

S. 521. A bill to amend part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide for a waiver of or reduction in the matching funds requirement in the case of fiscal hardship; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mr. TORRICELLI, Mrs. BOXER, Mr. LIEBERMAN, and Mrs. FEINSTEIN):

S. 522. A bill to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water, and for other purposes; to the Committee on Environment and Public Works.

By Mr. INOUE (for himself and Mr. AKAKA):

S. 523. A bill to amend the Internal Revenue Code of 1986 to treat certain hospital support organizations as qualified organizations for purposes of section 514(c)(9); to the Committee on Finance.

By Mr. INOUE:

S. 524. A bill to amend the Organic Act of Guam to provide restitution to the people of Guam who suffered atrocities such as personal injury, forced labor, forced marches, internment, and death during the occupation of Guam in World War II, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER:

S. 525. A bill to require the Secretary of the Treasury to redesign the \$1 bill so as to incorporate the preamble to the Constitution of the United States, the Bill of Rights, and a list of the Articles of the Constitution on the reverse side of such currency; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRAHAM (for himself, Mr. GRASSLEY, Mr. DEWINE, Mr. TORRICELLI, Mrs. HUTCHISON, and Mr. KERREY):

S. 526. A bill to amend the Internal Revenue Code of 1986 to allow issuance of tax-exempt private activity bonds to finance public-private partnership activities relating to school facilities in public elementary and secondary schools, and for other purposes; to the Committee on Finance.

By Mr. HATCH:

S. 527. A bill to amend the Harmonized Tariff Schedule of the United States to suspend temporarily the duty with respect to the personal effects of participants in certain athletic events; to the Committee on Finance.

By Mr. SPECTER:

S. 528. A bill to provide for a private right of action in the case of injury from the importation of certain dumped and subsidized merchandise; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 513. A bill to designate the new hospital bed replacement building at the Ioannis A. Lougaris Department of Veterans Affairs Medical Center in Reno, Nevada, in honor of Jack Streeter; to the Committee on Veterans' Affairs.

IOANIS A. LOUGARIS DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

Mr. REID. Mr. President, I rise today to introduce a bill to designate the new hospital bed replacement building at the Ioannis A. Lougaris Medical Center in Reno, Nevada, in honor of Mr. Jack Streeter.

Jack Streeter is Nevada's most decorated veteran from World War II. He was born on December 1, 1921 in Ely, Nevada. For his valiant service, he was awarded five Silver Stars, five Purple Hearts and the two Bronze Stars. He was a combat infantryman and served with the 1st Infantry Division (Big Red One). He left the service as a captain, U.S. Army.

Mr. Streeter has an incredible life history of business and professional success. Mr. Streeter is an attorney at law, practicing for over forty years in the State of Nevada.

Jack graduated from the University of Nevada Reno in 1943, where upon after completing Officer Candidate School at Fort Benning, Georgia, he entered the U.S. Army as a second lieutenant. He saw combat throughout Europe in the Second World War in such places as the Normandy invasion on D-Day, the Battle of the Bulge, the St. Lo Breakthrough, Battle of Mortain, Battle of Mons, Battle of Aachen, and the Battle of Hurtgen Forest.

After leaving the Army in 1945, Jack attended Hastings Law School in San Francisco, California, graduating in 1948. He returned to practice law in Nevada. In 1950 he entered politics and was elected district attorney in Reno. As District Attorney he compiled an impressive prosecution record and founded the National District Attorney Association.

During the next 43 years of private legal practice, Jack specialized in business law representing a variety of different enterprises. He was active in many civic groups serving as president of the Nevada State Jaycees, Sertoma Club, Reno Navy League, and Chairman of the Commissioning Committee for the U.S.S. *Nevada* trident submarine.

Jack is on the boards of directors of the Society of the First Infantry Division, the University of Nevada Foundation, Saint Mary's Hospital Foundation, and he is a Knight of Malta. He also serves as the president of the World Association of Lawyers.

