmington's children for more than three decades; Ron Luddington, a bronze medal winner in the 1960 Olympics, who now coaches future skating champions at the University of Delaware ice rink; Betty Richardson, who coached championship field hockey teams at Tower Hill High School, and won championships of her own on the golf course; G. Henry White, a star rusher on the gridiron at Cape Henlopen High School and at Colgate University; Matt Zabitka, who has covered sports in the Delaware Valley for nearly half a century; and Howard ''Tootsie'' Ferrell, a Delawarean who played with some of the greatest baseball talent of all-time in the Negro League.

An editorial in The News Journal newspaper called this group ''a very diverse group of honorees—one of the most varied in its history. The Sports Hall of Fame now represents all sorts of sports greats—white people, minorities, women * * *.''

And it is in that spirit that I want to talk about one of those inductees right now.

Howard ''Tootsie'' Ferrell was a pitcher in the Negro League who once barnstormed with Jackie Robinson who went on the break the color barrier, and integrate major league baseball. Ferrell got his start with the Newark Eagles in 1947. For the next two seasons, he played with the Baltimore Elite Giants. Following in the footsteps of the great Jackie Robinson,

Ferrel's contract was purchased by the Brooklyn Dodgers, where he spent 3 seasons in the Dodgers' farm system. A nagging injury cut Ferrell's baseball career short. But the real reason ''Tootsie'' Ferrell never got his chance to play in the majors was because of the prejudice that kept America's pastime segregated for so many years.

It may be hard for younger Americans to imagine a world where the best African-American players were not allowed to play on the same field with the best white players. The first appearance of an official color barrier in baseball came in 1868, when the National Association of Baseball Players voted to bar any club that had nonwhite members. Professional baseball eventually followed suit. Sadly, by the turn of the century there were no black players in organized, professional baseball.

But exclusion from the ''white'' leagues did not stop African-Americans from playing the game of baseball. Instead, they formed teams and leagues of their own. In 1920, an African-American businessman named Rube Foster organized a collection of independent all-black ball clubs into the Negro National League. In 1923, the competing Eastern Colored League was formed. These two leagues operated successfully for years—delighting crowds, showcasing the talent of African-American athletes, and inspiring future generations of baseball players. A new Negro National League was organized in 1933, and the Negro American League was chartered four years later. These leagues thrived until the color barrier was finally shattered by Jackie Robinson. And although all-black teams continued to play for several years, integrated major league baseball eventually put the Negro Leagues out of business.

The history of the white major leagues has been well documented. Unfortunately, the same is not true of the Negro Leagues. While it is easy to look up how many home runs Babe Ruth hit or how many batters the great Walter Johnston struck out, the same cannot be done for Negro League greats like Josh Gibson and Satchel Paige. As time goes by, there are fewer and fewer men left who played ''the other'' game of baseball before the color barrier was broken. That is why it is so important we honor men like ''Tootsie'' Ferrell. He began his baseball career in a league that was separate but unequal. He saw this ugly and unfair color barrier disappear, just as it eventually would in other aspects of American society.

I congratulate Howard ''Tootsie'' Ferrell for his achievement, and I commend the Delaware Sports Hall of Fame for his induction.●

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TRIBUTE TO LIEUTENANT GENERAL RONALD R. BLANCK

● Mr. WARNER. Mr. President, I would like to recognize the exceptionally distinguished service of Lieutenant General Ronald R. Blanck, United States Army, who has distinguished himself as the Army's 39th Surgeon General and Commander, U.S. Army Medical Command General, from 1 October 1996 to 31 August 2000.

In addition to serving as the principal medical staff advisor to the Army Chief of Staff, Lieutenant General Blanck also serves as Commander of the United States Army Medical Command, which administers a 6.6 billion-dollar worldwide-integrated health care system with 46,000 military personnel and 26,000 civilian employees. During his tenure, Lieutenant General Blanck concentrated on three major areas, readiness, quality of healthcare, and innovation, to ensure the provision of comprehensive, quality healthcare to soldiers, retirees, and their family members. Lieutenant General Blanck implemented a new set of combat support training standards; energized the Army's Medical Reengineering Initiative; and organized an array of Special Medical Augmentation Response Teams to provide global, rapid-deployment capabilities for local, state and federal agencies. He provided oversight for the Defense Department Anthrax Vaccine Immunization Program; and established a successful, Army-wide Medical Protection System to track all immunization data. In addition, he established new partnerships with civilian trauma centers to provide appropriate hands-on training and experience for military surgical trauma teams.

Lieutenant General Blanck has been a leader in the development and use of clinical practice guidelines and helped implement the Department of Defense clinical practice guidelines partnership with the Department of Veterans Affairs. As a direct result of his initiatives, Army medical treatment facilities have been accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), with scores consistently above 90, the highest in the history of the Army Medical Department, with three prestigious Army hospitals receiving perfect scores of 100 on their JCAHO surveys during the past year. Lieutenant General Blanck has championed the use of modern technologies by the Department of Defense and the Army Medical Department. He supported an innovative Simulation Center initiative, and promoted the dissemination of information about chemical and biological terrorism. He has also enthusiastically advocated the introduction of new, advanced technologies into patient care, including: (1) the Medical Personal Information Carrier which stores soldiers' medical and personal information, (2) a dry fibrin sealant bandage, developed by Army research in cooperation with the American Red Cross, (3) multiple and extensive uses of telemedicine, (4) new initiatives to speed evacuation of wounded soldiers from the battlefield.

Mr. President, Lieutenant General Blanck is a great credit to the Army and the Nation. Even with all of the extraordinary accomplishments during his thirty-two years of service, General Blanck will be remembered mostly for his great compassion for people, his loyalty to his country and his inspirational leadership.●

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RECOGNITION OF DR. PAT JOHNSON, PRINCIPAL OF KENT ELEMENTARY SCHOOL

● Mr. GORTON. Mr. President, the students at Kent Elementary School have witnessed many innovative changes thanks to the hard work and foresight of their principal, Dr. Pat Johnson. For the last nine years, Dr. Johnson has been called a strong and supportive leader by her colleagues and never ceases to make the mark of excellence high for her staff and students. I applaud Dr. Johnson's work in transforming an at-risk school into one of excellence.

Kent Elementary School serves a low income and highly transient population, yet Dr. Johnson believes in the abilities of all students, preaching her motto that ''Together Everyone Achieves More'' (TEAM). Though many students face challenges both at home and in the classroom, Dr. Johnson uses her positive attitude to inspire her staff toward maintaining an environment that promotes student learning.

One example of Johnson's commitment to enhancing student achievement was by creating a school-wide discipline program. Through this program, discipline problems have dramatically decreased on the playground and in the classroom. Dr. Johnson also believes in reinforcing positive social skills to the children through rewards and student recognition. All of the staff members share in this ''Positive Action'' program, making teamwork a priority for the children.

Dr. JOHNSON has also implemented block scheduling to maximize student learning. In order to better target students' math and reading skills, students attend specifically assigned classes that fit their appropriate learning levels, giving children the opportunity to move to other classrooms as their needs and skill levels improve throughout the year.

Student reading levels have also improved because of Dr. Johnson's Reading Mastery program which focuses on strategies that help students reach academic success. Johnson's impact on her students is also evident in Kent Elementary's 1998 Washington Assessment of Student Learning (WASL) writing scores which were the highest scores in the Kent School District.

Another challenge taken on by Principal Johnson was giving students a sense of stability in their lives by creating a ''multi-age format'' in each classroom. This system allows students to have the same home-room teacher for two years and lowers the student/teacher ratio.

Clearly Dr. Johnson is a tremendous leader who works to enrich her students' lives. She has established many new ways to improve student learning and continues to inspire her staff and students to conquer new challenges. Clearly Dr. Johnson is an influential principal who is making local education in Washington State even stronger.●

AAA OHIO MOTORISTS ASSOCIATION 100TH ANNIVERSARY

● Mr. VOINOVICH, Mr. President, I rise today to recognize the 100th anniversary of the AAA Ohio Motorists Association.

On January 8, 1900, seven prominent Cleveland businessmen with ties to the automotive industry met in a small room in the Old Hollenden House Hotel on Superior Avenue to incorporate an organization that would promote and protect their interests in the growth of the automobile. Their belief in the future of this fledgling industry led to the founding of the Cleveland Automobile Club. Over the years, as cars became more popular, the Club expanded and the name changed, finally becoming the AAA Ohio Motorists Association. But through it all, the successor organization to the first meeting of the Cleveland Automobile Club celebrates not only its 100th anniversary this year, but its stature as the oldest automobile club in the world.

I have often said that the one organization that I listen to in Ohio which represents the motoring public is the American Automobile Association, and I am certain many of my colleagues feel the same way. AAA's service to its members is renowned, and there are many cold and rainy nights where that service is especially appreciated, via AAA's Emergency Road Service. In addition, AAA provides Approved Auto Repair service, AAA Travel Agency and high quality maps and TourBooks. These are some of the services that AAA members have depended upon for generations; services that are possible, in part, because of the many firsts that can be attributed to the association. The Cleveland Automobile Club opened the first travel agency in the State of Ohio; operated the first license bureau in the state; and was the first in the United States to use radios to dispatch emergency road service vehicles. In addition, the Ohio Motorist magazine, which has been published for 92 years, was recently selected as one of the best magazines in Ohio.

Ohio Motorists Association members as well as non-members benefit from the OMA's support of local communities' traffic, bike and pedestrian safety programs, including the Helmet Smart and Community Traffic Safety programs. Also, the Ohio Motorists Association is a leader in the promotion of seat belt safety and courteous, responsible driving.

From those first 7 members in Cleveland 100 years ago, the AAA Ohio Motorist Association has grown to serve over 650,000 members in nine counties today. As they begin another 100 years, I know that the AAA Ohio Motorists Association will continue help stranded motorists, plan trips, and perform the many services that members have come to enjoy.

On behalf of the citizens of Northeast Ohio, I congratulate the AAA Ohio Motorists Association on their centennial and look forward to many more years of service.●

MESSAGES FROM THE HOUSE

At 11:02 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, with amendments in which it requests the concurrence of the Senate.

S. 1402. An act to amend title 38, United States Code, to enhance programs providing education benefits for veterans, and for other purposes.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 371) to facilitate the naturalization of aliens who served with special guerrilla units or irregular forces in Laos.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 297. An act to authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system, and for other purposes.

H.R. 2498. An act to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices.

H.R. 3544. An act 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, and for other purposes.

H.R. 3637. An act to amend the Homeowners Protection Act of 1998 to make certain technical corrections.

H.R. 3639. An act to designate the Federal building located at 2201 C Street, Northwest, in the District of Columbia, currently headquarters for the Department of State, as the ''Harry S. Truman Federal Building.''

H.R. 4392. An act to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 4489. An act to amend section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, and for other purposes.

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

H. Con. Res. 293. Concurrent resolution urging compliance with the Hague Convention on the Civil Aspects of International Child Abduction.

ENROLLED BILL SIGNED

At 12:11 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 371. An act to expedite the naturalization of aliens who served with special guerrilla units in Laos.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 3637. An act to amend the Homeowners Protection Act of 1998 to make certain technical corrections; to the Committee on Banking, Housing, and Urban Affairs.

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 293. Concurrent resolution urging compliance with the Hague Convention on the Civil Aspects of International Child Abduction; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times, and placed on the calendar:

H.R. 297. An act authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system, and for other purposes.

H.R. 2498. An act to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices.

H.R. 4392. An act to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 1291. An act to prohibit the imposition of access charges on Internet service providers, and for other purposes.

H.R. 3591. An act 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.

H.R. 4051. An act to establish a grant program that provides incentives for States to enact mandatory minimum sentences for certain firearms offenses, and for other purposes.

H.R. 4251. An act to amend the North Korea Threat Reduction Act of 1999 to enhance congressional oversight of nuclear transfer to North Korea, and for other purposes.

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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–9079. A communication from 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; OPSAIL 2000, Port of Hampton Roads, VA (CGD05–99–068)'' (RIN2115–AA97) (2000–0019), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9080. A communication from 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; Tall Ships Delaware, Delaware River, Wilmington, DE (CGD05–00–008)'' (RIN2115–AA97) (2000–0018), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9081. A communication from 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; OPSAIL 2000, Port of Baltimore, MD (CGD05–99–097)'' (RIN2115–AA97) (2000–0017), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9082. A communication from 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; Chelsea Street Bridge, Chelsea River, Chelsea, MA (CGD01–00–123)'' (RIN2115–AA97) (2000–0013), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9083. A communication from 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; OPSAIL 2000/International Naval Review (INR2000), Port of New York/New Jersey (CGD01–99–050)'' (RIN2115–AA97) (2000–0020), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9084. A communication from 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; Atlantic Ocean, Virginia Beach, VA (CGD05–00–013)'' (RIN2115–AA97) (2000–0015), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9085. A communication from 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; Port Graham, Cook Inlet, AK (COTP Western Alaska 00–003)'' (RIN2115–AA97) (2000–0014), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9086. A communication from the 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; Upper Mississippi River (CGD08–00–009)'' (RIN2115–AE47) (2000–0028), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9087. A communication from the 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; Upper Mississippi River (CGD08–00–009)'' (RIN2115–AE47) (2000–0028), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9088. A communication from the 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; OPSAIL 2000, Port of San Juan, PR (CGD07–00–014)'' (RIN2115–AE46) (2000–0003), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9089. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Emergency Control Measures for Tank Barges (USCG–1948–4443)'' (RIN2115–AF65) (2000–0001), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9090. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model 717–200 Series Airplanes; Docket No. 2000–NM–99 [5–5/5–18]'' (RIN2120–AA64) (2000–0265), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9091. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas DC–9 Series and Model MD–88 and MD–90–30 Airplanes; Docket No. 97–NM–244 [5–9/5–18]'' (RIN2120–AA64) (2000–0266), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9092. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–8 Series Airplanes; Docket No. 99–NM–338 [5–3/5–18]'' (RIN2120–AA64) (2000–0262), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9093. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD–11 and MD–11F Series Airplanes; Docket No. 99–NM–265 [5–14/5–18]'' (RIN2120–AA64) (2000–0251), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9094. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD–11 Series Airplanes; Docket No. 99—NM–270 [5–14/5–18]'' (RIN2120–AA64) (2000–0250), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9095. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD–11 Series Airplanes; Docket No. 99–NM–269 [5–14/5–18]'' (RIN2120–AA64) (2000–0249), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9096. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99–NM–268 [5-14/5-18]'' (RIN2120-AA64) (2000-0248), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9097. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-266 [5-14/5-18]'' (RIN2120-AA64) (2000-0255), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9098. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD-11 and MD-11F Series Airplanes; Docket No. 99-NM-267 [5-14/5-18]'' (RIN2120-AA64) (2000-0265), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9099. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-264 [5-5/5-18]'' (RIN2120-AA64) (2000-0265), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9100. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-263 [5-14/5-18]'' (RIN2120-AA64) (2000-0252), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9101. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC-8 Series Airplanes; Docket No. 2000-NM-01 [5-2/5-18]'' (RIN2120-AA64) (2000-0261), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9102. A communication from the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on rescissions and deferrals dated May 11, 2000; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committees on Foreign Relations; Appropriations; the Budget; Energy and Natural Resources; Banking, Housing, and Urban Affairs; and Environment and Public Works.

EC–9103. A communication from the Office of Management and Budget, Executive Office of the President transmitting, pursuant to law, a report relative to the appropriation to the National Transportation Safety Board for salaries and expenses for fiscal year 2000; to the Committee on Appropriations.

EC–9104. A communication from the Office of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Authority Relating to Utility Privatization'' (DFARS Case 99-D309), received May 19, 2000; to the Committee on Armed Services.

EC–9105. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–9106. A communication from the Secretary of Defense, transmitting the report of a retirement; to the Committee on Armed Services.

EC–9107. A communication from the Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report relative to the status of the Oxford House Project; to the Committee on Armed Services.

EC–9108. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Canada; to the Committee on Foreign Relations.

EC–9109. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Norway, Ukraine, Russia and the United Kingdom; to the Committee on Foreign Relations.

EC–9110. A communication from the Government Printing Office, transmitting the annual report for fiscal year 1999; to the Committee on Governmental Affairs.

EC–9111. A communication from the Federal Election Commission, transmitting the annual report for calendar year 1999; to the Committee on Rules and Administration.

EC–9112. A communication from the John F. Kennedy Center for the Performing Arts transmitting, pursuant to law, the annual report for fiscal year 1999; to the Committee on Rules and Administration.

EC–9113. A communication from the Assistant Secretary of the Interior, Indian Affairs transmitting, pursuant to law, a report relative to the use and distribution of the settlement funds that are being held in trust for the Menominee Indian Tribe of Wisconsin; to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–524. A concurrent resolution adopted by the Legislature of the State of New Hampshire relative to the collection of certain kinds of information from patients in a home health care setting; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION 20

Whereas, the quality of health care for home health agency patients is highly desired, the health care provided by the home health agency needs to be examined in order to ascertain whether improvements are necessary, and to determine what aspects to improve; and

Whereas, the Balanced Budget Act of 1997 created a new Medicare payment system to improve the existing payment system, and must be in place by October 2000. The Health Care Financing Administration (HCFA) will force home health care agencies to collect and report personal and medical information; and

Whereas, this sensitive personal information will be collected and used, without the consent of the patients, not only to create the new Medicare payment system, but also to improve quality of care, and eliminate fraud; and

Whereas, home health care agencies participating to Medicare and Medicaid are collecting patient information, and data transmission from the states to HCFA has commenced; and

Whereas, the Outcome and Assessment Information Set (OASIS) survey is the 19-page conduit required by HCFA to collect a range of medical and personal questions from more than 9,000 Medicare certified home health care providers to complete in order to assess more than 4,000,000 patients; and

Whereas, patients who receive federal benefits must disclose personal information including physical, mental, and functional information: patients' medical history; living arrangements; sensory status; medications; and emotional status through behavioral and psychological profiles. Home health care patients who do not collect federal benefits must also disclose personal information in a scaled back version of the OASIS survey; and

Whereas, the American Civil Liberties Union (ACLU) asserts that the database will be used to perform outcomes research on home-care patients; and

Whereas, the ACLU is concerned with HCFA's collection of data because it cannot justify overriding the Fourth Amendment of the U.S. Constitution, the requirements of medical ethics, and the federal regulations on research involving human subjects, which asserts that any research using fully identified information requires fully informed consent; and

Whereas, HCFA is unwilling to allow patients to opt out of this data collection system; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That due to HCFA's intrusion of government bureaucracy into private transactions that take place outside of a federal program into personal liberty and privacy, New Hampshire urges Congress to block HCFA's intrusive regulations, and to work to protect the personal liberty and privacy of every American; and

That copies of this resolution, signed by the speaker of the house of representatives and the president of the senate, be forwarded by the house clerk to the Speaker of the United States House of Representatives, to the President of the United States Senate, and to the governor of each state.