Veterans in northern Nevada have long needed this new wing to their VA Medical Center and it is only fitting that it be named in honor of Nevada's most decorated veteran from World War II.

The new facility I am requesting be named in honor of Jack Streeter is located in the complex known as the Ioannis A. Lougaris Va Medical Center. Mr. Lougaris was the first living individual to have a VA Medical Center named in his honor.

Before World War II, John Lougaris remembered the veterans of World War I and the lack of medical aid, especially in Nevada. As a National Executive Committeeman from Nevada, he made many trips to Washington, DC, sixteen of them at his own expense, endeavoring to get a Veterans Hospital established in Reno.

The first success was a 26-bed unit, built in 1939 with a \$100,000 federal grant. In 1944, John's efforts led to increasing the facility to 125 beds. He did not stop working and today the Reno VA Medical Center which bears his honorable name, serves Nevada's veterans well as a 107 bed facility which includes a 60 bed nursing home facility and 12 intensive care unit beds. The new bed replacement facility, which the bill I am offering today seeks to name after Jack Streeter, was built at the cost of \$27 million and brings this hospital to a modern day standard.

In recognition of John Lougaris's devotion, deep interest, and untiring efforts in the development of a hospital to serve veterans in Nevada and Northern California, the Congress of the United States, by Public Law 97-66, re-dedicated the Reno VA Medical Center as the Ioannis A. Lougaris VA Medical Center on December 17, 1981.

It was certainly a well deserved gesture when Congress designated the VA Medical Center in honor of Ioannis A. Lougaris. It would now be equally fitting to name the new hospital wing in honor of Mr. Jack Streeter for his outstanding record of service to this Nation.

Mr. BRYAN. Mr. President, I am proud to join with my friend and colleague from Nevada, Senator REID, in introducing this important legislation today to honor an individual whose extraordinary military service record and faithful commitment to his community warrants special recognition.

As Senator REID has explained, in the next few months a new wing will be dedicated at the Ioannis A. Lougaris VA Medical Center in Reno, Nevada. This five-story, 110-bed tower is a welcome addition to the Reno VAMC, and will provide veterans in northern Nevada with the modern facilities and quality inpatient care they so clearly deserve. The purpose of the legislation we are introducing today is to name that new wing after Mr. Jack Streeter, an individual whose lifetime is hallmarked by his exemplary service record, his steadfast dedication to the veterans community and his leadership in numerous charitable and nonprofit organization.

I have had the opportunity to know Jack for many years now, dating back to my tenure as governor of Nevada. Anyone who has come into contact with Jack Streeter, and who had the occasion to talk with Jack and learn more about his experiences, can understand and appreciate what an extraordinary individual this man is.

Jack Streeter's military service record is quite well known in the State of Nevada. He is, in fact, the most decorated World War Two veteran in Nevada, having earned five Purple Hearts, five Silver Stars, and two Bronze Stars in the European Theater. Let me repeat that Mr. President, because it truly is an astounding record.

Five Purple Hearts, five Silver Stars, and two Bronze Stars.

As a young second lieutenant during the war, Jack saw action from the Allied invasion of Normandy to the decisive Battle of the Bulge in the winter of 1944–45. Upon leaving the service in 1946, Mr. Streeter earned a law degree from Hastings Law School in San Francisco and later returned to Reno, where he was soon elected as district attorney. He later found the National District Attorney Association and participated in numerous civic organizations and foundations.

Jack Streeter's distinguished military service record, coupled with his unyielding dedication to his community, merits the sort of recognition and remembrance that this legislation will provide. To all Nevadans who have had the opportunity to know Jack, he is a friend, a civic leader, and most importantly, a champion of the community.

I look forward to working with Senator REID and the entire Nevada delegation in passing this proposal and naming this new wing after a true American hero.

By Mr. COCHRAN:

S. 514. A bill to improve the National Writing Project; to the Committee on Health, Education, Labor, and Pensions.

LEGISLATION TO REAUTHORIZE THE NATIONAL WRITING PROJECT

Mr. COCHRAN. Mr. President, today, I am introducing legislation to reauthorize the National Writing Project, the only Federal program to improve the teaching of writing in America's classrooms.

Literacy is at the foundation of school and workplace success, of citizenship in a democracy, and of learning in all disciplines. The National Writing Project has been instrumental in helping teachers develop better teaching skills so they can help our children improve their ability to read, write, and think.

As the United States continues to face a crisis in writing in schools heightened by the growing number of at-risk students due to limited English proficiency and the shortage of adequately trained teachers, continued Federal support for a program that works such as the National Writing Project is imperative.

The National Writing Project is a national network of university-based teacher training programs designed to improve the teaching of writing and student achievement in writing.

Through its professional development model, the National Writing Project recognizes the primary importance of teacher knowledge, expertise, and leadership. The National Writing Project operates on a teachers-teaching teachers model. Successful writing teachers attend Invitational Summer Institutes

at their local universities. During the school year these teachers provide workshops for other teachers in the schools.

Teachers of all subjects benefit from the training, and the success of students who are taught by Writing Project teachers is evident: they score better not just on writing examinations, but in reading, mathematics, and in other subjects.

Since 1973, the National Writing Project has served over 1.8 million teaches and administrators. Each year over 150,000 participants benefit from the National Writing Project programs in 1 of 156 United States sites located in 46 States and Puerto Rico. The National Writing Project generates \$6.47 for every Federal dollar.

I am pleased, that for the first time since the National Writing Project was authorized for federal funding in 1991, the President has requested funds to expand the National Writing Project in his budget for Fiscal Year 2000.

This program has proven to be one of the most effective in education today. I am proud to be associated with it, and I compliment those who have made it so successful across the nation.

When I first introduced this bill in 1990, it was cosponsored by 40 Senators, both Republicans and Democrats. I hope it will receive equal or greater support in the 106th Congress. I invite other Senators to join me in sponsoring this legislation.

By Mr. AKAKA (for himself, Mr. SMITH of New Hampshire, Mr. REID, Mrs. FEINSTEIN, Mr. LEVIN, Mr. LAUTENBERG, Mr. TORRICELLI, and Mr. SCHUMER):

S. 515. A bill to amend the Packers and Stockyards Act of 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory livestock, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

DOWNED ANIMAL PROTECTION ACT

Mr. AKAKA. Mr. President, today I am introducing the Downed Animal Protection Act, a bill to eliminate inhumane and improper treatment of downed animals at stockyards. The legislation prohibits the sale or transfer of downed animals unless they have been humanely euthanized.

Downed animals are severely distressed recumbent animals that are too sick to rise or move on their own. Once an animal becomes immobile, it must remain where it has fallen, often without receiving the most basic assistance. Downed animals that survive the stockyard are slaughtered for human consumption.

These animals are extremely difficult, if not impossible, to handle humanely. They have very demanding needs, and must be fed and watered individually. The suffering of downed

animals is so severe that the only humane solution to their plight is immediate euthanasia.

Mr. President, the bill I introduce today requires that these hopelessly sick and injured animals be euthanized by humane methods that rapidly and effectively render animals insensitive to pain. Humane euthanasia of downed animals will limit animal suffering and will encourage the livestock industry to concentrate on improved management and handling practices to avoid this problem.

Downed animals compromise a tiny fraction, less than one-tenth of one percent, of animals at stockyards. Banning their sale or transfer would cause no economic hardship. The Downed Animal Protection Act will prompt stockyards to refuse crippled and distressed animals, and will make the prevention of downed animals a priority for the livestock industry. The bill will reinforce the industry's commitment to humane handling of animals.