POM–525. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to Medicare coverage for immunosuppressive drugs; to the Committee on Finance.

SENATE RESOLUTION NO. 153

Whereas, The medical community has made remarkable advancements in the effectiveness of immunosuppressive drugs that are used to prevent organ rejection in transplant patients. This has contributed to the great strides that have occurred in the field of organ transplantation; and

Whereas, While these drugs are expensive, the quality of life they afford and the more costly health procedures they can avoid make immunosuppressive medicines a worthwhile investment. In many instances, people previously disabled for long periods of time are able to return to work and live a full life as productive citizens; and

Whereas, Under current law, Medicare will provide for immunosuppressive drugs for up to three years following a transplant. It has become apparent to those in the medical community working with patients receiving kidneys, hearts, and livers that this limit puts transplant recipients at risk and is counterproductive. In contrast to the limited coverage for the immunosuppressive drugs, for example, a patient needing kidney dialysis can receive coverage for that procedure indefinitely. Costs for dialysis are significantly higher than for most immunosuppressive regimens. A successful transplant patient is more likely to return to work than many dialysis patients; and

Whereas, Congress is presently considering measures that would extend Medicare coverage for immunosuppressive drugs. This step is a most appropriate response to the needs of transplant patients and a more effective long-term approach to a serious health-care issue; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to remove the time limit for Medicare coverage for immunosuppressive drugs; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–526. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to the responsible use of agricultural biotechnology for the benefit of Hawaii's people; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE CONCURRENT RESOLUTION NO. 37

Whereas, biotechnology refers to any technique that uses living organisms or parts thereof to make or modify a product or plants, animals, or microorganisms for specific uses; and

Whereas, traditional biotechnology, primarily breeding and selection, has been used by humankind for thousands of years for the improvement of plants, animals, and microorganisms; and

Whereas, in the last three decades scientific advances in molecular biology have resulted in what is known as recombinant DNA technology or ''genetic engineering'' with the ability to readily move genetic material between more distantly related organisms; and

Whereas, the key components of modern biotechnology are genomics, the molecular characterization of all genes and gene products of a species; bioinformatics, the assembly of data from genomic analysis into accessible and usable forms; transformation, the introduction of single genes conferring useful traits into plants, livestock, fish, tree species, etc.; the identification and evaluation of useful traits in breeding by the use of marker-assisted selection; diagnostics, the more accurate and quicker identification of disease-causing agents, or pathogens, by using new diagnostic techniques based on the molecular characterization of pathogens; and vaccine technology, the use of modern immunology to develop recombinant DNA vaccines for improved control against lethal diseases; and

Whereas, the papaya industry in Hawaii survived the risks of disease and pest infestations with transgenic seeds made possible from advances in biotechnology; and

Whereas, organisms improved, or ''transformed,'' through modern biotechnology are commonly referred to as ''genetically-modified'' or ''bioengineered organisms''; and

Whereas, modern biotechnology has several advantages over traditional biotechnology including the ability to transfer a single, specific gene providing a useful trait to a target organism, the more rapid development of varieties containing new and desirable traits, the knowledge that a specific gene or set of genes produce a desired trait, and the availability of the entire span of genetic capabilities among all organisms; and

Whereas, modern biotechnology is being used to increase the productivity of crops and livestock, to improve the quality of life by developing new high-yielding crops that require fewer inputs and conserve natural resources, to increase the food supply for a rapidly increasing human population, to produce more nutritious foods with longer shelf lives, and to continue to provide consumers with high-quality, low-cost food products; and

Whereas, it is estimated that in 1999 about 100 million acres worldwide were planted with transgenic varieties of more than 20 crop species and the value of transgenic crops grew from $75 million in 1995 to $1.64 billion in 1998; and

Whereas, the National Research Council has stated that bioengineered crops should provide no greater risk to the environment than those crops using traditional biotechnology; and

Whereas, further advances in modern biotechnology may result in crops, for example, that combat vitamin and mineral deficiencies that afflict hundreds of millions of people worldwide or that can be used to produce life-saving vaccines and biodegradable plastics; and

Whereas, a 1999 report of the Nuffield Council on Bioethics concluded that there is compelling moral imperative to enable emerging economies to evaluate the use of modern biotechnology to combat hunger and poverty; and

Whereas, a September 1999 Gallup Poll found that Americans most familiar with modern biotechnology are also the most supportive of its use to improve our food supply and that more than three-fourths of Americans are confident in the federal government to ensure the safety of the nation's food supply; and

Whereas, federal law requires that all foods and food ingredients, whether produced by traditional or modern biotechnology, must be extensively reviewed for safety by the U.S. Food and Drug Administration and meet the provisions of the Federal Food, Drug, and Cosmetics Act before they can be sold to consumers; now, therefore, be it

Resolved by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, the Senate concurring, supports the responsible use of modern biotechnology to benefit the people of Hawaii, the nation, and the world, and the global environment through high-yield agricultural production requiring the reduced use of farm inputs and acreage; and be it further

Resolved, that a certified copy of this Concurrent Resolution be transmitted to the President of the United States, the Vice President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Hawaii U.S. Congressional Delegation, the Secretary of the United States Department of Agriculture, the Director of the United States Food and Drug Administration, the Administrator of the United States Environmental Protection Agency, the Governor of the State of Hawaii, the Chairperson of the University of Hawaii College of Tropical Agriculture and Human Resources, the American Farm Bureau Federation, the American Crop Protection Association, the Western Crop Protection Association, the Responsible Industry for a Sound Environment, the Grocery Manufacturers of America, the Hawaii Food Industry Association, the Hawaii Food Manufacturers Association, the Hawaii Farm Bureau Federation, the Hawaii Crop Improvement Association, and the Hawaii Agriculture Research Center.

POM–527. A concurrent resolution adopted by the Legislature of the State of Kansas relative to amending the Constitution to restrict the ability of the federal judiciary to mandate any state or subdivision thereof to levy or increase taxes; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 5059

Whereas, Unfunded mandates by the United States Congress and the executive branch of the federal government increasingly strain already tight state government budgets if the states are to comply; and

Whereas, To further compound this assault on state revenues, federal district courts, with the blessing of the United States Supreme Court, continue to order states to levy or increase taxes to supplement their budgets to comply with federal mandates; and

Whereas, The court's actions are an intrusion into a legitimate legislative debate over state spending priorities and not a response to a constitutional directive; and

Whereas, The Constitution of the United States of America does not allow, nor do the states need, judicial intervention requiring tax levies or increases as solutions to potentially serious problems; and

Whereas, This usurpation of legislative authority begins a process that over time could threaten the fundamental concept of separation of powers that is precious to the preservation of the form of our government embodied by the Constitution of the United States of America; and

Whereas, Fifteen states, including Alabama, Alaska, Arizona, Colorado, Delaware, Louisiana, Massachusetts, Michigan, Missouri, Nevada, New York, Oklahoma, South Dakota, Tennessee and Utah, have petitioned the United States Congress to propose an amendment to the Constitution of the United States of America that reads as follows: ''Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision thereof, or and official of such state or political subdivision, to levy or increase taxes.'': Now, therefore, be it

Resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the Kansas Legislature respectfully requests and petitions the Congress of the United States to propose submission to the states for their ratification an amendment to the Constitution of the United States of America to restrict the ability of the United States Supreme Court or any inferior court of the United States to mandate any state or political subdivision of the state to levy or increase taxes; and be it further

Resolved, That the Secretary of State is hereby directed to send enrolled copies of this section to the President of the United States; the President pro tempore of the United States Senate; the Speaker of the United States House of Representatives; each member of the Kansas Congressional Delegation; each member of the United States Supreme Court and the United States Court of Appeals for the 10th Circuit and all federal district court judges for the district of Kansas; and each member of the Kansas Supreme Court and the Kansas Court of Appeals and all Kansas district court judges.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committee were submitted:

By Mr. WARNER for the Committee on Armed Services.

General John A. Gordon, United States Air Force, to be Under Secretary for Nuclear Security, Department of Energy.

(The above nomination was reported with the recommendation that confirmation be subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

The following named officer for appointment in the United States Army as Dean of the Academic Board, United States Military Academy, and for appointment to the grade indicated under title 10, U.S.C., section 4335:

To be brigadier general

Col. Daniel J. Kaufman, 3704

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

To be admiral

Vice Adm. Robert J. Natter, 0422

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

By Mr. MURKOWSKI for the Committee on Energy and Natural Resources.

Mildred Spiewak Dresselhaus, of Massachusetts, to be Director of the Office of Science, Department of Energy.

(The above nomination was reported with the recommendation that she be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

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. KERREY:

S. 2616. A bill for the relief of Luis A. Gonzalez and Virginia Aguilla Gonzalez; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself, Mr. ROBERTS, Mr. DORGAN, Mrs. LINCOLN, and Mr. JEFFORDS):

S. 2617. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Finance.

By Mr. REID:

S. 2618. A bill to direct the Secretary of the Interior to sell certain land to the town of Kingston, Nevada, for use as an emergency medical air evacuation site and for other public uses; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself, Mr. ROBB, and Mr. KENNEDY):

S. 2619. A bill to provide for drug-free prisons; to the Committee on the Judiciary.

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

S. 2620. A bill to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building''; to the Committee on Governmental Affairs.

By Mr. FEINGOLD (for himself, Mr. LEAHY, Mr. L. CHAFEE, Mr. HARKIN, Mr. KOHL, Mrs. BOXER, Mr. DURBIN, Mr. WYDEN, and Mr. KENNEDY):

S. 2621. A bill to continue the current prohibition of military cooperation with the armed forces of the Republic of Indonesia until the President determines and certifies to the Congress that certain conditions are being met; to the Committee on Foreign Relations.

By Mr. ROBERTS (for himself and Ms. SNOWE):

S. 2622. A bill to amend the Internal Revenue Code of 1986 to encourage stronger math and science programs at elementary and secondary schools; to the Committee on Finance.

By Mr. ROBERTS (for himself and Ms. SNOWE):

S. 2623. A bill to amend the Elementary and Secondary Education Act of 1965 to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROBERTS (for himself and Ms. SNOWE):

S. 2624. A bill to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. DODD, Mr. HUTCHINSON, Mr. WELLSTONE, Mr. TORRICELLI, Mr. MURKOWSKI, Mr. DORGAN, Mr. LIEBERMAN, and Mr. MOYNIHAN):

S. 2625. A bill to amend the Public Health Service Act to revise the performance standards and certification process for organ procurement organizations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JEFFORDS:

S. 2626. A bill to amend the Internal Revenue Code of 1986 to improve access to tax-exempt debt for small non-profit health care and educational institutions; to the Committee on Finance.

By Mr. BURNS:

S. 2627. A bill to direct the Secretary of the Interior to provide funding for rehabilitation of the Going-to-the-Sun Road in Glacier National Park, to authorize funds for maintenance of utilities related to the Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MACK:

S. 2628. A bill to suspend temporarily the duty on R115777; to the Committee on Finance.

By Mr. HELMS:

S. 2629. A bill to designate the facility of the United States Postal Service located at 114 Ridge Street in Lenoir, North Carolina, as the ''James T. Broyhill Post Office Building''; to the Committee on Governmental Affairs.

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SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ROTH (for himself, Mr. BIDEN, Mr. LOTT, Mr. HELMS, and Mr. VOINOVICH):

S. Con. Res. 117. A concurrent resolution commending the Republic of Slovenia for its partnership with the United States and NATO, and expressing the sense of Congress that Slovenia's accession to NATO would enhance NATO's security, and for other purposes; to the Committee on Foreign Relations.

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STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAUCUS (for himself, Mr. DORGAN, and Mrs. LINCOLN):

S. 2617. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Finance.

THE TRADE NORMALIZATION WITH CUBA ACT OF 2000

Mr. BAUCUS. Mr. President, I rise today, on behalf of myself and Senators ROBERTS, DORGAN, and LINCOLN, to introduce the Trade Normalization With Cuba Act of 2000.

For 40 years, we have implemented a series of policies designed to end Fidel Castro's leadership of Cuba. The instruments we have used have included a trade embargo, an invasion of Cuba, assassination attempts, and multilateral pressures. None of these measures has moved Cuba any closer to democracy and a market economy. In fact, the result has been just the opposite. Castro is as entrenched as ever. The economy is in tatters. The Cuban people are suffering.

For four decades, Castro has suppressed his own citizens. He has been responsible for the imprisonment and mistreatment of thousands, and the emigration of hundreds of thousands. He has dispatched Cuban troops around the world to support revolution.

During the Cold War, Cuba was an integral member of the Soviet bloc. Castro was an eager and active participant in the proxy battles fought between the United States and the Soviet Union throughout Africa, Asia, and Latin America.

The Cold War has been over for a decade. The embargo, which had the goal of forcing Castro out of power, has failed totally. And it will continue to have no impact on the longevity of Castro's rule.

What has the embargo and American policy actually done? It has certainly done nothing to advance liberty and democracy for the Cuban people. And there are no prospects that it will.

What has the embargo done? First, it prohibits all trade with Cuba. It does include an exception for the sale of food and medicine. However, the requirements are so complex and burdensome on U.S. suppliers that very little food or medicine has been exported to Cuba. We hurt the Cuban people. We hurt American business, American farmers, and American workers. And we have had no impact on the regime.

We have succeeded in alienating virtually all potential allies who would be willing to work with us in developing a realistic policy to influence change in Cuba—the nations of the European Union, Canada, the Organization of American States, the United Nations, even the Pope.

Another accomplishment of our policy of our trade embargo, we now have a law, the Cuban Liberty and Democratic Solidarity Act, that prohibits lifting the embargo until there is a transition government in Cuba that does not include Castro. This is an ''all or nothing policy'' that cannot work in the real world.

Unilateral trade sanctions don't work. This is as true with Cuba as it has been with China, Myanmar, Iraq, or North Korea. In some cases, it hurts the people in those countries. And it hurts Americans, our farmers, ranchers, workers, and businesses.

Forty years of sanctions have accomplished nothing in Cuba. It is time for the Congress to recognize that. I fully support the efforts being made again this year in both the Senate and the House to remove the unilateral restraints we have put on our export of food and medicine to a number of countries, including Cuba. This bill is not a substitute for those efforts. Rather, this bill is directed only toward Cuba, and goes far beyond liberalization of food and medicine exports.

Thomas Jefferson said ''Enlighten the people generally, and tyranny and oppressions of body and mind will vanish like evil spirits at the dawn of the day.'' Current US policy turns Jefferson's statement on its head. Our effort to isolate Cuba through the trade embargo and other policies has failed to bring human rights improvement, has provided a pretext for Castro's continued repression, makes the United States the scapegoat for Castro's failed economic policies, and hurts the Cuban people.

It is time to put together a responsible strategy to improve the human condition in Cuba and set the stage for increased freedom and respect for human rights once Fidel Castro leaves the scene.

Obviously, Cuba will not change overnight with the removal of the trade embargo. But this bill is a first step down the road to a peaceful transition to a democratic society and a market economy in Cuba.

Before I conclude, I want to recognize my friend, Congressman Charles Rangel, who has been a leader in trying to end the embargo and move toward normalization of relations with Cuba. I look forward to working closely with him to make this happen.

I urge my Senate colleagues to support our effort.

By Mr. REID:

S. 2618. A bill to direct the Secretary of the Interior to sell certain land to the town of Kingston, Nevada, for use as an emergency medical air evacuation site and other public uses; to the Committee on Energy and Natural Resources.

EMERGENCY LANDING STRIP CONVEYANCE

Mr. REID. Mr. President, I rise today to introduce the Town of Kingston Emergency Landing Strip Conveyance Act.

The Town of Kingston, Nevada, currently uses federal land as an emergency landing strip at Kingston in southern Lander County, Nevada. Kingston is a rural town located on a small island of private land in the center of the state and is surrounded by both United States Forest Service and Bureau of Land Management (BLM) public lands. The isolation constrains the growth, economic diversity, and public services available to those who live in or visit Kingston. Medic Air of Reno has an agreement with local Fire and Rescue to provide 24-hour emergency medical service to this landing strip. BLM has extended the existing airport lease to the Kingston Town

Board until September 30, 2000, but cannot renew the lease because the strip does not meet FAA standards.

This Act will convey a total of 144.88 acres to the Town of Kingston. Seventy acres will be conveyed at fair market value and 74.88 acres at no cost. The 70 acres contains the main landing strip. The 74.88 acres contains the balance of the approach and the disposal of this land for no consideration will benefit the United States by disposing of an isolated, segregated parcel that would be difficult to manage for public use. It is my sincere hope that Congress will pass this bill thereby allowing a win-win situation for both the United States and Kingston, Nevada.

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

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

S. 2618

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE.

(a) FINDINGS.—Congress finds that—

(1) the lease by the Secretary of the Interior of certain land to the town of Kingston, Nevada, for use as an emergency airstrip is about to expire;

(2) rather than renew the airport lease (which would require certification by the Federal Aviation Administration), the Secretary and the Town desire that the parcel on which the main landing strip is situated be sold to the Town for fair market value as determined by the Secretary;

(3) adjacent to that parcel is other land, most of which, if the airstrip parcel is sold to the Town, would be isolated from other land administered by the Secretary and would therefore be difficult for the Secretary to manage;

(4) it would in the best interests of the United States and the Town for the Secretary to convey to the Town both the airstrip parcel and the adjacent parcel, at the fair market value of the airstrip parcel; and

(5) the parcels have been determined to be suitable for disposal in the Shoshone-Eureka Resource Management Plan and Environmental Impact Statement.

(b) DEFINITIONS.—In this section:

(1) ADJACENT PARCEL.—The term ''adjacent parcel'' means the parcels of land in the State of Nevada, comprising 74.88 acres, described as Mount Diablo Meridian, T16N, R44E, section 31, lot 4, E1/2NESE, S1/2SWNESE, S1/2S1/2NWSE.

(2) AIRSTRIP PARCEL.—The term ''airstrip parcel'' means the parcel of land, with a landing strip running on an easterly bearing and a portion of a landing strip running on a southerly bearing, in the State of Nevada, comprising 70.00 acres, described as Mount Diablo Meridian, T16N, R44E, section 31, N1/2SESW, N1/2SWSE, N1/2SESE, SESESE.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(4) TOWN.—The term ''Town'' means the town of Kingston, Nevada.

(c) CONVEYANCE.—In consideration of payment of the fair market value of the airstrip parcel, the Secretary of the Interior shall convey to the Town, subject to valid existing rights, all right, title, and interest of the United States in and to the airstrip parcel and the adjacent parcel, totaling 144.88 acres.