The problem of downed animals has been addressed by major livestock organizations such as the United Stockyards Corp., the Minnesota Livestock Marketing Association, the National Pork Producers Council, the Colorado Cattlemen's Association, and the Independent Cattlemen's Association of Texas. All of these organizations have taken strong stands against improper treatment of animals by adopting "no-downer" policies. I want to commend these and other organizations, as well as responsible and conscientious livestock producers throughout the country, for their efforts to end an appalling problem that erodes consumer confidence.

Despite a strong consensus within industry, the animal welfare movement, consumers, and government that downed animals should not be sent to stockyards, this sad problem continues, causing animal suffering and an erosion of public confidence in the industry.

Mr. President, this legislation will complement industry effort to address this problem by encouraging better care of animals at farms and ranches. Animals with impaired mobility will receive better treatment in order to prevent them from becoming incapacitated. The bill will remove the incentive for sending downed animals to stockyards in the hope of receiving some salvage value for the animals and would encourage greater care during loading and transport. The bill will also discourage improper breeding practices that account for most downed animals.

My legislation would set a uniform national standard, thereby removing any unfair advantages that might result from differing standards throughout the industry. Furthermore, no additional bureaucracy will be needed as a consequence of my bill because inspectors of the Packers and Stockyards

Administration regularly visit stockyards to enforce existing regulations. Thus, the additional burden on the agency and stockyard operators will be insignificant.

By Mr. THOMAS:

S. 516. A bill to benefit consumers by promoting competition in the electric power industry, and for other purposes; to the Committee on Energy and Natural Resources.

THE ELECTRIC UTILITY RESTRUCTURING EMPOWERMENT AND COMPETITIVENESS ACT OF 1999 (EURECA)

Mr. THOMAS. Mr. President, I rise today to introduce the Electric Utility Restructuring Empowerment and Competitiveness Act of 1999. This legislation empowers the states to restructure their electric industries at the rate and in the way they decide. My legislation imposes no "retail choice mandate" or deadline on the States so as to fully allow the best market ideas and approaches to occur. As well, EURECA removes Federal impediments to competition and deregulates and streamlines the industry.

My bill gives the States the leading role in implementing competition in the electric power industry. This approach contrasts with the bills introduced in the House and Senate last Congress that required competition nationwide by a date certain. A Federal mandate on the States requiring retail competition by a date certain is not in the best interest of all classes of consumers. I am concerned such an approach would cause increased prices for low density States with relatively low cost power. This bill will protect States' rights and allow States maximum latitude to adapt competition to their own individual needs.

I believe States are in the best position to deal with this complex issue. Although the cost of electricity varies across the country, electric industry restructuring can result in lower consumer prices for everyday goods and services, the development of innovative new products and services, and a growing, more productive economy.

We have spent the last two Congresses holding hearings to review the state of competition in the electric power industry and discussing numerous pieces of legislation dealing with restructuring. Meanwhile, 20 individual States have passed their own legislation introducing competition into the retail electric industry and many other States are considering such proposals. According to industry statistics, nearly 50 percent of all Americans now live in States committed to retail competition. States are clearly taking the lead—they should continue to have that role—and this bill encourages more innovation by affirming States' ability to implement retail choice policies.

It is critical to the welfare of the States that each one have an oppor-

tunity to ready and equip themselves for a successful transition to a deregulated environment. By learning from the States which have already implemented competition, other states can take precautions and adopt laws that will best protect them as they adjust to this new competitive environment. With FERC's Order 888, which created competitive wholesale power supply markets through the availability of non-discriminatory open-access transmission service under tariff, we have seen at both the State and Federal levels that we are now in a critical testing period in the implementation of market-based policies. Specifically, we saw the price spikes that occurred last summer in the Midwest. After holding a hearing on the subject, the experts agreed that we are indeed in a transition period. Although no one could point to one specific reason for the occurrence, and many were suggested, all seemed to agree for the need of national reliability standards.

Traditionally, reliability of the transmission system was managed by a voluntary, industry-led organization known as the North American Electric Reliability Council. We have added many new players to the transmission grid, making for an increasingly decentralized and competitive U.S. electricity industry. And, as determined by a recently issued DOE Task Force Report, "the old institutions of reliability are no longer sufficient." I have added a section on reliability to my legislation. The industry collectively came up with a legislative proposal that would transform NERC from a voluntary system of reliability management to NAERO, an organization that is mandatory in nature and subject to FERC oversight. Sustaining system reliability is crucial for protecting all classes of consumers and such an organization can help ensure that power markets function efficiently.

One of the most important aspects of this debate—assuring that universal service is maintained—is a critical function that each state PUC should have the ability to oversee and enforce. In my legislation, nothing would prohibit a state from requiring all electricity providers that sell electricity to retail customers in that state to provide electricity service to all classes and consumers of electric power. All classes of consumers should have access to adequate, safe, reliable and efficient energy services at fair and reasonable prices, as a result of competition.

Mr. President, my proposal will create greater competition at the wholesale level by prospectively deregulating wholesale sales of electricity. We did this in natural gas and it worked—I am confident it will work in electricity. Although everyone talks about "deregulating" the electricity industry, it is really the generation

segment that will be deregulated. The FERC will continue to regulate transmission in interstate commerce, and State PUCs will continue to regulate retail distribution services and sales.

When FERC issued Order 888, it allowed utilities to seek market-based rates for new generating capacity. This provision goes a step further and allows utilities to purchase wholesale power from existing generation facilities, after the date of enactment of this Act, at prices solely determined by market forces.

Furthermore, the measure expands FERC authority to require non-public utilities that own, operate or control transmission to open their systems. Currently, the Commission cannot require the Power Marketing Administration (PMAs), the Tennessee Valley Authority (TVA), municipalities and cooperatives which own transmission to provide wholesale open access transmission service. Since approximately 22 percent of all transmission is beyond open access authority, requiring these non-public utilities to provide this service will help ensure that a true wholesale power market exists.

One of the key elements of this measure is streamlining and modernizing the Public Utility Regulatory Policies Act of 1978 (PURPA) and the Public Utility Holding Company Act of 1935 (PUHCA). While both of these initiatives were enacted with good intentions, there is widespread belief that the Acts have fulfilled their original obligations and have outlived their usefulness.

My bill amends Section 210 of PURPA on a prospective basis. Current PURPA contracts would continue to be honored and upheld. However, upon enactment of this legislation, a utility that begins operating would not be required to enter into a new contract or obligation to purchase electricity under Section 210 of PURPA.

With regard to PUHCA, I've included Senators SHELBY's and DODD's "Public Utility Holding Company Act of 1999." This language is identical to the bipartisan legislation reported by the Committee on Banking, Housing, and Urban Affairs in the 105th Congress. Under this proposal, PUHCA would be repealed. Furthermore, all books and records of each holding company and each associate company would be transferred to the Securities and Exchange Commission (SEC)—which currently has jurisdiction over the 19 registered holding companies—to FERC. This allows energy regulators, who truly know the industry to oversee the operations of these companies and review acquisitions and mergers. These consumer protections are an important part of PUHCA reform.

Mr. President, an issue that must be resolved in order for a true competitive environment to exist is that of utilities receiving "subsidies" by the federal

government and the U.S. tax code. For years, investor owned utilities (IOUs) have claimed inequity because of tax-exempt financing and low-interest loans that municipalities and rural cooperative receive. On the other side of the equation, these public power systems maintain that IOUs receive benefits in the tax code such as accelerated depreciation, investment tax credits and deferred income tax and many use tax-exempt debt for pollution control bonds. Are these in a way, "subsidies?" The jury is still out on how best to tackle these difficult issues but without a doubt, we will need to come to a resolution.

Finally, my bill directs the Inspector General of the Department of the Treasury to file a report to the Congress detailing whether and how tax code incentives received by all utilities should be reviewed in order to foster a competitive retail electricity market in the future.