(d) NO RESERVATIONS.—The patent by which the conveyance under subsection (c) is made shall contain no reservations.

(e) LEASE EXTENSION.—If for any reason the conveyance under subsection (c) is not completed before September 30, 2000, the term of the airport lease, as in effect on the date of enactment of this Act, shall be considered to be extended until the date of the conveyance.

By Mr. LEAHY (for himself, Mr. ROBB, and Mr. KENNEDY):

S. 2619. A bill to provide for drug-free prisons; to the Committee on the Judiciary.

THE DRUG-FREE PRISONS ACT OF 2000

Mr LEAHY. Mr. President, today I am introducing legislation—with Senators ROBB and KENNEDY—that will provide state and local governments additional tools to fight drug use in our nation's prisons. It is critical that our prisons be drug-free, both because lawbreaking within our correctional system is a national embarrassment, and because prisoners who are released while still addicted to drugs are far more likely to commit future crimes than prisoners who are released sober. This bill includes numerous provisions that will provide needed help to address drug abuse in prisons throughout the country.

The bill establishes a new grant program that authorizes the Attorney General to make $75 million a year in grants to state and local governments to support comprehensive drug testing and treatment for prisoners and other offenders. It would also permit states that currently receive money under the Violent Offender Incarceration and Truth in Sentencing Grant Program (VOI/TIS) to use those funds to pay for drug testing and treatment, so long as the state receiving the funds has penalties in place to address drug trafficking in prisons. In addition, the bill would reauthorize appropriations for the Residential Substance Abuse for State Prisoners (RSAT) grants program for the next five years, and establish exemptions to the general four-year time limit on Byrne grants for state and local law enforcement programs involving drugs.

The bill also re-establishes the drug courts program and re-authorizes funding for it. The majority repealed the program in the Omnibus Consolidated Rescissions and Appropriations Act of 1996, in a partisan bashing of Democratic programs. In my view, effective programs dealing with drug abuse should not be used as political footballs. That is why the Administration, with the strong support of the Department of Justice, has continued to seek funding for the program, and why the Congress has continued to fund drug courts in every year's appropriations acts. This has been the right decision, and we should undo the repeal.

Drug courts provide the opportunity to deal systematically with nonviolent drug offenders at a substantial savings to taxpayers. Instead of jailing these nonviolent offenders, the courts can order alternative punishments that are mixed with mandatory testing and drug treatment and human services such as education or vocational training. Meanwhile, imprisonment is held out as a stick to ensure good behavior. To qualify for federal assistance, a drug court program must mandate periodic drug testing during any supervised release or probation periods, provide drug abuse treatment for each participant, and must hold out the possibility of prosecution, confinement, or incarceration for noncompliance or failure to show satisfactory process. Violent offenders are defined quite broadly, so we can be confident that we are not funding programs that put dangerous people back on the streets. Drug courts hold out the promise of providing a way that we can reach out to younger offenders who are using drugs before they turn to a life of crime, helping to save lives and significant government resources.

The bill permits state and local governments to spend up to 25 percent of unexpended VOT/TIS grants from fiscal years 1996–2001 to implement graduated sanctions, including victim and community restitution, intensive community supervision, regular drug testing, and short-term incarceration. Such graduated sanctions initiatives would free up additional prison space for violent offenders, and States would have to use this program for that purpose. Indeed, the purpose of this proposal is to ensure that States have sufficient flexibility to guarantee that violent criminals serve their full sentences, the goal of the Truth in Sentencing grants.

Drug abuse in prisons is a serious problem. The National Center on Addiction and Substance Abuse at Columbia University (CASA) recently found that drug and alcohol abuse was implicated in the crimes and incarceration of 80 percent of those currently serving time in America's prisons. This finding shows that we have a prison population that has a history of substance abuse, and will seek out opportunities to continue using drugs while imprisoned. Of course, if prisoners are using drugs in prison, this will create serious behavioral and other problems that corrections officers will have to address, at no small risk to them.

The problem does not end there. The same CASA study shows that inmates who are illegal drug and/or alcohol abusers are the most likely to be repeat offenders. In fact, the study concluded that 61 percent of state prison inmates who have two prior convictions are regular drug users. The strong link between drug use and recidivism cannot be ignored. Prison should provide an opportunity for us to break this cycle and therefore reduce crime. We can do this through a concerted effort to test prisoners for drug

use—and penalize those who test positive—and provide adequate drug treatment so that prisoners can lead productive, non-criminal lives upon their release. As Joseph Califano, former Secretary of the Department of Health, Education, and Welfare and current president of CASA, recently said: ''Releasing drug-addicted inmates without treatment helps maintain the market for illegal drugs and supports drug dealers.'' And there is every indication that the number of prisoners needing drug treatment is increasing even faster than the prison population as a whole. According to CASA, from 1993 to 1996, the number of inmates needing substance abuse treatment rose from 688,000 to 840,000. There is no reason to believe the problem has abated.

Indeed, just last December, the National League of Cities adopted a resolution on the importance of drug testing and treatment in prisons. The League cited studies showing that among inmates who completed drug abuse treatment programs, only 3.3 percent were rearrested within the first six months after release, compared to 12.1 percent of inmates who did not receive treatment.

It is clear that if we do not take steps to stop the revolving doors of our nation's prison system, we will continually be forced to spend more and more public money to construct more and more prisons. To avoid that result, we need to determine through testing which inmates are addicted to drugs and alcohol, reduce the availability of drugs in prisons, and ensure that inmates have access to the treatment they need while incarcerated.

Some have advocated that every prisoner be tested before being released, a proposal that, to my knowledge, no State has adopted. As law enforcement officials in our States know, such testing would be extraordinarily expensive and unnecessarily broad. The better and more realistic approach is to provide resources that will enhance States' ability to do targeted testing, allowing corrections officers to use their judgment as to which prisoners are most likely to be abusing drugs while providing a deterrent effect for prisoners generally. That is the approach of this legislation I introduce today.

I realize some of my colleagues may be concerned about funds originally designated for prison construction costs being used for drug testing and treatment. Let me assure you that states will retain complete flexibility under this bill as to how they allocate their Truth in Sentencing and Violent Offender Incarceration grant funds. But a powerful case can be made that it is in the fiscal interests of the States to take advantage of the opportunity this bill offers. According to the CASA study, it would cost States about $6,500 per year to provide comprehensive and effective residential drug treatment services to an inmate. In return, the study shows that society will see an economic return of $68,800 for each inmate who successfully completes such a program and returns to the community sober and with a job. This figure represents the savings in the first year based on the much lower likelihood that the former inmate will be arrested, prosecuted, or incarcerated, and includes health care savings and the potential earnings of a drug-free individual.

Funding both testing and treatment allows us to take a carrot-and-stick approach to a persistent national problem. We cannot hope to get a handle on our drug problem so long as drug abuse and drug trafficking persist in our prisons. We cannot afford the false choice between treatment and testing; both are needed to keep order in our prisons and safety in our streets.

This view is confirmed by the people who work with these issues every day in my State of Vermont. For example, James Walton, Vermont's Commissioner of Public Safety, and John Perry, the Director of Planning for the Vermont Department of Corrections, wholeheartedly support this proposal. I have always valued their counsel, as they have first-hand knowledge of the real law enforcement needs in my state. They both feel strongly that the bill will give law enforcement the tools it needs to test and treat offender populations, both in jail and in the community. I hope and expect that this bill will have the same effect across the country.

For that reason and all of the above reasons, I urge the Senate to take prompt action on this bill and support this effort to make our prisons drug-free.

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

S. 2620. A bill to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building''; to the Committee on Governmental Affairs.

BARBARA F. VUCANOVICH POST OFFICE BUILDING

Mr. REID. Mr. President, I rise today to introduce the Barbara F. Vucanovich Post Office Building Naming Act.

As many of my colleagues know, Congresswoman Barbara Vucanovich was the first female elected to represent the State of Nevada in Congress. She was first elected in 1983 and retired in 1996, after serving in the House of Representatives for 14 years. In her final year, she was an influential member of the House Appropriations Committee and the Chairwoman of the Subcommittee on Military Construction. Barbara and I came to the House together as a result of the 1982 election. We both represented all of Nevada; not solely Congressional Districts. Barbara was a fine member of Congress. I miss her.

Mr. President, it gives me pleasure to introduce this bill to commemorate Barbara Vucanovich's exemplary service to the State of Nevada and the United States of America by renaming the main post office in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building.'' Representatives GIBBONS and BERKLEY introduced identical legislation in the House on April 4, 2000. Nevada Governor Kenny Guinn and former Senator Paul Laxalt join Nevada's congressional delegation in thanking Barbara Vucanovich for her dedicated public service.

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

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

S. 2620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF BARBARA F. VUCANOVICH POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, shall be known and designated as the ''Barbara F. Vucanovich Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Barbara F. Vucanovich Post Office Building''.

By Mr. FEINGOLD (for himself, Mr. LEAHY, Mr. L. CHAFEE, Mr. HARKIN, Mr. KOHL, Mrs. BOXER, Mr. DURBIN, Mr. WYDEN, and Mr. KENNEDY):

S. 2621. A bill to continue the current prohibition of military cooperation with the armed forces of the Republic of Indonesia until the President determines and certifies to the Congress that certain conditions are being met; to the Committee on Foreign Relations.

EAST TIMOR REPATRIATION AND SECURITY ACT OF 2000

Mr. FEINGOLD. Mr. President, I rise today to keep a promise that I made on this floor a few months ago.

In January, I came to the floor to talk about the tragic events that occurred last fall in East Timor. I spoke about the need to encourage the new Indonesian government in its commitment to reform and its resolve to reject the climate of impunity. I withdrew an amendment that would have codified the administration's suspension on military and security assistance for Indonesia East Timor, although I believed then and strongly believe today that Indonesia has not yet met the basic conditions that should be prerequisites for any restoration of military ties with Indonesia.

At that time, Mr. President, I pledged to continue to monitor events in Indonesia and in East Timor closely. And I pledged to come to this floor if what I saw troubled me.

Let me tell you what I see today.

First, I am sorry to say, Mr. President, there have been no trials yet. No one has been brought to justice for the atrocities committed in East Timor

last year. I recognize that the Indonesian government has taken some courageous steps in investigating the atrocities that took place in East Timor, and I commend the Indonesian government for its efforts to date. The Indonesian government and the U.N. have succeeded in signing an agreement to exchange witnesses and evidence that could lead to the prosecution of those responsible for the violence in East Timor. A number of dedicated individuals within the new government continue to work courageously for reform, justice, and accountability. But I note, that obervers have been disturbed by the number of civilian and military police officers that the government has appointed to the team charged with investigating human rights abuses in East Timor. And the simple fact remains—no one has yet been held accountable in a court of law for the acts committed by the military and militias in East Timor last year.

A second concern is there has been no change in the situation in West Timor. Today, half a year after the referendum, some 100,000 people are still living in the refugee camps of West Timor, afraid of what will happen to them should they attempt to return home. Some will likely choose to stay in Indonesia, but all reports from the area indicate that many want to return home but do not because of continued intimidation from militia groups.

Within the refugee camps, since January there have been about a dozen incidents in which international agencies attempting to deliver aid to the refugees were attacked. According to recent reports, one militia group is so well-organized that it prints a newsletter of fabricated horror stories aimed at dissuading refugees from returning to East Timor.

This week the plight of these refugees—at this point the most vulnerable of the original masses—was made even more difficult as they contend with the heavy rains and floods that have already killed at least 148 people. Over a hundred are still missing. When the flood waters recede, these people should have every opportunity to put their lives back together, free from threats and from fear.

I look at these facts and I consider that the administration has chosen to take a first step toward lifting its suspension on all forms of military assistance and contacts by inviting the Indonesians to particiapte in a joint exercise, and I am indeed troubled.

Today I am introducing a bill, the East Timor Repatriation and Security Act of 2000. The bill codifies the suspension of military and security assistance to Indonesia until certain conditions are met—the same conditions that have been articulated in the past; the same conditions contained in last year's foreign operations appropriations bill.

The bill would permit military and security assistance to resume only when the President determines and submits a report to the appropriate congressional committees that the Government of Indonesia and the Indonesian Armed Forces are:

Taking effective measures to bring to justice members of the armed forces and militia groups against whom there is credible evidence of human rights violations;

Taking effective measures to bring to justice members of the armed forces against whom there is credible evidence of aiding or abetting militia groups;

Allowing displaced persons and refugees to return home to East Timor, including providing safe passage for refugees returning from West Timor;

Not impeding the activities of the United Nations Transitional Authority in East Timor;

Demonstrating a commitment to preventing incursions into East Timor by members of militia groups in West Timor; and,

Demonstrating a commitment to accountability by cooperating with investigations and prosecutions of members of the Indonesian Armed Forces and military groups responsible for human rights violations in Indonesia and East Timor.

These certainly are not unreasonable conditions. They work in favor of the forces of reform within Indonesia. And by linking military and security assistance to these benchmarks, Congress will ensure that the U.S. relationship with Jakarta avoids the mistakes of the past, and that U.S. foreign policy comes closer to reflecting our core national values.

To those who believe that all is well, to those who would prefer to forgive and forget, to those who think that the issue is yesterday's news, I would simply reiterate the simple facts. There have been no trials for the perpetrators of abuses in East Timor, and the situation in the refugee camps has remained unacceptable. Quite recently, Admiral Dennis Blair, commander in chief of U.S. forces in the Pacific, reaffirmed what Secretary of Defense Cohen articulated last year—the U.S. will not resume a military relationship with Indonesia until the military personnel responsible for the devastation in East Timor are brought to justice, and the U.S. will not resume a military relationship with Indonesia until the refugee crisis in West Timor has been resolved. Specifically, Admiral Blair called on the Indonesians to disband and cut off support to the militia members still terrorizing the refugees. It is critical that the U.S. insist on nothing less. In fact, we should insist on more—the militia members guilty of atrocities should be brought to justice.

It is clear that these conditions have not yet been met. But the administration's new proposals for joint exercises with the Indonesians undermine Admiral Blair's words. The substance of the exercise currently being planned does not necessarily trouble me, but its significance does. The administration looks as if it suffers from a lack of resolve and from a wavering sense of commitment.

Indonesia is an extraordinarily important country—strategically and economically. Its future course will undoubtedly affect the United States. For this very reason, we must stand firm, and insist upon rebuilding U.S.-Indonesian ties on the firm foundation of respect for the rule of law and for basic human rights.

It is because I believe this so strongly—and I know that many of my colleagues share my views—that I have come back to the floor to raise this issue again. I am keeping my promise. I am watching the situation in East and West Timor very closely, and I still do not like what I see.

By Mr. ROBERTS (for himself and Ms. SNOWE):

S. 2622. A bill to amend the Internal Revenue Code of 1986 to encourage stronger math and science programs at elementary and secondary schools; to the Committee on Finance.

THE NATIONAL SCIENCE EDUCATION INCENTIVE ACT OF 2000

S. 2623. A bill to amend the Elementary and Secondary Education Act of 1965 to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

THE NATIONAL SCIENCE EDUCATION ENHANCEMENT ACT

S. 2624. A bill to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

THE NATIONAL SCIENCE EDUCATION ACT

Mr. ROBERTS. Mr. President, I rise today to introduce sweeping legislation to reform and improve math, science, engineering and technology education in American schools.

The fields of science, math, engineering and technology are critical to U.S. economic success. Unfortunately, there is growing concern that we do not measure up as evidenced by studies that show our students cannot compete internationally. In fact, over half of students in our esteemed graduate schools are from other countries. Our economic future depends on science and we must ensure that our schools are preparing students for the technological jobs that await them.

So many aspects of our national success depends on our technological savvy. For instance, our strong economy has certainly prospered because of technology advances. The economic boom, witnessed by average consumers and Wall Street analysts alike, has high stakes in our continued technology success. Meanwhile, our workforce is increasingly staffed by people from other countries. Later this year, Congress will be asked to again raise

the quota of H–1B visas. While these workers are key to our economic success, we must address this problem and grow our own high-tech labor force. Moreover, we cannot forget how adversely our national security could fare if our country were to fall behind in technological pursuits. A key piece of our national security is at stake—the strength of our military is built upon our technological superiority.

There is a fundamental need for this legislation. I have introduced the following three bills to help improve the quality of science and technology teachers and curriculum through incentives and better training:

The National Science Education Act. These provisions, utilizing the National Science Foundation, set up Science Master Teachers and offer grants to place one in every elementary school.

The National Science Education Enhancement Act. Recognizing that we must keep good teachers and help them grow in their career, this bill uses the Elementary and Secondary Education Act to set up Science Teacher Mentors and Summer Professional Development Institutes. It also expands the Eisenhower National clearinghouse to provide that this information be available on the Internet.

The National Science Education Incentive Act. This bill provides tax credits to help teachers with up to $10,000 of tuition and encourage the private sector education contributions such as computers, technology service, teacher training and teacher externships.

My legislation is mirrored in the House of Representatives with bills by Representative VERNON EHLERS, the vice chairman of the House Science Committee and author of ''Unlocking Our Future: Toward a New National Science Policy.'' Furthermore, I am pleased to have the support and able assistance of the Senior Senator from Maine, Senator OLYMPIA J. SNOWE in joining me to introduce this bill.

Mr. President, I strongly encourage my colleagues to join me in support of this effort to reform and improve math, science, engineering and technology education in American schools. I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 2622

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Science Education Incentive Act of 2000''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) As concluded in the report of the Committee on Science of the House of Representatives, ''Unlocking Our Future Toward a New National Science Policy,'' which was adopted by the House of Representatives, the United States must maintain and improve its preeminent position in science and technology in order to advance human understanding of the universe and all it contains, and to improve the lives, health, and freedoms of all people.

(2) It is estimated that more than half of the economic growth of the United States today results directly from research and development in science and technology. The most fundamental research is responsible for investigating our perceived universe, to extend our observations to the outer limits of what our minds and methods can achieve, and to seek answers to questions that have never been asked before. Applied research continues the process by applying the answers from basic science to the problems faced by individuals, organizations, and governments in the everyday activities that make our lives more livable. The scientific-technological sector of our economy, which has driven our recent economic boom and led the United States to the longest period of prosperity in history, is fueled by the work and discoveries of the scientific community.

(3) The effectiveness of the United States in maintaining this economic growth will be largely determined by the intellectual capital of the United States. Education is critical to developing this resource.

(4) The education program of the United States needs to provide for 3 different kinds of intellectual capital. First, it needs scientists and engineers to continue the research and development that is central to the economic growth of the United States. Second, it needs technologically proficient workers who are comfortable and capable dealing with the demands of a science-based, high-technology workplace. Last, it needs scientifically literate voters and consumers to make intelligent decisions about public policy.

(5) Student performance on the recent Third International Math and Science Study highlights the shortcomings of current K–12 science and mathematics education in the United States, particularly when compared to other countries. We must expect more from our Nation's educators and students if we are to build on the accomplishments of previous generations. New methods of teaching mathematics and science are required, as well as better curricula and improved training of teachers.

(6) Science is more than a collection of facts, theories, and results. It is a process of inquiry built upon observations and data that leads to a way of knowing and explaining in logically derived concepts and theories.

(7) Students should learn science primarily by doing science. Science education ought to reflect the scientific process and be object-oriented, experiment-centered, and concept-based.

(8) Children are naturally curious and inquisitive. To successfully tap into these innate qualities, education in science must begin at an early age and continue throughout the entire school experience.

(9) Teachers provide the essential connection between students and the content they are learning. High-quality prospective teachers need to be identified and recruited by presenting to them a career that is respected by their peers, is financially and intellectually rewarding, and contains sufficient opportunities for advancement.

(10) Teachers need to have incentives to remain in the classroom and improve their practice, and training of teachers is essential if the results are to be good. Teachers need to be knowledgeable of their content area, of their curriculum, of up-to-date research in teaching and learning, and of techniques that can be used to connect that information to their students in their classroom.

SEC. 3. REFUNDABLE CREDIT FOR PORTION OF TUITION PAID FOR UNDERGRADUATE EDUCATION OF CERTAIN TEACHERS.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by redesignating section 35 as section 36 and by inserting after section 34 the following new section:

''SEC. 35. TUITION FOR UNDERGRADUATE EDUCATION OF CERTAIN TEACHERS.

''(a) IN GENERAL.—In the case of an individual who is an eligible teacher for the taxable year, there shall be allowed as a credit against the tax imposed by this subtitle an amount equal to 10 percent of qualified undergraduate tuition paid by such individual.

''(b) LIMITATIONS.—

''(1) DOLLAR AMOUNT.—The credit allowed by this section for any taxable year shall not exceed $1,000.

''(2) CREDIT ALLOWED ONLY FOR 10 YEARS.—No credit shall be allowed under this section for any taxable year after the 10th taxable year for which credit is allowed under this section.

''(c) ELIGIBLE TEACHER.—For purposes of this section—

''(1) IN GENERAL.—The term 'eligible teacher' means, with respect to a taxable year, any individual—

''(A) who is a full-time teacher, including a full-time substitute teacher, in any of grades kindergarten through 12th grade for the academic year ending in such taxable year,

''(B)(i) who teaches primarily math, science, engineering, or technology courses in 1 or more of grades 9 through 12 during such academic year, or

''(ii) who teaches math, science, engineering, or technology courses in 1 or more of grades kindergarten through 8 during such academic year.

''(C) who completed a 5-year teaching training program which meets the requirements of paragraph (3), and

''(D) who received a baccalaureate or similar degree with a major in mathematics, science, engineering, or technology from a qualified educational institution.

''(2) SPECIAL RULE FOR ADMINISTRATIVE PERSONNEL.—School administrative functions shall be treated as teaching courses referred to in paragraph (1)(B) if such functions primarily relate to such courses or are for a school which focuses primarily on such courses.

''(3) 5-YEAR TEACHER TRAINING PROGRAM.—For purposes of paragraph (1)(C)—

''(A) ELEMENTARY SCHOOL TEACHERS.—In the case of an elementary school teacher, a teacher training program meets the requirements of this paragraph if—

''(i) the program requires, in addition to education courses, that the student complete courses in physics, chemistry, and biology, and

''(ii) the program recommends completion of an earth science.

''(B) MIDDLE AND HIGH SCHOOL TEACHERS.—In the case of a middle or high school teacher, a teacher training program meets the requirements of this paragraph if the program requires, in addition to education courses, that the student also major in a science referred to in subparagraph (A) and that the student also complete introductory courses in 2 other sciences referred to in subparagraph (A).

''(4) QUALIFIED EDUCATIONAL INSTITUTION.—The term 'qualified educational institution' means any eligible educational institution (as defined in section 25A(f)(2)) if—

''(A) more than 80 percent of such institution's graduates who apply for certification by any State as a teacher are so certified, and

''(B) such institution's school of education (or equivalent unit) has an advisory committee—

''(i) which includes (on a rotating basis or otherwise) practicing mathematicians and scientists and representatives from several of the appropriate science, mathematics, engineering, and technology departments of such institution, and

''(ii) which publishes annually a report detailing curricula reforms for such school (or unit) designed to align teacher training curricula with State requirements and expectations.

''(d) QUALIFIED UNDERGRADUATE TUITION.—For purposes of this section, the term 'qualified undergraduate tuition' means qualified higher education expenses (as defined in section 529(e)(3)) for a qualified educational institution, reduced as provided in section 25A(g)(2) and by any credit allowed by section 25A with respect to such expenses.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as may be appropriate to carry out the purposes of this section.''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting before the period '', or from section 35 of such Code''.

(2) The table of sections for subpart C of part IV of subchapter A of chapter 1 of such Code is amended by striking the last item and inserting the following new items:

''Sec. 35. Tuition for undergraduate education of certain teachers.

''Sec. 36. Overpayments of tax.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act; except that only periods of being an eligible teacher (as defined in section 35(c) of the Internal Revenue Code of 1986, as added by this section) after such date shall be taken into account under section 35(b)(2) of such Code, as so added.

SEC. 4. CREDITS FOR CERTAIN CONTRIBUTIONS BENEFITING SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY EDUCATION AT THE ELEMENTARY AND SECONDARY SCHOOL LEVEL.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business related credits) is amended by adding at the end the following new section:

''SEC. 45D. CONTRIBUTIONS BENEFITING SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY EDUCATION AT THE ELEMENTARY AND SECONDARY SCHOOL LEVEL.

''(a) IN GENERAL.—For purposes of section 38, the elementary and secondary science, mathematics, engineering, and technology (SMET) contributions credit determined under this section for the taxable year is an amount equal to 100 percent of the qualified SMET contributions of the taxpayer for such taxable year.

''(b) QUALIFIED SMET CONTRIBUTIONS.—For purposes of this section, the term 'qualified SMET contributions' means—

''(1) SMET school contributions,

''(2) SMET teacher externship expenses, and

''(3) SMET teacher training expenses.

''(c) SMET SCHOOL CONTRIBUTIONS.—For purposes of this section—

''(1) IN GENERAL.—The term 'SMET school contributions' means—

''(A) SMET property contributions, and

''(B) SMET service contributions.

''(2) SMET PROPERTY CONTRIBUTIONS.—The term 'SMET property contributions' means the amount which would (but for subsection (f)) be allowed as a deduction under section 170 for a charitable contribution of SMET inventory property if—

''(A) the donee is an elementary or secondary school described in section 170(b)(1)(A)(ii),

''(B) substantially all of the use of the property by the donee is within the United States for educational purposes in any of the grades K–12 that are related to the purpose or function of the donee,

''(C) the original use of the property begins with the donee,

''(D) the property will fit productively into the donee's education plan,

''(E) the property is not transferred by the donee in exchange for money, other property, or services, except for shipping, installation and transfer costs, and

''(F) the donee's use and disposition of the property will be in accordance with the provisions of subparagraphs (B) and (E).

The determination of the amount of deduction under section 170 for purposes of this paragraph shall be made as if the limitation under section 170(e)(3)(B) applied to all SMET inventory property.

''(3) SMET SERVICE CONTRIBUTIONS.—The term 'SMET service contributions' means the amount paid or incurred during the taxable year for SMET services provided in the United States for the exclusive benefit of students at an elementary or secondary school described in section 170(b)(1)(A)(ii) but only if—

''(A) the taxpayer is engaged in the trade or business of providing such services on a commercial basis, and

''(B) no charge is imposed for providing such services.

''(4) SMET INVENTORY PROPERTY.—The term 'SMET inventory property' means, with respect to any contribution to a school, any property—

''(A) which is described in paragraph (1) or (2) of section 1221(a) with respect to the donor, and

''(B) which is determined by the school to be needed by the school in providing education in grades K–12 in the areas of science, mathematics, engineering, or technology.

''(5) SMET SERVICES.—The term 'SMET services' means, with respect to any contribution to a school, any service determined by the school to be needed by the school in providing education in grades K–12 in the areas of science, mathematics, engineering, or technology, including teaching courses of instruction at such school in any such area.

''(d) SMET TEACHER EXTERNSHIP EXPENSES.—For purposes of this section—

''(1) IN GENERAL.—The term 'SMET teacher externship expenses' means any amount paid or incurred to carry out a SMET externship program of the taxpayer but only to the extent that such amount is attributable to the participation in such program of any eligible SMET teacher, including amounts paid to such a teacher as a stipend while participating in such program.

''(2) SMET EXTERNSHIP PROGRAM.—The term 'SMET externship program' means any program—

''(A) established by a taxpayer engaged in a trade or business within an area of science, mathematics, engineering, or technology, and

''(B) under which eligible SMET teachers receive training to enhance their teaching skills in the areas of science, mathematics, engineering, or technology or otherwise improve their knowledge in such areas.

''(3) ELIGIBLE SMET TEACHER.—The term 'eligible SMET teacher' means any individual—

''(A) who is a teacher in grades K–12 at an educational organization described in section 170(b)(1)(A)(ii) which is located in the United States or which is located on a United States military base outside the United States, and

''(B) whose teaching responsibilities at such school include, or are likely to include, any course in the areas of science, mathematics, engineering, or technology.

''(e) SMET TEACHER TRAINING EXPENSES.—The term 'SMET teacher training expenses' means any amount paid or incurred by a taxpayer engaged in a trade or business within an area of science, mathematics, engineering, or technology which is attributable to the participation of any eligible SMET teacher in a regular training program provided to employees of the taxpayer which is determined by such teacher's school as enhancing such teacher's teaching skills in the areas of science, mathematics, engineering, or technology.

''(f) DENIAL OF DOUBLE BENEFIT.—No deduction shall be allowed under this chapter for any amount allowed as a credit under this section.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) of such Code is amended—

(A) by striking ''plus'' at the end of paragraph (11),

(B) by striking the period at the end of paragraph (12), and inserting '', plus'', and

(C) by adding at the end the following new paragraph:

''(13) the elementary and secondary science, mathematics, engineering, and technology (SMET) contributions credit determined under section 45D.''.

(2) Subsection (d) of section 39 of such Code (relating to carryback and carryforward of unused credits) is amended by adding at the end the following new paragraph:

''(9) NO CARRYBACK OF SECTION 45D CREDIT BEFORE ENACTMENT OF CREDIT.—No portion of the unused business credit for any taxable year which is attributable to the credit determined under section 45D may be carried back to a taxable year beginning before the date of the enactment of this paragraph.''.

(3) The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45D. Contributions benefiting science, mathematics, engineering, and technology education at the elementary and secondary school level.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 5. ASSURANCE OF CONTINUED LOCAL CONTROL.

Nothing in this Act may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

S. 2623

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''National Science Education Enhancement Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Assurance of continued local control.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Sec. 101. Support for mentoring activities for science, mathematics, engineering, and technology teachers.
Sec. 102. Expansion of Eisenhower National Clearinghouse.
Sec. 103. Summer Professional Development Institutes.
Sec. 104. Grants for teacher technology training software and instructional materials.
Sec. 105. Reservation for after-school activities.
Sec. 106. After-school science day care at community learning centers.

TITLE II—OTHER PROVISIONS

Sec. 201. Work-study amendments.
Sec. 202. Study.
Sec. 203. Report to Congress.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) As concluded in the report of the Committee on Science of the House of Representatives, ''Unlocking Our Future Toward a New National Science Policy,'' which was adopted by the House of Representatives, the United States must maintain and improve its preeminent position in science and technology in order to advance human understanding of the universe and all it contains, and to improve the lives, health, and freedoms of all people.

(2) It is estimated that more than half of the economic growth of the United States today results directly from research and development in science and technology. The most fundamental research is responsible for investigating our perceived universe, to extend our observations to the outer limits of what our minds and methods can achieve, and to seek answers to questions that have never been asked before. Applied research continues the process by applying the answers from basic science to the problems faced by individuals, organizations, and governments in the everyday activities that make our lives more livable. The scientific-technological sector of our economy, which has driven our recent economic boom and led the United States to the longest period of prosperity in history, is fueled by the work and discoveries of the scientific community.

(3) The effectiveness of the United States in maintaining this economic growth will be largely determined by the intellectual capital of the United States. Education is critical to developing this resource.

(4) The education program of the United States needs to provide for 3 different kinds of intellectual capital. First, it needs scientists and engineers to continue the research and development that is central to the economic growth of the United States. Second, it needs technologically proficient workers who are comfortable and capable dealing with the demands of a science-based, high-technology workplace. Last, it needs scientifically literate voters and consumers to make intelligent decisions about public policy.

(5) Student performance on the recent Third International Math and Science Study highlights the shortcomings of current K–12 science and mathematics education in the United States, particularly when compared to other countries. We must expect more from our Nation's educators and students if we are to build on the accomplishments of previous generations. New methods of teaching mathematics and science are required, as well as better curricula and improved training of teachers.

(6) Science is more than a collection of facts, theories, and results. It is a process of inquiry built upon observations and data that leads to a way of knowing and explaining in logically derived concepts and theories.

(7) Students should learn science primarily by doing science. Science education ought to reflect the scientific process and be object-oriented, experiment-centered, and concept-based.

(8) Children are naturally curious and inquisitive. To successfully tap into these innate qualities, education in science must begin at an early age and continue throughout the entire school experience.

(9) Teachers provide the essential connection between students and the content they are learning. High-quality prospective teachers need to be identified and recruited by presenting to them a career that is respected by their peers, is financially and intellectually rewarding, and contains sufficient opportunities for advancement.

(10) Teachers need to have incentives to remain in the classroom and improve their practice, and training of teachers is essential if the results are to be good. Teachers need to be knowledgeable of their content area, of their curriculum, of up-to-date research in teaching and learning, and of techniques that can be used to connect that information to their students in their classroom.

SEC. 3. ASSURANCE OF CONTINUED LOCAL CONTROL.

Nothing in this Act may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 101. SUPPORT FOR MENTORING ACTIVITIES FOR SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY TEACHERS.

(a) IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES THROUGH PROFESSIONAL DEVELOPMENT.—Section 1119(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301(b)(1)) is amended—

(1) by striking ''and'' at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting ''; and''; and

(3) by adding at the end the following:

''(F) include mentoring programs focusing on changing science, mathematics, engineering, and technology teacher behaviors and practices to help novice teachers develop and gain confidence in their skills, to increase the likelihood that they will continue in the teaching profession, and generally to improve the quality of their teaching.''.

(b) DISSEMINATION OF MENTORING INFORMATION BY EISENHOWER NATIONAL CLEARINGHOUSE.—Section 2102(a)(3)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6622(a)(3)(C)) is amended by striking ''materials'' and inserting ''materials, including information on model science, mathematics, engineering, and technology teacher mentoring programs,''.

(c) EISENHOWER PROFESSIONAL DEVELOPMENT PROGRAM STATE APPLICATIONS.—Section 2205(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6645(b)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (N);

(2) by striking the period at the end of subparagraph (O) and inserting ''; and''; and

(3) by adding at the end the following:

''(P) describe how the State will administer a mentoring system to ensure consistent implementation of mentoring programs for science, mathematics, engineering, and technology teachers, provide a structure for local mentoring program evaluation, provide technical assistance to local mentoring programs, ensure compliance by local mentoring programs with State teacher training requirements, and provide incentives for local educational agencies to take mentoring into consideration in assessing instructional staff hiring needs.''.

(d) EISENHOWER PROFESSIONAL DEVELOPMENT PROGRAM LOCAL ACTIVITIES.—Section 2210(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6650(b)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting ''; and''; and

(3) by adding at the end the following:

''(F) include mentoring programs focusing on changing science, mathematics, engineering, and technology teacher behaviors and practices to help novice teachers develop and gain confidence in their skills, to increase the likelihood that they will continue in the teaching profession, and generally to improve the quality of their teaching.''.

(e) ACCOUNTABILITY.—Section 2401(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6701(a)) is amended by striking ''part.'' and inserting ''part, including the impact of State and local mentoring programs on teaching quality and teacher retention rates.''.

SEC. 102. EXPANSION OF EISENHOWER NATIONAL CLEARINGHOUSE.

(a) ALLOCATION OF APPROPRIATED AMOUNTS.—Section 2003(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6603(b)(1)) is amended by striking ''2103;'' and inserting ''2103, and $10,000,000 shall be available to carry out subparagraphs (A), (F), and (G) of section 2102(b)(3);''.

(b) USE OF FUNDS.—Section 2102(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6622(b)(3)) is amended—

(1) in subparagraph (A), by striking ''(including, to the extent practicable,'' and inserting ''(including'';

(2) in subparagraph (E), by striking ''and'' at the end;

(3) by amending subparagraph (F) to read as follows:

''(F) solicit and gather (in consultation with the Department, national teacher associations, professional associations, and other reviewers and developers of education materials and programs) all qualitative and evaluative materials and all programs, including full text and graphics, for the Clearinghouse, review the evaluation of the materials and programs, rank the effectiveness of the materials and programs on the basis of the evaluations, and distribute the results of the reviews (in a short, standardized, and electronic format that contains electronic links to an electronic version of the original qualitative and evaluative materials), excerpts of the materials and links to Internet-based sites, and information regarding on-line communities of users to teachers in an easily accessible manner, except that nothing in this subparagraph shall be construed to permit the Clearinghouse to directly conduct an evaluation of the materials or programs; and''; and

(4) by adding at the end the following:

''(G) develop and establish an Internet-based site offering a search mechanism to assist site visitors in identifying information available through the Clearinghouse on science, mathematics, engineering, and technology education instructional materials and programs, including electronic links to information on classroom demonstrations and experiments, teachers who have used

materials or participated in programs, vendors, curricula, and textbooks.''.

(c) CLEARINGHOUSE.—Section 2102(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6622(b)) is amended by adding at the end the following:

''(9) EFFECTIVE USE OF TECHNOLOGY.—In reviewing evaluations of materials and programs under this subsection the Clearinghouse shall give particular attention to the effective use of materials and technology in science, mathematics, engineering, and technology education.''.

(d) REPORT.—Not later than two years after the date of the enactment of this Act, the National Academy of Sciences, in conjunction with appropriate related associations and organizations, shall—

(1) conduct a study on the Eisenhower National Clearinghouse and whether the provisions enacted in the amendments made by this section have resulted in the Clearinghouse becoming a more effective entity; and

(2) submit to Congress a report on the study, including any recommendations of the Academy regarding the Clearinghouse.