Mr. President, with respect to federal comprehensive restructuring legislation, it is the states themselves that hold the key to ultimate success. EURECA allows states to continue to move forward and craft electricity proposals that best fit their own particular needs. This legislation is the best solution to move forward with a better product for all classes of consumers and the industry as a whole.

By Mr. GRAHAM (for himself, Mr. CHAFEE, Ms. MIKULSKI, Mr. DEWINE, and Mr. ROBB):

S. 517. A bill to assure access under group health plans and health insurance coverage to covered emergency medical services; to the Committee on Health, Education, Labor and Pensions.

ACCESS TO EMERGENCY MEDICAL SERVICES ACT
OF 1999

Mr. GRAHAM. Mr. President, I rise today with my colleagues Senators CHAFEE, ROBB, and MIKULSKI, to introduce the Emergency Medical Services Act of 1999. Americans today are routinely denied coverage by their managed care plans for visits to the emergency department for legitimate emergency medical conditions. This legislation establishes a national definition, known as the prudent layperson standard, for the purposes of receiving emergency room treatment. The Balanced Budget Act of 1997 applied this definition to the Medicaid and Medicare programs. The proposal would simply ensure that all private health plans afford their consumers the same kinds of protections available to Medicaid and Medicare beneficiaries.

Mr. President, current law places patients in the unreasonable position of fearing that payment for emergency room visits will be denied even when conditions appear to both the patient and emergency room personnel to require urgent treatment. For example, a

patient who is experiencing chest pains and believes that she is having a heart attack may not be covered by a health plan if the diagnosis later turns out to be indigestion. Enactment of the "prudent layperson" definition would end this phenomena by ensuring coverage when a reasonable person, who believes that she is in need of care, presents herself at an emergency room and is treated.

Federal law, the Emergency Medical Treatment and Active Labor Act (EMTALA), already requires that all persons who come to a hospital for emergency care be given a screening examination to determine if they are experiencing a medical emergency, and if so, that they receive stabilizing treatment before being discharged or moved to another facility. As a result, emergency, room doctors and hospitals face a catch-22. Practitioners are required by EMTALA and their own professional ethics to perform diagnostic tests and exams to rule out emergency conditions, but may be denied reimbursement due to HMO prior authorization requirements or a finding after diagnosis that the condition was not of an emergency.

This legislation also provides a process for the coordination of post-stabilization care. Consider this example: a patient goes into the emergency room complaining of chest pains, in an obvious emergent condition. Subsequently, the chest pains subside, therefore, the patient is considered clinically "stabilized." However, this does not mean that the patient is out of danger. At that point the emergency room physician may recommend a follow up test, such as an EKG, but is frequently unable to get the health plan to authorize any follow-up care.

This portion of the bill would require that treating emergency physicians and health plans timely communicate with each other to determine what the necessary post-stabilization care should be. Health plans, in conjunction with the treating physician, may arrange for an alternative treatment plan that allows the health plan to assume care of the patient after stabilization. For instance, the plan may recommend that the patient be transferred to an in-network hospital, or it may agree to cover the tests recommended by the emergency room physician.

Our legislation has been strongly endorsed by Kaiser Permanente, one of our nation's oldest, largest, and most respected managed care plans, and the American College of Emergency Physicians. The legislation has also received the strong support of the American Osteopathic Association, the Federation of American Health Systems, and the National Council of Senior Citizens, among many others.

I would ask that my colleagues join us in supporting this important legislation.

By Mr. DURBIN:

S. 520. A bill for the relief of Janina Altagracia Castillo-Rojas and her husband, Diogenes Patricio Rojas; to the Committee on the Judiciary.

PRIVATE RELIEF BILL

Mr. DURBIN. Mr. President, I rise today to introduce a private bill for the relief of Janina Altagracia Castillo-Rojas and her husband, Diogenes Patricio Rojas. My bill would grant permanent resident status to Janina and Diogenes, who face deportation later this month to the Dominican Republic as a result of a technicality in current federal immigration law.