SEC. 103. SUMMER PROFESSIONAL DEVELOPMENT INSTITUTES.

(a) IN GENERAL.—Section 2211 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6651) is amended by adding at the end the following:

''(d) SUMMER PROFESSIONAL DEVELOPMENT INSTITUTES FOR TEACHERS.—

''(1) PROGRAM AUTHORIZED.—From amounts made available to carry out this subsection, the Secretary is authorized to make grants to State agencies for higher education, working in conjunction with the State educational agency (if such agencies are separate), for activities described in paragraph (3). Such grants shall be awarded on a competitive basis that includes a peer review of the grant applications.

''(2) SUBGRANTS.—

''(A) IN GENERAL.—A recipient of a grant under paragraph (1) shall carry out the activities described in paragraph (3) by making subgrants to, or entering into contracts or cooperative agreements with, institutions of higher education, and nonprofit organizations of demonstrated effectiveness, including museums and educational partnership organizations, which must work in conjunction with a local educational agency, consortium of local educational agencies, or schools.

''(B) PRIORITY.—In making awards under subparagraph (A), a grant recipient shall give priority to applicants whose application includes an assurance that the applicant will use a curriculum recognized by the working group established under section 17 of the National Science Foundation Act of 1950, particularly if the local educational agency (or agencies) described in subparagraph (A), or the State educational agency (if such agency is separate from the grant recipient), has adopted such curriculum.

''(3) ALLOWABLE ACTIVITIES.—

''(A) IN GENERAL.—Each recipient of funds under paragraph (2) shall use the funds for the following:

''(i) The establishment and operation of science, mathematics, engineering, and technology summer institutes that provide professional development to elementary and secondary school teachers. Such institutes shall be content-based, build on school year curricula, and focus only secondarily on pedagogy.

''(ii) To provide teachers with travel expense reimbursement, a stipend, or classroom materials related to such an institute.

''(iii) The establishment of a mechanism to provide supplemental assistance and follow up training during the school year for summer institute graduates.

''(B) REQUIREMENTS FOR CURRICULA.—The curricula referred to in subparagraph (A)(i) shall be object-centered, experiment-oriented, content-based, and grounded in current research.

''(C) REQUIREMENTS FOR INSTITUTES.—The summer institutes referred to in subparagraph (A)(i)—

''(i) shall be conducted during a period of a minimum of two weeks;

''(ii) shall provide for direct interaction between students and faculty;

''(iii) shall have a component that includes use of the Internet; and

''(iv) shall provide for follow-up training in the classroom during the academic year for a period of a minimum of three days, which shall not be required to be consecutive, except that—

''(I) if the program at the summer institute is for a period of only two weeks, the follow-up training shall be for a period of more than 3 days; and

''(II) for teachers in rural school districts, follow-up training through the Internet may be used.

''(4) REVIEW OF APPLICATIONS BY NATIONAL SCIENCE FOUNDATION.—The Secretary shall provide each application for a grant under this subsection to the Director of the National Science Foundation in order that such applications may undergo the peer-review process described in paragraph (5)(B), and shall implement the recommendations of the Director in awarding grants under this subsection.

''(5) REQUIREMENTS ON NATIONAL SCIENCE FOUNDATION.—

''(A) IN GENERAL.—Each year, not later than 6 months before the application deadline for a subgrant, contract, or cooperative agreement described in paragraph (2), the Director of the National Science Foundation shall develop a theme and structure for the summer institutes supported under this subsection. Such applications shall address how funds will be used in accordance with the theme and structure developed by the Director.

''(B) APPLICATION PEER-REVIEW PROCESS.—The Director—

''(i) shall establish a peer-review process for applications for grants received under this subsection; and

''(ii) shall forward the applications selected by the Director through such process to the Secretary.

''(C) PRIORITY.—In making awards under paragraph (2)(A), a grant recipient shall give priority to applicants whose application includes an assurance that the applicant will use a curriculum—

''(i) that is recognized by the working group established under section 17 of the National Science Foundation Act of 1950, particularly if the local educational agency (or agencies) described in paragraph (2)(A), or the State educational agency (if such agency is separate from the grant recipient), has adopted such curriculum; or

''(ii) that is three or four weeks in length.

''(6) OTHER REQUIREMENTS.—Paragraphs (2), (3), and (4) of subsection (a), and subsection (c), shall apply to recipients of funds under this subsection in the same manner as such provisions apply to recipients of funds under subsection (a)(1).

''(7) CREDIT FOR PARTICIPATION.—Participation in an institute supported under this subsection shall earn credit toward—

''(A) State continuing education requirements for teachers; or

''(B) a post-baccalaureate degree program at an institution of higher education.''.

(b) FUNDING.—

(1) ALLOCATION OF APPROPRIATED AMOUNTS.—Section 2003(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6603(b)(2)) is amended by striking ''B;'' and inserting ''B, of which $100,000,000, $150,000,000, $200,000,000, and $200,000,000 shall be available to carry out section 2211(d) for fiscal years 2001, 2002, 2003, and 2004, respectively;''.

(2) RESERVATION OF FUNDS.—Section 2202(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6642(a)) is amended—

(A) in paragraph (1), by striking ''and'';

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the amount made available under section 2003(b)(2) to carry out section 2211(d).''.

SEC. 104. GRANTS FOR TEACHER TECHNOLOGY TRAINING SOFTWARE AND INSTRUCTIONAL MATERIALS.

Section 3134 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6844) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) providing technology training software and instructional materials to teachers.''.

SEC. 105. RESERVATION FOR AFTER-SCHOOL ACTIVITIES.

Section 10904(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8244) is amended—

(1) by striking ''and'' after the semicolon in paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(3) by adding at the end the following:

''(4) an assurance that if awarded a grant under this part, the grant recipient shall use not less than 5 percent of the amount received to provide after-school day care services that focus on science activities.''.

SEC. 106. AFTER-SCHOOL SCIENCE DAY CARE AT COMMUNITY LEARNING CENTERS.

Section 10905(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8245(3)) is amended by striking ''services.'' and inserting ''services, including after-school day care services that focus on science activities for children in grades kindergarten through the sixth grade.''.

TITLE II—OTHER PROVISIONS

SEC. 201. WORK-STUDY AMENDMENTS.

(a) TECHNOLOGY TRAINING TREATED AS COMMUNITY SERVICE.—Section 441(c) of the Higher Education Act of 1965 (20 U.S.C. 2751(c)) is amended—

(1) in paragraph (1), by inserting ''technology training,'' after ''literacy training,''; and

(2) in paragraph (4)(A), by inserting before the semicolon at the end the following: '', including tutoring teachers in the uses of classroom technology''.

(b) ADDITIONAL SPENDING FOR TECHNOLOGY TRAINING.—Section 443(b)(2)(B) of such Act (20 U.S.C. 2753(b)(2)(B)) is amended—

(1) by striking ''7 percent'' and inserting ''10 percent'';

(2) by inserting ''(i)'' after ''shall ensure that''; and

(3) by inserting after ''requirement of this subparagraph'' the following: '', and (ii) at least 3 percent of the total amount of funds granted to such institution under this section for such fiscal year is used to compensate students employed in technology training or tutoring teachers in the uses of classroom technology (or both),''.

SEC. 202. STUDY.

The Secretary of Commerce, in consultation with other Government agencies, appropriate organizations, and private businesses and corporations, shall conduct a study of—

(1) the feasibility and effectiveness of various incentives, including tax credits, for corporations and businesses to provide—

(A) personnel with regular compensation for time spent as volunteers engaged in the technological training of teachers; and

(B) facilities for the provision of such training of teachers;

(2) alternative methods of providing financial support, through income tax credits, loan forgiveness, or otherwise, to individuals seeking training or retraining in mathematics, science, and technology education;

(3) the effectiveness of colleges and universities in training teachers who are able to use technology and able to integrate technology into lesson plans and curricula, including distance learning;

(4) methods to coordinate a working alliance at various levels of government between the business and academic community; and

(5) additional means of improving the efficiency of the technological training of teachers.

SEC. 203. REPORT TO CONGRESS.

Not later than one year after the date of the enactment of this Act, the Secretary of Commerce shall transmit to the Congress a report outlining the results of the study conducted under section 202. Such report shall include proposals for a comprehensive approach to providing technologically competent teachers to our Nation's schools. With respect to any objectives described in paragraphs (1) though (5) of section 202 that the Secretary determines are feasible and effective, such report shall include a plan for the accomplishing such objectives.

S. 2624

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Science Education Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) As concluded in the report of the Committee on Science of the House of Representatives, ''Unlocking Our Future Toward a New National Science Policy,'' which was adopted by the House of Representatives, the United States must maintain and improve its preeminent position in science and technology in order to advance human understanding of the universe and all it contains, and to improve the lives, health, and freedoms of all people.

(2) It is estimated that more than half of the economic growth of the United States today results directly from research and development in science and technology. The most fundamental research is responsible for investigating our perceived universe, to extend our observations to the outer limits of what our minds and methods can achieve, and to seek answers to questions that have never been asked before. Applied research continues the process by applying the answers from basic science to the problems faced by individuals, organizations, and governments in the everyday activities that make our lives more livable. The scientific-technological sector of our economy, which has driven our recent economic boom and led the United States to the longest period of prosperity in history, is fueled by the work and discoveries of the scientific community.

(3) The effectiveness of the United States in maintaining this economic growth will be largely determined by the intellectual capital of the United States. Education is critical to developing this resource.

(4) The education program of the United States needs to provide for 3 different kinds of intellectual capital. First, it needs scientists and engineers to continue the research and development that is central to the economic growth of the United States. Second, it needs technologically proficient workers who are comfortable and capable dealing with the demands of a science-based, high-technology workplace. Last, it needs scientifically literate voters and consumers to make intelligent decisions about public policy.

(5) Student performance on the recent Third International Math and Science Study highlights the shortcomings of current K–12 science and mathematics education in the United States, particularly when compared to other countries. We must expect more from our Nation's educators and students if we are to build on the accomplishments of previous generations. New methods of teaching mathematics and science are required, as well as better curricula and improved training of teachers.

(6) Science is more than a collection of facts, theories, and results. It is a process of inquiry built upon observations and data that leads to a way of knowing and explaining in logically derived concepts and theories.

(7) Students should learn science primarily by doing science. Science education ought to reflect the scientific process and be object-oriented, experiment-centered, and concept-based.

(8) Children are naturally curious and inquisitive. To successfully tap into these innate qualities, education in science must begin at an early age and continue throughout the entire school experience.

(9) Teachers provide the essential connection between students and the content they are learning. High-quality prospective teachers need to be identified and recruited by presenting to them a career that is respected by their peers, is financially and intellectually rewarding, and contains sufficient opportunities for advancement.

(10) Teachers need to have incentives to remain in the classroom and improve their practice, and training of teachers is essential if the results are to be good. Teachers need to be knowledgeable of their content area, of their curriculum, of up-to-date research in teaching and learning, and of techniques that can be used to connect that information to their students in their classroom.

SEC. 3. ASSURANCE OF CONTINUED LOCAL CONTROL.

Nothing in this Act may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

SEC. 4. MASTER TEACHER GRANT PROGRAM.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is amended—

(1) by redesignating section 16 as section 18; and

(2) by inserting after section 15 the following new section:

''§ 16. Grants and awards

''(a)(1) The Director of the National Science Foundation shall conduct a grant program to make grants to a State or local educational agency or to a private elementary or middle school for the purpose of hiring a master teacher described in paragraph (3).

''(2) In order to be eligible to receive a grant under this subsection, a State or local educational agency or private elementary or middle school shall submit to the Director a description of the requirements for a master teacher of the State or local educational agency or school, including certification requirements and job responsibilities of the master teacher, and a description of how professional development will be integrated with the math or science program of the State educational agency or local educational agency or school including a master teacher.

''(3) A master teacher referred to in paragraph (1)—

''(A) shall provide support for not more than 10 teachers at public and private schools in math, science, engineering or technology programs for students in grades kindergarten through the eighth grade; and

''(B) shall be responsible for in-classroom assistance and oversight of hands-on inquiry materials, equipment, and supplies, including supplying and repairing such materials.

''(4) Grants shall be made under this section out of funds available for the National Science Foundation for Education and Human Resources Activities.

''(b) In this section, the terms 'State educational agency' and 'local educational agency' have the meaning given those terms in section 14101 of the Elementary and Secondary Education Act of 1965.''.

SEC. 5. HIGH-QUALITY EDUCATIONAL SOFTWARE FOR ALL SCHOOLS.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is further amended in section 16 (as added by section 4) by adding at the end the following new subsection:

''(c)(1) The Director is authorized to award grants, on a competitive basis, to secondary school and college students working with university faculty, software developers, and experts in educational technology, or to university faculty, software developers, and experts in educational technology working with secondary school or college students, for the development of high-quality educational software and Internet web sites by such students, faculty, developers, and experts.

''(2)(A) The Director shall recognize outstanding educational software and Internet web sites developed with assistance provided under this subsection.

''(B) The President is requested to, and the Director shall, issue an official certificate signed by the President and Director, to each student and faculty member who develops outstanding educational software or Internet web sites recognized under this subsection.

''(3) The educational software or Internet web sites that are recognized under this subsection shall focus on core curriculum areas.

''(4) The Director shall give priority to awarding grants for the development of educational software or Internet web sites in the areas of mathematics, science, engineering, and technology.

''(5) The Director shall designate official judges to recognize outstanding educational software or Internet web sites assisted under this section.''.

SEC. 6. ESTABLISHMENT OF WORKING GROUP ON SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY EDUCATION.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is further amended by inserting after section 16 (as added by section 4) the following new section:

''§ 17. Establishment of working group on science, mathematics, engineering, and technology education

''(a) There is established in the National Science Foundation a working group to review and coordinate regular and supplemental curricula in kindergarten through the twelfth grade for science, mathematics, engineering, and technology, taking into account—

''(1) the content, scope, and sequence of such curricula;

''(2) the research basis for such curricula; and

''(3) the demonstrated results of such curricula.

''(b) There shall be 15 members of the working group established by subsection (a), who shall have experience in the fields of life science, physical science, earth science, chemistry, technology, math, or engineering, and who shall be appointed by the Director for a three-year term that may be extended once for an additional three years. The members shall be appointed as follows:

''(1) 4 members appointed from among representatives from appropriate professional societies representing the scientific disciplines.

''(2) 3 members appointed from among business leaders who are active in education.

''(3) 2 members appointed from among representatives of institutions of higher education.

''(4) 2 members appointed from among representatives of schools of education within such institutions.

''(5) 4 members appointed from among representatives of professional societies that represent science teaching.

''(c)(1) The working group established by subsection (a)—

''(A) shall, beginning not later than three years after the date of the enactment of this Act, award recognition annually in predetermined categories;

''(B) shall publish all criteria upon which a review by the working group under this section is based; and

''(C) shall disseminate information on award-winning programs for the purpose of acting as a resource for State and local educational agencies—

''(i) for determining the best methods for teachers to present science, mathematics, engineering, and technology subject areas to students; and

''(ii) for organizing science, mathematics, engineering, and technology disciplines.

''(2) The information required to be disseminated by paragraph (1)(C) shall include information describing the activities of the award-winning programs and the awards made in each category.''.

SEC. 7. DEMONSTRATION PROGRAM AUTHORIZED.

(a) GENERAL AUTHORITY.—

(1) IN GENERAL.—

(A) GRANT PROGRAM.—The Director shall, subject to appropriations, carry out a demonstration project under which the Director awards grants in accordance with this section to eligible local educational agencies.

(B) USES OF FUNDS.—A local educational agency that receives a grant under this section may use such grant funds to develop an information technology program that builds or expands mathematics, science, and information technology curricula, to purchase equipment necessary to establish such program, and to provide professional development in such fields.

(2) PROGRAM REQUIREMENTS.—The program described in paragraph (1) shall—

(A) provide professional development specifically in information technology, mathematics, and science; and

(B) provide students with specialized training in mathematics, science, and information technology.

(b) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—For purposes of this section, a local educational agency is eligible to receive a grant under this section if the agency—

(1) provides assurances that it has executed conditional agreements with representatives of the private sector to provide services and funds described in subsection (c); and

(2) agrees to enter into an agreement with the Director to comply with the requirements of this section.

(c) PRIVATE SECTOR PARTICIPATION.—The conditional agreement referred to in subsection (b)(1) shall describe participation by the private sector, including—

(1) the donation of computer hardware and software;

(2) the establishment of internship and mentoring opportunities for students who participate in the information technology program; and

(3) the donation of higher education scholarship funds for eligible students who have participated in the information technology program.

(d) APPLICATION.—

(1) IN GENERAL.—Each eligible local educational agency desiring a grant under this section shall submit an application to the Director in accordance with guidelines established by the Director pursuant to paragraph (2).

(2) GUIDELINES.—

(A) REQUIREMENTS.—The guidelines referred to in paragraph (1) shall require, at a minimum, that the application include—

(i) a description of proposed activities consistent with the uses of funds and program requirements under subsection (a)(1)(B) and (a)(2);

(ii) a description of the higher education scholarship program, including criteria for selection, duration of scholarship, number of scholarships to be awarded each year, and funding levels for scholarships; and

(iii) evidence of private sector participation and financial support to establish an internship, mentoring, and scholarship program.

(B) GUIDELINE PUBLICATION.—The Director shall issue and publish such guidelines not later than 6 months after the date of the enactment of this Act.

(3) SELECTION.—The Director shall select a local educational agency to receive an award under this section in accordance with subsection (e) and on the basis of merit to be determined after conducting a comprehensive review.

(e) PRIORITY.—The Director shall give special priority in awarding grants under this section to eligible local educational agencies that—

(1) demonstrate the greatest ability to obtain commitments from representatives of the private sector to provide services and funds described under subsection (c);

(2) demonstrate the greatest economic need; and

(3) use a curriculum recognized by the working group established by section 17 of the National Science Foundation Act of 1950 (as added by section 6).

(f) ASSESSMENT.—The Director shall assess the effectiveness of activities carried out under this section.

(g) STUDY AND REPORT.—The Director—

(1) shall initiate an evaluative study of eligible students selected for scholarships pursuant to this section in order to measure the effectiveness of the demonstration program; and

(2) shall report the findings of the study to Congress not later than 4 years after the award of the first scholarship. Such report shall include the number of students graduating from an institution of higher education with a major in mathematics, science, or information technology and the number of students who find employment in such fields.

(h) DEFINITIONS.—Except as otherwise provided, for purposes of this section—

(1) the term ''Director'' means the Director of the National Science Foundation;

(2) the term ''eligible student'' means a student enrolled in the 12th grade who—

(A) has participated in an information technology program established pursuant to this section;

(B) has demonstrated a commitment to pursue a career in information technology, mathematics, science, or engineering; and

(C) has attained high academic standing and maintains a grade point average of not less than 3.0 on a 4.0 scale for the last 2 years of secondary school (11th and 12th grades); and

(3) the term ''local educational agency'' has the same meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the National Science Foundation to carry out this section, $3,000,000.

(j) MAXIMUM GRANT AWARD.—An award made to an eligible local educational agency under this section may not exceed $300,000.

SEC. 8. DISSEMINATION OF INFORMATION ON REQUIRED COURSE OF STUDY FOR CAREERS IN SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY EDUCATION.

The Director of the National Science Foundation shall, jointly with the Secretary of Education, compile and disseminate information (including, but not limited to, through outreach, school counselor education, and visiting speakers) regarding—

(1) standard prerequisites for middle school and high school students who seek to enter a course of study at an institution of higher education in science, mathematics, engineering, or technology education for purposes of teaching in an elementary or secondary school; and

(2) the licensing requirements in each State for science, mathematics, engineering, or technology elementary or secondary school teachers.

SEC. 9. REQUIREMENT TO CONDUCT STUDY EVALUATION.

(a) STUDY REQUIRED.—The Director of the National Science Foundation shall enter into an agreement with the National Academy of Sciences under which the Academy shall compile and evaluate studies on the effectiveness of technology in the classroom on learning and student performance, as measured by State standardized tests. The study evaluation shall include, to the extent available, information on the type of technology used in each classroom, the reason that such technology works, and the teacher training that is conducted in conjunction with the technology.

(b) DEADLINE FOR COMPLETION.—The study evaluation required by subsection (a) shall be completed not later than 180 days after the date of the enactment of this Act.

(c) DEFINITION OF TECHNOLOGY.—In this section, the term ''technology'' has the meaning given that term in section 3113(11) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6813(11)).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the National Science Foundation $600,000 for the purpose of conducting the study evaluation required by subsection (a).

SEC. 10. TEACHER TECHNOLOGY PROFESSIONAL DEVELOPMENT.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is further amended in section 16 (as added by section 4) by adding at the end the following new subsection:

''(d) The Director shall establish a grant program under which grants may be made for instruction of teachers for grades kindergarten through the twelfth grade on the use of technology in the classroom.''.

SEC. 11. MIDDLE SCHOOL COMPUTER LITERACY ASSISTANCE.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is further amended in section 16 (as added by section 4) by adding at the end the following new subsection:

''(e)(1) The Director is authorized to award grants to assist States in reaching the goal of making all middle school graduates in the State technology literate.

''(2) Grants awarded under this subsection shall be used for teacher training in technology, with an emphasis on programs that prepare 1 or more teachers in each middle school in the State to become technology leaders who then serve as experts and train other teachers.

''(3) Each State shall encourage schools that receive assistance under this subsection to provide matching funds, with respect to the cost of teacher training in technology to be assisted under this subsection, in order to enhance the impact of the teacher training and to help ensure that all middle school graduates in the State are computer literate.''.

SEC. 12. SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY EDUCATION CONFERENCE.

(a) IN GENERAL.—Within 180 days after the date of the enactment of this Act, the Director of the National Science Foundation shall convene a conference of representatives from Federal, State, and local governments, private industries, professional organizations, educators, science, mathematics, engineering, and technology educational resource providers, students, and any other stakeholders the Director decides would provide useful participation in the conference. Such conference shall be known as the National Science Education Forum.

(b) PURPOSES.—The purposes of the conference convened under subsection (a) shall be to—

(1) identify existing science, mathematics, engineering, and technology education programs and resource providers;

(2) examine how well existing programs are coordinated and how much collaboration exists among them;

(3) examine the common goals and differences among the participants at the conference; and

(4) develop strategies that will support partnerships and leverage resources.

(c) REPORT AND PUBLICATION.—At the conclusion of the conference the Director of the National Science Foundation shall—

(1) transmit to the Committee on Science of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report on the outcome and conclusions of the conference; and

(2) ensure that a similar report is published and distributed as widely as possible to stakeholders in science, mathematics, engineering, and technology education.

SEC. 13. GRANTS FOR DISTANCE LEARNING.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is further amended in section 16 (as added by section 4) by adding at the end the following new subsection:

''(f) The Director may make grants to a State or local educational agency or to a private elementary, middle, or secondary school, under any grant program administered by the Director using funds appropriated for the National Science Foundation for Education and Human Resources Activities, for activities in which distance learning is integrated into the education process in grades kindergarten through the twelfth grade.''.

SEC. 14. AVAILABILITY OF CURRICULAR PROGRAMS THROUGH THE INTERNET.

The Director of the National Science Foundation shall make available through the Internet at no cost a complete field-test version (including text and graphics) of any curricular program, the development for which the National Science Foundation provided funds.

SEC. 15. SCHOLARSHIPS TO PARTICIPATE IN CERTAIN RESEARCH ACTIVITIES.

(a) IN GENERAL.—The President, acting through the National Science Foundation, shall provide scholarships to teachers at public and private schools in grades kindergarten through the twelfth grade in order that such teachers may participate in research programs conducted at private entities or Federal or State Government agencies. The purpose of such scholarships shall be to provide teachers with an opportunity to expand their knowledge of science and research techniques and encourage incorporation of such techniques into the classroom.

(b) REQUIREMENTS.—In order to be eligible to receive a scholarship under this section, a teacher described in subsection (a) shall be required to develop, in conjunction with the private entity or Government agency at which the teacher will be participating in a research program, a proposal to be submitted to the President describing the types of research activities involved, and how techniques with respect to such research may be incorporated into the educational process.

(c) PERIOD OF PROGRAM.—Participation in a research program in accordance with this section may be for a period of one academic year or 2 sequential summers.

(d) INTERNET SITE.—The Director of the National Science Foundation shall establish an Internet web site which may be used by students and teachers participating in the program under this section to incorporate research knowledge and techniques into the educational process.

By Ms. COLLINS (for herself, Mr. DODD, Mr. HUTCHINSON, Mr. WELLSTONE, Mr. TORRICELLI, Mr. MURKOWSKI, Mr. DORGAN, Mr. LIEBERMAN, and Mr. MOYNIHAN):

S. 2625. A bill to amend the Public Health Service Act to revise the performance standards and certification process for organ procurement organizations; to the Committee on Health, Education, Labor, and Pensions.

THE ORGAN PROCUREMENT ORGANIZATION CERTIFICATION ACT OF 2000

Ms. COLLINS. Mr. President, I rise today on behalf of myself, Senator DODD, Senator HUTCHINSON, Senator WELLSTONE, Senator MURKOWSKI, Senator TORRICELLI, Senator DORGAN, Senator LIEBERMAN and Senator MOYNIHAN, to introduce the Organ Procurement Organization Certification Act of 2000 to improve the performance evaluation and certification process that the Health Care Financing Administration currently uses for organ procurement organizations.

Our nation's 60 organ procurement organizations (OPOs) play a critical role in procuring and placing organs and are therefore key to our efforts to increase the number and quality of organs available for transplant. They provide all of the services necessary in a particular geographic region for coordinating the identification of potential donors, requests for donation and recovery and transport of organs. The professionals in the OPOs evaluate potential donors, discuss donation with family members, and arrange for the surgical removal of donated organs. They are also responsible for preserving the organs and making arrangements for their distribution according to national organ sharing policies. Finally, the OPOs provide information and education to medical professionals and the general public to encourage organ and tissue donation to increase the availability of organs for transplantation.

According to the Institute of Medicine's (IOM's) 1999 report on organ procurement and transplantation, a major impediment to greater accountability and improved performance on the part of OPOs is the current lack of a reliable and valid method for assessing donor potential and OPO performance.

The current certification process for OPOs sets an arbitrary, population-based performance standard for certifying OPOs based on donors per million of population in their service areas. It sets a standard for acceptable performance based on five criteria: donors recovered per million, kidneys recovered per million, kidneys transplanted per million, extrarenal organs (heart, liver, pancreas and lungs) recovered per million, and extrarenal organs transplanted per million. The HCFA assesses the OPOs' adherence to these standards every two years. Each OPO must meet at least 75 percent of the national mean for four of these five categories to be recertified as the OPO for a particular area and to receive Medicare and Medicaid payments. Without HCFA certification, an OPO cannot continue to operate.

The GAO, the IOM, the Harvard School of Public Health and others all have criticized HCFA's use of this population-based standard to measure OPO performance. According to the GAO, ''HCFA's current performance standard does not accurately assess OPOs' ability to meet the goal of acquiring all usable organs because it is based on the total population, not the number of potential donors, within the OPO's service areas.''

OPO service areas vary widely in the distribution of deaths by cause, underlying health conditions, age, and race. These variations can pose significant advantages or disadvantages to an OPO's ability to procure organs, and a major problem with HCFA's current performance assessment is that it does not account for these variations. An extremely effective OPO that is getting a high yield of organs from the potential donors in its service area may appear to be performing poorly because it has a disproportionate share of elderly people or a high rate of people infected with HIV or AIDS, which eliminates them for consideration as an organ donor. At the same time, an ineffective OPO may appear to be performing well because it is operating in a service area

with a high proportion of potential donors.

For example, organ donors typically die from head trauma and accidental injuries, and these rates can vary dramatically from region to region. According to the Centers for Disease Control and Prevention (CDC), in 1991, the number of drivers fatally injured in traffic accidents in Maine was 15.54 per 100,000 population. In Mississippi, however, it was 30.56, giving the OPO serving that state a tremendous advantage over the New England Organ Bank, which serves Maine.

Use of this population-based method to evaluate OPO performance may well result in the decertification of OPOs that are actually excellent performers. Moreover, unlike other HCFA certification programs, the certification process for OPOs lacks a clearly defined due process component for resolving conflicts—an OPO that has been decertified has no opportunity for appeal to the Secretary of HHS on either substantive or procedural grounds. The current system therefore forces OPOs to compete on the basis of an imperfect grading system, with no guarantee of an opportunity for fair hearing based on their actual performance. This situation pressures many OPOs to focus on the certification process itself rather than on activities and methods to increase donation, undermining what should be the overriding goal of the program. Moreover, the current two-year cycle—which is shorter than other certification programs administered by HCFA—provides little opportunity to examine trends and even less incentive for OPOs to mount long-term interventions.

The legislation we are introducing today has four major objectives. First, it imposes a moratorium on the current recertification process for OPOs and on the use of population-based performance measurements. Under our bill, the certification of qualified OPOs will remain in place through January 1, 2002, for those OPOs that have been certified as of January 1, 2000, and that meet other qualification requirements apart from the current performance standards. Second, the bill requires the Secretary of Health and Human Services to promulgate new rules governing OPO recertification by January 1, 2002. These new rules are to rely on outcome and process performance measures based on evidence of organ donor potential and other relevant factors, and recertification for OPOs shall not be required until they are promulgated. Third, the bill provides an opportunity for an OPO to appeal a decertification to the Secretary on substantive and procedural grounds, and fourth the bill extends the current two-year certification cycle to four years.

Mr. PRESIDENT, the bill we are introducing today makes much needed improvements in the flawed process that HCFA currently uses to certify and assess OPO performance, and I urge all of our colleagues to join us in supporting it.

By Mr. JEFFORDS:

S. 2626. A bill to amend the Internal Revenue Code of 1986 to improve access to tax-exempt debt for small non-profit health care and educational institutions; to the Committee on Finance.

IMPROVING ACCESS TO TAX-EXEMPT DEBT FOR SMALL NON-PROFIT HEALTH CARE AND EDUCATIONAL INSTITUTIONS.

• Mr. JEFFORDS. Mr. President, today I am introducing legislation that will help small health and educational institutions more effectively finance the cost of essential services and new facility construction. By modifying the laws that restrict the deductibility of ''bank eligible'' bonds, the bill I am introducing today will increase access to tax-exempt financing for small non-profit organizations that need it most, like small local hospitals and small institutions of higher education.

The Tax Reform Act of 1986 unintentionally discriminated against small educational, health care and other non-profit institutions that want to sell small amounts of tax-exempt debt to community banks. Before 1986, banks and financial institutions could deduct the interest incurred to carry a tax-exempt bond. This benefit enabled banks to purchase tax-exempt bonds at attractive rates. The 1986 tax act repealed bank deductibility, although an exception was retained for small issuers that issue bonds of $10 million or less each year.

This exception was designed to preserve bank deductibility for small beneficiaries, but in practice is of assistance only to private placements issued by small local issuers. The small issuer exception has proven to be of little value in many States, like Vermont, where statewide health care and higher education bond issuing authorities typically issue many millions of dollars of debt each year. My bill will modify the small issuer exemption by granting the bond issuers the right to apply the small issuer exemption at the level of the ultimate beneficiary of the funding. Consequently, a small college or health care facility borrowing less than $10 million in tax-exempt debt in any one year could elect tax-exempt status for the debt, even if it is issued by a statewide issuing authority. This would make the debt more attractive to local banks, and could result in significant savings for the beneficiary institution over the life of the bond.

My bill focuses the benefit of the small issuer exemption on smaller non-profits, without regard to whether the bond issuer is government entity issuing more than $10 in bonds per year. Small non-profits are important community institutions; they stand to benefit from greater access to tax-exempt debt. Wall Street and large banks may have little interest in small amounts of debt from small institutions, which can prove costly to administer. The bank across the street from a local college or health care clinic, however, may have greater confidence and insight in the institution. My bill would allow those banks to carry tax-exempt debt at attractive rates and maintain commitments to the people and institutions in their local communities.

I urge my colleagues to support this bill.•

By Mr. BURNS:

S. 2627. A bill to direct the Secretary of the Interior to provide funding for rehabilitation of the Going-to-the-Sun Road in Glacier National Park, to authorize funds for maintenance of utilities related to the Park, and for other purposes; to the Committee on Energy and Natural Resources.

THE GLACIER NATIONAL PARK REHABILITATION DEMONSTRATION

• Mr. BURNS. Mr. President, I rise today to introduce a bill that will direct the Secretary of the Interior to provide funding for the rehabilitation of the Going-to-the-Sun Road in Glacier National Park, authorize funds to address the maintenance backlog facing the park's sewer and drinking water infrastructure, and allow the Secretary to enter into a demonstration project to rehabilitate the historic hotels in Glacier National Park using private funds.

This legislation is a companion to a bill recently introduced by Representative RICK HILL in the House of Representatives. The bill would provide $20 million for much-needed water and sewer infrastructure upgrades, which could extend the park's yearly operating season to six months. Extending the season is extremely important to ensure that revenue will be generated to rehabilitate these historic structures in Glacier National Park.

Additionally, the legislation will allow the Secretary of the Interior to enter into an extended concessionaire agreement so that the concessionaire will be eligible for tax incentives that will make the multi-million dollar investment in these historic lodges affordable. The National Park Service is supportive of this effort and would benefit from the added flexibility to exempt competitive concessions contracts from the current 20-year maximum contract length. Permitting this exemption would allow concessionaires to qualify for historic preservation tax credits and dedicate funds toward Many Glacier Hotel and the Lake McDonald Lodge.

The marriage of public and private investment allowed by this pilot project is the only workable solution that we have found that will save the park's historic structures in a timely manner. With a multi-billion dollar backlog of maintenance projects in our National Parks, it is highly unlikely the rehabilitation projects could be funded using purely public funds. Glacier Park is a place that all Montanans hold dear, and its historic hotels are a significant part of its rich heritage. After years of use, these hotels are now

in dire need of rehabilitation, and unfortunately the funds just aren't available at the federal level. This pilot project offers us a unique opportunity to begin the work necessary to maintain Glacier Park's preeminent place in our national park system and preserve it for generations to come. The legislation still ensures a competitive concessionaire program, but will also ensure that America's citizens are able to enjoy these century old buildings for generations to come.

Finally, the legislation authorizes funding to rehabilitate the Going-to-the-Sun Road. This highway is a true feat of engineering, and one of the most beautiful roadways in the world. It is the centerpiece of Glacier National Park, and must receive this added attention as soon as possible to avoid risking public safety and increasing the eventual cost of rehabilitating the road to acceptable standards.

I look forward to swift consideration of this legislation and the support of my colleagues.●

By Mr. MACK:

S. 2628. A bill to suspend temporarily the duty on R115777; to the Committee on Finance.

LEGISLATION TO SUSPEND TEMPORARILY THE DUTY ON R115777

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

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

S. 2628

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. R115777.

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

''	9902.33.40	R115777, (R)-6-[amino(4-chlorophenyl)(1-methyl-1H-imidazol-5-yl)methyl]-4-(3-chlorophenyl)-1-methyl-2(1H)-quinoline, in bulk active form as the active drug to treat pancreatic cancer (CAS No. 192185-72-1)(provided for in subheading 2933.40.26)	Free	No change	No change	On or before 12/31/2003	''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.●

By Mr. HELMS:

S. 2629. A bill to designate the facility of the United States Postal Service located at 114 Ridge Street in Lenoir, North Carolina, as the ''James T. Broyhill Post Office Building''; to the Committee on Governmental Affairs.

JAMES T. BROYHILL POST OFFICE BUILDING

Mr. HELMS. Mr. President, I will shortly offer legislation authorizing the naming of the Post Office 114 Ridge Street Lenoir, N.C., for The Honorable James T. Broyhill, one of North Carolina's more distinguished servants, philanthropists, and businessmen.

Congressman RICHARD BURR and Congressman CASS BALLENGER are offering companion House legislation, which is cosponsored by the entire North Carolina delegation in that body.

He was born in Lenoir, NC on August 19, 1927 to the late J.E. and Satie (Hunt) Broyhill. He is a 1950 graduate of the University of North Carolina at Chapel Hill with a degree in Business Administration.

After graduation he served as Vice-President of Broyhill Furniture Industries and as a member of the Lenoir Chamber of Commerce, which he served as President from 1955 to 1957. As many Senators are aware, Broyhill Furniture Industries has a worldwide reputation as one of the finest furniture manufacturers in the world.

Mr. President, in 1962, Jim Broyhill was elected to the U.S. House of Representatives where he served 12 terms ending in June of 1986. During his service in the House he was the Ranking Member of the House Energy and Commerce Committee and was instrumental in guiding Republican legislative efforts through that committee.

In May 1986 he won the Republican nomination for the U.S. Senate seat vacated by Senator John P. East. Following Senator East's tragic death in June of 1986, Jim Broyhill was appointed to the U.S. Senate by then Governor Jim Martin to serve the remainder of Senator East's term. His committee assignments include seats on the Senate Judiciary Committee and Senate Armed Services Committee.

While he was unsuccessful in his 1986 election bid for the U.S. Senate, but this did not dampen his willing commitment to help others in North Carolina. In addition he was selected (by then Governor Jim Martin) to serve as Chairman of the North Carolina Economic Development Board. In 1989, he was appointed by Governor Martin to serve as North Carolina's Secretary of Commerce, which he held until 1991.

He then retired to Winston-Salem. His wife is the former Louise Robbins and has three fine children; and they have three children: Marylin Beach, James Edgar Broyhill II, and Philip R. Broyhill.

Mr. President, I ask unanimous consent that the enabling legislation (S. 2629) be printed in the RECORD.

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

S. 2629

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JAMES T. BROYHILL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 114 Ridge Street in Lenoir, North Carolina, shall be known and designated as the ''James T. Broyhill Post Office Building''.

(b) REFERENCES.— Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''James T. Broyhill Post Office Building''.

ADDITIONAL COSPONSORS

S. 662

At the request of Mr. L. CHAFEE, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 821

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 821, a bill to provide for the collection of data on traffic stops.

S. 978

At the request of Mr. WARNER, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 978, a bill to specify that the legal public holiday known as Washington's Birthday be called by that name.

S. 1017

At the request of Mr. MACK, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1017, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit.

S. 1074

At the request of Mr. TORRICELLI, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from South Carolina (Mr. HOLLINGS), the Senator from California (Mrs. BOXER), the Senator from Connecticut (Mr. DODD), the Senator from Pennsylvania (Mr. SPECTER), the Senator from North Carolina (Mr. HELMS), and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 1074, a bill to amend the Social Security Act to waive the 24-month waiting period for medicare coverage of individuals with amyotrophic lateral sclerosis (ALS), and to provide medicare coverage of drugs and biologicals used for the treatment of ALS or for the alleviation of symptoms relating to ALS.

S. 1333

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1333, a bill to expand homeownership in the United States.

S. 1351

At the request of Mr. GRASSLEY, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1351, a bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for electricity produced from newable resources.

S. 1361

At the request of Mr. STEVENS, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1361, a bill to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation, relief, and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes.

S. 1472

At the request of Mr. SARBANES, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1472, a bill to amend chapters 83 and 84 of title 5, United States Code, to modify employee contributions to the Civil Service Retirement System and the Federal Employees Retirement System to the percentages in effect before the statutory temporary increase in calendar year 1999, and for other purposes.

S. 1900

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota (Mr. DASCHLE) 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. 2003

At the request of Mr. JOHNSON, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2077

At the request of Mr. SANTORUM, the names of the Senator from Florida (Mr. MACK) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 2077, a bill to amend the Internal Revenue Code of 1986 to allow nonitemizers a deduction for a portion of their charitable contributions.

S. 2087

At the request of Mr. WARNER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2087, a bill to amend title 10, United States Code, to improve access to benefits under the TRICARE program; to extend and improve certain demonstration programs under the Defense Health Program; and for other purposes.

S. 2232

At the request of Mr. GRAHAM, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 2232, a bill to promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive benefits, and for other purpose.

S. 2256

At the request of Mr. BIDEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2256, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide standards and procedures to guide both State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative disciplinary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement officers, and to require States to enact law enforcement discipline, accountability, and due process laws.

S. 2274

At the request of Mr. GRASSLEY, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor 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. 2287

At the request of Mr. L. CHAFEE, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 2287, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 2311

At the request of Mr. JEFFORDS, the names of the Senator from Nevada (Mr. BRYAN), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2311, a bill to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes.

S. 2334

At the request of Mr. L. CHAFEE, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2334, a bill to amend the Internal Revenue Code of 1986 to extend expensing of environmental remediation costs for an additional 6 years and to include sites in metropolitan statistical areas.

S. 2344

At the request of Mr. BROWNBACK, the names of the Senator from Montana (Mr. BURNS) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2344, a bill to amend the Internal Revenue Code of 1986 to treat payments under the Conservation Reserve Program as rentals from real estate.

S. 2357

At the request of Mr. REID, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2357, a bill to amend title 38, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with veterans' disability compensation.

S. 2379

At the request of Mr. HARKIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2379, a bill to provide for the protection of children from tobacco.

S. 2408

At the request of Mr. BINGAMAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2408, a bill to authorize the President to award a gold medal on behalf of the Congress to the Navajo Code Talkers in recognition of their contributions to the Nation.

S. 2416

At the request of Mr. ASHCROFT, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2416, a bill to designate the Federal building located at 2201 C Street, Northwest, in the District of Columbia, which serves as headquarters for the Department of State, as the ''Harry S. Truman Federal Building''.

S. 2434

At the request of Mr. L. CHAFEE, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor 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. 2460

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2460, a bill to authorize the payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda, and for other purposes.

S. 2528

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. BIDEN) 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. 2599

At the request of Mr. ABRAHAM, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2599, a bill to amend section 110 of the Illegal Immigration Reform and

Immigrant Responsibility Act of 1996, and for other purposes.

S. CON. RES. 100

At the request of Mr. HAGEL, the names of the Senator from New Mexico (Mr. DOMENICI), the Senator from Tennessee (Mr. THOMPSON), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Virginia (Mr. WARNER), the Senator from Washington (Mr. GORTON), the Senator from Illinois (Mr. DURBIN), the Senator from South Carolina (Mr. THURMOND), the Senator from Georgia (Mr. CLELAND), the Senator from Maine (Ms. COLLINS), the Senator from Minnesota (Mr. GRAMS), and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. Con. Res. 100, a concurrent resolution expressing support of Congress for a National Moment of Remembrance to be observed at 3:00 p.m. eastern standard time on each Memorial Day.

—

SENATE CONCURRENT RESOLUTION 117—COMMENDING THE REPUBLIC OF SLOVENIA FOR ITS PARTNERSHIP WITH THE UNITED STATES AND NATO, AND EXPRESSING THE SENSE OF CONGRESS THAT SLOVENIA'S ACCESSION TO NATO WOULD ENHANCE NATO'S SECURITY, AND FOR OTHER PURPOSES

Mr. ROTH (for himself, Mr. BIDEN, Mr. LOTT, Mr. HELMS, and Mr. VOINOVICH) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 117

Whereas on June 25, 1991, the Republic of Slovenia declared its independence;

Whereas on December 23, 1991, the Parliament of the Republic of Slovenia adopted the State's new constitution based on the values of human rights, market economy, rule of law, and democracy;

Whereas on April 7, 1992, the United States formally recognized the Republic of Slovenia;

Whereas, since its independence, Slovenia has demonstrated an excellent record on human rights;

Whereas Slovenia has developed a successful and growing market economy and enjoys the highest per capita gross domestic product in Central and Eastern Europe;

Whereas the European Union has recognized Slovenia's economic prosperity and the strength of its democracy by initiating accession negotiations with Slovenia as well as by putting into effect Slovenia's Association Agreement with the European Union;

Whereas Slovenia has demonstrated its commitment to bring peace, security, stability, democracy, and economic prosperity to Southeastern Europe through its membership in NATO's Partnership for Peace, the Central European Initiative, the Central European Free Trade Association (CEFTA), and the Stability Pact for Southeast Europe;

Whereas Slovenia has been an active contributor to peace support operations around the world, including the NATO Stabilization Force in Bosnia and Herzegovina, NATO's Kosovo Force, and United Nations peacekeeping operations in Cyprus and Lebanon;

Whereas Slovenia made invaluable contributions to NATO's Operation ALLIED FORCE by providing NATO access and use of its airspace and ground transportation systems and by assisting the NATO efforts to provide Albania humanitarian relief during the air campaign against Yugoslavia;

Whereas Slovenia has contributed financial and humanitarian aid to the assistance effort in Kosovo, including refuge for more than 3500 people who had fled the region as a consequence of the violence that occurred in Kosovo;

Whereas Slovenia promotes regional cooperation through its contributions to the Trilateral Multinational Land Force, a multinational brigade established with Italy and Hungary;

Whereas Slovenia, a leader in the effort to remove land mines from the war-torn regions of the former Republic of Yugoslavia, established the highly effective International Trust Fund for Demining and Mine Victims Assistance; and

Whereas the NATO Enlargement Facilitation Act of 1996, passed by the Senate on July 25, 1996, identified Slovenia, along with Poland, Hungary, and the Czech Republic, as being among the NATO applicant states most prepared for the burdens and responsibilities of NATO membership; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That (a) it is the policy of the United States to—

(1) support the integration of the Republic of Slovenia into transatlantic and European political, economic, and security institutions, including the North Atlantic Treaty Organization and the European Union; and

(2) continue and further reinforce the partnership between the United States and Slovenia, particularly their joint efforts to bring lasting peace and stability to all of Europe.

(b) It is the sense of Congress that—

(1) the Republic of Slovenia is to be commended for—

(A) its commitment to democratic principles, human rights, and rule of law;

(B) its transition from a communist, centrally planned economic system to a thriving free market economy; and

(C) its partnership with the United States and NATO during the recent conflicts that have undermined peace and stability in Southeastern Europe; and

(2) the accession of the Republic of Slovenia to full membership in transatlantic and European institutions would be an important step toward a Europe that is undivided, whole and free.

—

AMENDMENTS SUBMITTED

LEGISLATIVE BRANCH APPROPRIATIONS BILL

MIKULSKI (AND OTHERS) AMENDMENT NO. 3166

Ms. MIKULSKI (for herself, Mr. DASCHLE, Mrs. MURRAY, Mr. REID, Mr. SARBANES, Mr. WELLSTONE, Mr. BYRD, Mr. BENNETT, Mrs. FEINSTEIN, Mr. KENNEDY, and Mr. DURBIN) proposed an amendment to the bill (S. 2603) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes; as follows:

At the appropriate place, insert:

SEC. ___. SENSE OF SENATE COMMENDING CAPITOL POLICE.

The Senate finds that—

(a)(1) the United States Capitol is the people's house, and, as such, it has always been and will remain open to the public;

(2) millions of people visit the Capitol each year to observe and study the workings of the democratic process;

(3) the Capitol is the most recognizable symbol of liberty and democracy throughout the world and those who guard the Capitol guard our freedom;

(4) on July 24, 1998, Officer Jacob Chestnut and Detective John Michael Gibson of the United States Capitol Police sacrificed their lives to protect the lives of hundreds of tourists, Members of Congress, and staff;

(5) the officers of the United States Capitol Police serve their country with commitment, heroism, and great patriotism;

(6) the employees of the United States working in the United States Capitol are essential to the safe and efficient operation of the Capitol building and the Congress;

(7) the operation of the Capitol and the legislative process are dependent on the professionalism and hard work of those who work here, including the United States Capitol Police, congressional staff, and the staff of the Congressional Research Office, the General Accounting Office, the Congressional Budget Office, the Government Printing Office, and the Architect of the Capitol; and

(8) the House of Representatives should restore the cuts in funding for the United States Capitol Police, congressional staff, and congressional support organizations.

(b) It is the sense of the Senate that—

(1) the United States Capitol Police and all legislative employees are to be commended for their commitment, professionalism, and great patriotism; and

(2) the conferees on the legislative branch appropriations legislation should maintain the Senate position on funding for the United States Capitol Police and all legislative branch employees.

BENNETT (AND FEINSTEIN) AMENDMENTS NOS. 3167–3170

Mr. BENNETT (for himself and Mrs. FEINSTEIN) proposed four amendments to the bill, S. 2603 supra; as follows:

AMENDMENT NO. 3167

At the appropriate place insert:

The first sentence under the subheading ''SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE'' under the heading ''CONTINGENT EXPENSES OF THE SENATE'' under title I of the bill is amended by inserting '', of which $2,500,000 shall remain available until September 30, 2003'' after ''$71,261,000''.

AMENDMENT NO. 3168

At the appropriate place insert:

ADMINISTRATIVE PROVISION

SEC. ___. (a) Section 201 of the Legislative Branch Appropriations Act, 1993 (40 U.S.C. 216c note) is amended by striking ''$10,000,000'' each place it appears and inserting ''$14,500,000''.

(b) Section 201 of such Act is amended—

(1) by inserting ''(a)'' before ''Pursuant'', and

(2) by adding at the end the following:

''(b) The Architect of the Capitol is authorized to solicit, receive, accept, and hold amounts under section 307E(a)(2) of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c(a)(2)) in excess of the $14,500,000 authorized under subsection (a), but such amounts (and any interest thereon) shall not be expended by the Architect without approval in appropriation Acts as required

under section 307E(b)(3) of such Act (40 U.S.C. 216c(b)(3)).''.

AMENDMENT NO. 3169

At the end of title III, insert:

SEC. 312. CENTER FOR RUSSIAN LEADERSHIP DEVELOPMENT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the legislative branch of the Government a center to be known as the ''Center for Russian Leadership Development'' (the ''Center'').

(2) BOARD OF TRUSTEES.—The Center shall be subject to the supervision and direction of a Board of Trustees which shall be composed of 9 members as follows:

(A) 2 members appointed by the Speaker of the House of Representatives, 1 of whom shall be designated by the Majority Leader of the House of Representatives and 1 of whom shall be designated by the Minority Leader of the House of Representatives.

(B) 2 members appointed by the President pro tempore of the Senate, 1 of whom shall be designated by the Majority Leader of the Senate and 1 of whom shall be designated by the Minority Leader of the Senate.

(C) The Librarian of Congress.

(D) 4 private individuals with interests in improving United States and Russian relations, designated by the Librarian of Congress.

Each member appointed under this paragraph shall serve for a term of 3 years. Any vacancy shall be filled in the same manner as the original appointment and the individual so appointed shall serve for the remainder of the term. Members of the Board shall serve without pay, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties.

(b) PURPOSE AND AUTHORITY OF THE CENTER.—

(1) PURPOSE.—The purpose of the Center is to establish, in accordance with the provisions of paragraph (2), a program to enable emerging political leaders of Russia at all levels of government to gain significant, firsthand exposure to the American free market economic system and the operation of American democratic institutions through visits to governments and communities at comparable levels in the United States.

(2) GRANT PROGRAM.—Subject to the provisions of paragraphs (3) and (4), the Center shall establish a program under which the Center annually awards grants to government or community organizations in the United States that seek to establish programs under which those organizations will host Russian nationals who are emerging political leaders at any level of government.

(3) RESTRICTIONS.—

(A) DURATION.—The period of stay in the United States for any individual supported with grant funds under the program shall not exceed 30 days.

(B) LIMITATION.—The number of individuals supported with grant funds under the program shall not exceed 3,000 in any fiscal year.

(C) USE OF FUNDS.—Grant funds under the program shall be used to pay—

(i) the costs and expenses incurred by each program participant in traveling between Russia and the United States and in traveling within the United States;

(ii) the costs of providing lodging in the United States to each program participant, whether in public accommodations or in private homes; and

(iii) such additional administrative expenses incurred by organizations in carrying out the program as the Center may prescribe.

(4) APPLICATION.—

(A) IN GENERAL.—Each organization in the United States desiring a grant under this section shall submit an application to the Center at such time, in such manner, and accompanied by such information as the Center may reasonably require.

(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

(i) describe the activities for which assistance under this section is sought;

(ii) include the number of program participants to be supported;

(iii) describe the qualifications of the individuals who will be participating in the program; and

(iv) provide such additional assurances as the Center determines to be essential to ensure compliance with the requirements of this section.

(c) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Russian Leadership Development Center Trust Fund'' (the ''Fund'') which shall consist of amounts which may be appropriated, credited, or transferred to it under this section.

(2) DONATIONS.—Any money or other property donated, bequeathed, or devised to the Center under the authority of this section shall be credited to the Fund.

(3) FUND MANAGEMENT.—

(A) IN GENERAL.—The provisions of subsections (b), (c), and (d) of section 116 of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 1105 (b), (c), and (d)), and the provisions of section 117(b) of such Act (2 U.S.C. 1106(b)), shall apply to the Fund.

(B) EXPENDITURES.—The Secretary of the Treasury is authorized to pay to the Center from amounts in the Fund such sums as the Board of Trustees of the Center determines are necessary and appropriate to enable the Center to carry out the provisions of this section.

(d) EXECUTIVE DIRECTOR.—The Board shall appoint an Executive Director who shall be the chief executive officer of the Center and who shall carry out the functions of the Center subject to the supervision and direction of the Board of Trustees. The Executive Director of the Center shall be compensated at the annual rate specified by the Board, but in no event shall such rate exceed level III of the Executive Schedule under section 5314 of title 5, United States Code.

(e) ADMINISTRATIVE PROVISIONS.—

(1) IN GENERAL.—The provisions of section 119 of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 1108) shall apply to the Center.

(2) SUPPORT PROVIDED BY LIBRARY OF CONGRESS.—The Library of Congress may disburse funds appropriated to the Center, compute and disburse the basic pay for all personnel of the Center, provide administrative, legal, financial management, and other appropriate services to the Center, and collect from the Fund the full costs of providing services under this paragraph, as provided under an agreement for services ordered under sections 1535 and 1536 of title 31, United States Code.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(g) TRANSFER OF FUNDS.—Any amounts appropriated for use in the program established under section 3011 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat 93) shall be transferred to the Fund and shall remain available without fiscal year limitation.

(h) EFFECTIVE DATES.—

(1) IN GENERAL.—This section shall take effect on the date of enactment of this Act.

(2) TRANSFER.—Subsection (g) shall only apply to amounts which remain unexpended on and after the date the Board of Trustees of the Center certifies to the Librarian of Congress that grants are ready to be made under the program established under this section.

AMENDMENT NO. 3170

Section 309(1) of the bill is amended by striking ''fiscal year 2000'' and inserting ''fiscal years 1999 and 2000''.

THE BRING THEM HOME ALIVE ACT OF 1999

HELMS (AND BIDEN) AMENDMENT NO. 3171

Mr. SESSIONS (for Mr. HELMS (for himself and Mr. BIDEN)) proposed the following amendment to the bill (S. 484) to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive; as follows:

On page 6, line 23, after ''Radio'' insert the following: '', VOA–TV, VOA Radio,''.

On page 7, line 12, strike ''the 10-day period that begins on'' and insert ''the 30-day period that begins 15 days after''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 24, 2000, at 9:30 a.m., in open session to consider the nomination of General John A. Gordon, USAF to be Administrator, National Nuclear Security Administration, Department of Energy.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, May 24, 2000.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 24, for purposes of conducting a Full Committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider pending calendar business.

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

COMMITTEE ON ENVIRONMENTAL AND PUBLIC WORKS

Mr. BENNETT. Mr. President, I ask unanimous consent that the full Committee on Environment and Public

Works be authorized to meet during the session of the Senate on Wednesday, May 24, at 9:30 a.m., to conduct a hearing to receive testimony on the Administration's Water Resources Development Act of 2000 proposal.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 24, 2000 at 9:30 a.m. to hold a hearing.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, May 24, 2000 at 9:30 a.m. to conduct a hearing on S. 611, the Indian Federal Recognition Administrative Procedures Act of 1999. The hearing will be held in the Committee room, 485 Russell Senate Building.

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

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the Courts be authorized to meet to conduct a hearing on Wednesday, May 24, 2000, at 9 a.m., in 226 Dirksen.

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

SUBCOMMITTEE ON WATER AND POWER

Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Senate Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 24, at 2:30 p.m. to conduct a hearing. The subcommittee will receive testimony on S. 2163, a bill to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington; S. 2396, a bill to authorize the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District, Utah, to use Water Basin Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes; S. 2248, a bill to assist in the development and implementation of projects to provide for the control of drainage water, storm water, flood water, and other water as part of water-related integrated resource management, environmental infrastructure, and resource protection, and development projects in the Colusa Basin Watershed, California; S. 2410, a bill to increase the authorization of appropriations for the Reclamation Safety of Dams Act of 1978, and for other purposes; and S. 2425, a bill to authorize the Bureau of Reclamation to participate in the planning, design, and construction of the Bend Feed Canal Pipeline Project, Oregon, and for other purposes.

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

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PRIVILEGE OF THE FLOOR

Mr. DODD. Mr. President, I ask unanimous consent that two rules committee minority staff interns, Melissa Pansiri and Khalil Malouf, be granted the privilege of the floor for the duration of the debate and rollcall votes on the nominees to the Federal Election Commission.

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

—

CONGRATULATING THE REPUBLIC OF LATVIA

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from consideration of S. Con. Res. 110, and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 110) congratulating the Republic of Latvia on the tenth anniversary of the reestablishment of its independence from the rule of the former Soviet Union.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the concurrent resolution and the preamble be agreed to, en bloc, the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 110) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 110

Whereas the United States had never recognized the forcible incorporation of the Baltic states of Estonia, Latvia, and Lithuania into the former Soviet Union;

Whereas the declaration on May 4, 1990, of the reestablishment of full sovereignty and independence of the Republic of Latvia furthered the disintegration of the former Soviet Union;

Whereas Latvia since then has successfully built democracy, passed legislation on human and minority rights that conform to European and international norms, ensured the rule of law, developed a free market economy, and consistently pursued a course of integration into the community of free and democratic nations by seeking membership in the European Union and the North Atlantic Treaty Organization; and

Whereas Latvia, as a result of the progress of its political and economic reforms, has made, and continues to make, a significant contribution toward the maintenance of international peace and stability by, among other actions, its participation in NATO-led peacekeeping operations in Bosnia and Kosovo: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress hereby—

(1) congratulates Latvia on the occasion of the tenth anniversary of the reestablishment of its independence and the role it played in the disintegration of the former Soviet Union; and

(2) commends Latvia for its success in implementing political and economic reforms, which may further speed the process of that country's integration into European and Western institutions.

—

BRING THEM HOME ALIVE ACT OF 1999

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 560, S. 484.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 484) to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 3171

(Purpose: To make technical amendments)

Mr. SESSIONS. Mr. President, Senators HELMS and BIDEN have an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for Mr. HELMS, for himself and Mr. BIDEN, proposes an amendment numbered 3171.

The amendment is as follows:

On page 6, line 23, after ''Radio'' insert the following: '', VOA–TV, VOA Radio,''.

On page 7, line 12, strike ''the 10-day period that begins on'' and insert ''the 30-day period that begins 15 days after''.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the amendment be agreed to.

The amendment (No. 3171) was agreed to.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 484) was read the third time and passed, as follows:

S. 484

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 ''Bring Them Home Alive Act of 2000''.

SEC. 2. AMERICAN VIETNAM WAR POW/MIA ASYLUM PROGRAM.

(a) ASYLUM FOR ELIGIBLE ALIENS.—Notwithstanding any other provision of law, the Attorney General shall grant refugee status in the United States to any alien described in subsection (b), upon the application of that alien.

(b) ELIGIBILITY.—Refugee status shall be granted under subsection (a) to—

(1) any alien who—

(A) is a national of Vietnam, Cambodia, Laos, China, or any of the independent states of the former Soviet Union; and

(B) personally delivers into the custody of the United States Government a living American Vietnam War POW/MIA; and

(2) any parent, spouse, or child of an alien described in paragraph (1).

(c) DEFINITIONS.—In this section:

(1) AMERICAN VIETNAM WAR POW/MIA.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''American Vietnam War POW/MIA'' means an individual—

(i) who is a member of a uniformed service (within the meaning of section 101(3) of title 37, United States Code) in a missing status (as defined in section 551(2) of such title and this subsection) as a result of the Vietnam War; or

(ii) who is an employee (as defined in section 5561(2) of title 5, United States Code) in a missing status (as defined in section 5561(5) of such title) as a result of the Vietnam War.

(B) EXCLUSION.—Such term does not include an individual with respect to whom it is officially determined under section 552(c) of title 37, United States Code, that such individual is officially absent from such individual's post of duty without authority.

(2) MISSING STATUS.—The term ''missing status'', with respect to the Vietnam War, means the status of an individual as a result of the Vietnam War if immediately before that status began the individual—

(A) was performing service in Vietnam; or

(B) was performing service in Southeast Asia in direct support of military operations in Vietnam.

(3) VIETNAM WAR.—The term ''Vietnam War'' means the conflict in Southeast Asia during the period that began on February 28, 1961, and ended on May 7, 1975.

SEC. 3. AMERICAN KOREAN WAR POW/MIA ASYLUM PROGRAM.

(a) ASYLUM FOR ELIGIBLE ALIENS.—Notwithstanding any other provision of law, the Attorney General shall grant refugee status in the United States to any alien described in subsection (b), upon the application of that alien.

(b) ELIGIBILITY.—Refugee status shall be granted under subsection (a) to—

(1) any alien—

(A) who is a national of North Korea, China, or any of the independent states of the former Soviet Union; and

(B) who personally delivers into the custody of the United States Government a living American Korean War POW/MIA; and

(2) any parent, spouse, or child of an alien described in paragraph (1).

(c) DEFINITIONS.—In this section:

(1) AMERICAN KOREAN WAR POW/MIA.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''American Korean War POW/MIA'' means an individual—

(i) who is a member of a uniformed service (within the meaning of section 101(3) of title 37, United States Code) in a missing status (as defined in section 551(2) of such title and this subsection) as a result of the Korean War; or

(ii) who is an employee (as defined in section 5561(2) of title 5, United States Code) in a missing status (as defined in section 5561(5) of such title) as a result of the Korean War.

(B) EXCLUSION.—Such term does not include an individual with respect to whom it is officially determined under section 552(c) of title 37, United States Code, that such individual is officially absent from such individual's post of duty without authority.

(2) KOREAN WAR.—The term ''Korean War'' means the conflict on the Korean peninsula during the period that began on June 27, 1950, and ended January 31, 1955.

(3) MISSING STATUS.—The term ''missing status'', with respect to the Korean War, means the status of an individual as a result of the Korean War if immediately before that status began the individual—

(A) was performing service in the Korean peninsula; or

(B) was performing service in Asia in direct support of military operations in the Korean peninsula.

SEC. 4. BROADCASTING INFORMATION ON THE ''BRING THEM HOME ALIVE'' PROGRAM.

(a) REQUIREMENT.—

(1) IN GENERAL.—The International Broadcasting Bureau shall broadcast, through WORLDNET Television and Film Service and Radio, VOA–TV, VOA Radio, or otherwise, information that promotes the ''Bring Them Home Alive'' refugee program under this Act to foreign countries covered by paragraph (2).

(2) COVERED COUNTRIES.—The foreign countries covered by paragraph (1) are—

(A) Vietnam, Cambodia, Laos, China, and North Korea; and

(B) Russia and the other independent states of the former Soviet Union.

(b) LEVEL OF PROGRAMMING.—The International Broadcasting Bureau shall broadcast—

(1) at least 20 hours of the programming described in subsection (a)(1) during the 30-day period that begins 15 days after the date of enactment of this Act; and

(2) at least 10 hours of the programming described in subsection (a)(1) in each calendar quarter during the period beginning with the first calendar quarter that begins after the date of enactment of this Act and ending five years after the date of enactment of this Act.

(c) AVAILABILITY OF INFORMATION ON THE INTERNET.—International Broadcasting Bureau shall ensure that information regarding the ''Bring Them Home Alive'' refugee program under this Act is readily available on the World Wide Web sites of the Bureau.

(d) SENSE OF CONGRESS.—It is the sense of Congress that RFE/RL, Incorporated, Radio Free Asia, and any other recipient of Federal grants that engages in international broadcasting to the countries covered by subsection (a)(2) should broadcast information similar to the information required to be broadcast by subsection (a)(1).

(e) DEFINITION.—The term ''International Broadcasting Bureau'' means the International Broadcasting Bureau of the United States Information Agency or, on and after the effective date of title XIII of the Foreign Affairs Reform and Restructuring Act of 1998 (as contained in division G of Public Law 105–277), the International Broadcasting Bureau of the Broadcasting Board of Governors.

SEC. 5. INDEPENDENT STATES OF THE FORMER SOVIET UNION DEFINED.

In this Act, the term ''independent states of the former Soviet Union'' has the meaning given the term in section 3 of the FREEDOM Support Act (22 U.S.C. 5801).

—

ORDER FOR COMMITTEES TO FILE

Mr. SESSIONS. Mr. President, I ask unanimous consent that, notwithstanding the adjournment of the Senate, committees have from 11 a.m. until 1 p.m. on Thursday, June 1, in order to file legislative matters.

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

—

MEASURES READ THE FIRST TIME—H.R. 1291, H.R. 3591, H.R. 4051, AND H.R. 4251

Mr. SESSIONS. Mr. President, I understand that the following bills are at the desk: H.R. 1291, H.R. 3591, H.R. 4051, and H.R. 4251. I ask for the first reading of each of these bills, and ask unanimous consent that it be in order to read the titles consecutively.

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

The clerk will report the bills by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1291) to prohibit the imposition of access charges on Internet service providers, and for other purposes.

A bill (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.

A bill (H.R. 4051) to establish a grant program that provides incentives for States to enact mandatory minimum sentences for certain firearms offenses, and for other purposes.

A bill (H.R. 4251) to amend the North Korea Threat Reduction Act of 1999 to enhance congressional oversight of nuclear transfers to North Korea, and for other purposes.

Mr. SESSIONS. Mr. President, I object to further proceedings on these bills at this time.

The PRESIDING OFFICER. The bills will remain at the desk.

—

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives, pursuant to section 301(b) of Public Law 104–1, announces the joint appointment of Barbara L. Camens of the District of Columbia and Roberta L. Holzwarth of Illinois to five-year terms on the Board of Directors of the Office of Compliance.

—

ORDERS FOR THURSDAY, MAY 25, 2000

Mr. SESSIONS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Thursday, May 25. I further ask that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day. I further ask consent that the Senate then proceed to a period of morning business until 10:30 a.m., with Senators speaking for up to

5 minutes each, with the following exceptions: Senator BIDEN, or his designee, 9:30 a.m. to 10 a.m. and Senator THOMAS, or his designee, 10 a.m. to 10:30 a.m.

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

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PROGRAM

Mr. SESSIONS. On behalf of the majority leader, and for the information of all Senators, the Senate will convene at 9:30 a.m. on Thursday and be in a period of morning business until 10:30 a.m. Following morning business, the Senate will resume debate on the Mikulski amendment to the legislative branch appropriations bill for 10 minutes prior to a vote on the amendment. Following that vote, the Senate will immediately proceed to a vote on third reading of the bill. Therefore, Senators can expect two back-to-back votes at approximately 10:45 a.m.

I ask unanimous consent that after the votes the Senate return to a period of morning business for 1 hour with Senators ROBERTS and CLELAND in control of the time.

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

Mr. SESSIONS. Mr. President, it is hoped that the Senate can consider the crop insurance conference report tomorrow afternoon. Therefore, Senators can expect votes throughout the day.

—

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SESSIONS. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator LEAHY.

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

Mr. SESSIONS. Mr. President, I note that Senator LEAHY is not here. I believe he is not coming, so I renew my unanimous consent request to adjourn.

There being no objection, the Senate, at 5:20 p.m., adjourned until Thursday, May 25, 2000, at 9:30 a.m.

—

CONFIRMATIONS

Executive nominations confirmed by the Senate May 24, 2000:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

CHRISTOPHER C. GALLAGHER, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2003.

AMY C. ACHOR, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2003.

DEPARTMENT OF THE TREASURY

JAY JOHNSON, OF WISCONSIN, TO BE DIRECTOR OF THE MINT FOR A TERM OF FIVE YEARS.

EXECUTIVE OFFICE OF THE PRESIDENT

KATHRYN SHAW, OF PENNSYLVANIA, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

FEDERAL ELECTION COMMISSION

DANNY LEE MCDONALD, OF OKLAHOMA, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2005.

BRADLEY A. SMITH, OF OHIO, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2005.

DEPARTMENT OF STATE

ALAN PHILLIP LARSON, OF IOWA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT FUND; UNITED STATES ALTERNATE GOVERNOR OF THE ASIAN DEVELOPMENT BANK; AND UNITED STATES ALTERNATE GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.

ASIAN DEVELOPMENT BANK

N. CINNAMON DORNSIFE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DIRECTOR OF THE ASIAN DEVELOPMENT BANK, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF STATE

EARL ANTHONY WAYNE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (ECONOMIC AND BUSINESS AFFAIRS).

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

BOBBY L. ROBERTS, OF ARKANSAS, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2003.

NATIONAL SCIENCE FOUNDATION

MICHAEL G. ROSSMANN, OF INDIANA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2006.

DANIEL SIMBERLOFF, OF TENNESSEE, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2006.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

LESLIE LENKOWSKY, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING FEBRUARY 8, 2004.

JUANITA SIMS DOTY, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING JUNE 10, 2004.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

JOAN R. CHALLINOR, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2004.

RAILROAD RETIREMENT BOARD

JEROME F. KEVER, OF ILLINOIS, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2003.

VIRGIL M. SPEAKMAN, JR., OF OHIO, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2004.

NATIONAL SECURITY EDUCATION BOARD

HERSCHELLE S. CHALLENOR, OF GEORGIA, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS.

DEPARTMENT OF THE INTERIOR

THOMAS A. FRY, III, OF TEXAS, TO BE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT.

THOMAS N. SLONAKER, OF ARIZONA, TO BE SPECIAL TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, DEPARTMENT OF THE INTERIOR.

DEPARTMENT OF LABOR

EDWARD B. MONTGOMERY, OF MARYLAND, TO BE DEPUTY SECRETARY OF LABOR.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

MEL CARNAHAN, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2005.

SCOTT O. WRIGHT, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 10, 2003.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

MARC RACICOT, OF MONTANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2004.

ALAN D. SOLOMONT, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2004.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATHAN O. HATCH, OF INDIANA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2006.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

JOHN PAUL HAMMERSCHMIDT, OF ARKANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM OF FOUR YEARS.

NORMAN Y. MINETA, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM OF SIX YEARS.

ROBERT CLARKE BROWN, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING NOVEMBER 22, 2005.

NATIONAL TRANSPORTATION SAFETY BOARD

JOHN GOGLIA, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2003.

CAROL JONES CARMODY, OF LOUISIANA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2004.

NUCLEAR REGULATORY COMMISSION

EDWARD MCGAFFIGAN, JR., OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2005.

OVERSEAS PRIVATE INVESTMENT CORPORATION

GARY A. BARRON, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2002.

DEPARTMENT OF STATE

THOMAS G. WESTON, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL COORDINATOR FOR CYPRUS.

CAREY CAVANAUGH, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL NEGOTIATOR FOR NAGORNO-KARABAKH AND NEW INDEPENDENT STATES REGIONAL CONFLICTS.

CHRISTOPHER ROBERT HILL, OF RHODE ISLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND.

DONALD ARTHUR MAHLEY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL NEGOTIATOR FOR CHEMICAL AND BIOLOGICAL ARMS CONTROL ISSUES.

GREGORY G. GOVAN, OF VIRGINIA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS CHIEF U.S. DELEGATE TO THE JOINT CONSULTATIVE GROUP.

DEPARTMENT OF THE TREASURY

MICHELLE ANDREWS SMITH, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

TIMOTHY B. DYK, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

JAMES D. WHITTEMORE, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

RICHARD C. TALLMAN, OF WASHINGTON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

MARIANNE O. BATTANI, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

DAVID M. LAWSON, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

JOHN ANTOON II, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

DEPARTMENT OF JUSTICE

MARK REID TUCKER, OF NORTH CAROLINA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS.

DEPARTMENT OF DEFENSE

BRUCE SUNDLUN, OF RHODE ISLAND, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS.

MANUEL TRINIDAD PACHECO, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS.

THE JUDICIARY

PHYLLIS J. HAMILTON, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

NICHOLAS G. GARAUFIS, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

GERARD E. LYNCH, OF NEW YORK, TO BE A UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

ROGER L. HUNT, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA.

KENT J. DAWSON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA.

DEPARTMENT OF JUSTICE

AUDREY G. FLEISSIG, OF MISSOURI, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF MISSOURI FOR THE TERM OF FOUR YEARS.

STEVEN S. REED, OF KENTUCKY, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS.

DONALD W. HORTON, OF MARYLAND, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS.

E. DOUGLAS HAMILTON, OF KENTUCKY, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS.

JOSE ANTONIO PEREZ, OF CALIFORNIA, TO BE UNITED STATES MARSHAL FOR THE CENTRAL DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS.

DONNIE R. MARSHALL, OF TEXAS, TO BE ADMINISTRATOR OF DRUG ENFORCEMENT.

THE JUDICIARY

JAMES J. BRADY, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA.

MARY A. MCLAUGHLIN, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

BERLE M. SCHILLER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

RICHARD BARCLAY SURRICK, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

PETRESE B. TUCKER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING JOHN PATRICE GROARKE, AND ENDING JAMES CURTIS STRUBLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 1999.

FOREIGN SERVICE NOMINATIONS BEGINNING MATTIE R. SHARPLESS, AND ENDING HOWARD R. WETZEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 2000.

FOREIGN SERVICE NOMINATIONS BEGINNING NANCY M. MCKAY, AND ENDING NANCY MORGAN SERPA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 2000.

PUBLIC HEALTH SERVICE

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING EDWIN L. JONES III, AND ENDING COLLEEN E. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 1999.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING SUSAN J. BLUMENTHAL, AND ENDING WILLIAM TOOL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 1999.