Janina has been denied citizenship because her mother was the child of a U.S. citizen female and foreign male. Previous law allowed only children of U.S. citizen males and foreign females to claim U.S. citizenship.

In 1994, Senator Paul Simon passed the Immigration and Nationality and Technical Corrections Act, which allowed individuals born overseas before 1934 to U.S. citizen mothers, and their descendants, to claim U.S. citizenship. As a result of that 1994 law, Janina's mother received U.S. citizenship in January 1996.

However, when Janina attempted to attain citizenship as a descendant of a direct beneficiary of this legislation, her application was denied. Despite the 1994 law, the Immigration and Naturalization Service required that Janina's mother meet transmission requirements: she must have been physically present in the U.S. for 10 years prior to Janina's birth, 5 of which over the age of 16 years, in order for Janina to derive citizenship. Since her mother was prohibited from becoming a U.S. citizen until 1996, however, this requirement is unreasonable.

While 60 years of discriminatory law was corrected in 1994, the citizenship qualifications of the line of descendants of those U.S. citizen females remain adversely impacted. The private relief bill I introduce today will grant Janina and her husband Diogenes permanent resident status to continue their lives in this country until this provision can be amended.

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

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

S. 520

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENCE.

Notwithstanding any other provision of law, for purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Janina Altagracia Castillo-Rojas and her husband, Diogenes Patricio Rojas, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees.

SEC. 2. REDUCTION OF NUMBER OF AVAILABLE VISAS.

Upon the granting of permanent residence to Janina Altagracia Castillo-Rojas and her husband, Diogenes Patricio Rojas, as provided in this Act, the Secretary of State shall instruct the proper officer to reduce by the appropriate number during the current fiscal year the total number of immigrant visas available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)).

By Mr. LEAHY (for himself, Mr. CAMPBELL, Mr. SCHUMER, Mr. FEINGOLD, and Mr. TORRICELLI):

S. 521. A bill to amend part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide for a waiver of or reduction in the matching funds requirement in the case of fiscal hardship; to the Committee on the Judiciary.

LEGISLATION TO IMPROVE THE BULLETPROOF VEST PARTNERSHIP GRANT ACT

Mr. LEAHY. Mr. President, I am introducing legislation to improve the Bulletproof Vest Partnership Grant Act and am especially pleased to be joined by Senators FEINGOLD, TORRICELLI and SCHUMER as original sponsors on this law enforcement effort. I am also pleased that the senior Senator from Colorado, Senator CAMPBELL, is joining us, again, in this effort. We worked together closely and successfully last year to pass the Bulletproof Vest Partnership Grant Act into law.

The Bulletproof Vest Partnership Grant Act, which President Clinton signed into law on June 16, 1998, authorizes the Department of Justice to award grants to pay for half of the cost of providing bulletproof vests for State and local law enforcement officers. Beginning this month, the Department of Justice plans to open the Bulletproof Vest Partnership Program so that State, county and local law enforcement agencies may receive grants to pay for half of the cost of providing body armor for their officers. The entire application and payment process for the program will occur electronically via the Internet at <http://vests.ojp.gov>. I am confident that this innovative process will be a great success at harnessing the power of the information age to assist law enforcement do its job better, safer and more cost effectively. I want to commend the Attorney General and the Department for making this effort.

To build on the success of the Bulletproof Vest Partnership Program, our bipartisan legislation would permit the Department of Justice to waive, in whole or in part, the matching requirement for law enforcement agencies applying for bulletproof vest grants in cases of fiscal hardship. Some police departments in smaller jurisdictions may be unable to contribute half of the

cost of buying body armor for their officers. This waiver provision was included in the Campbell-Leahy version of the Act introduced last year, but was unfortunately eliminated by others during House-Senate consideration of the final legislation.

Our bipartisan bill is strongly supported by Federal Bureau of Investigation Director Louis Freeh and the International Association of Chiefs of Police.

More than ever before, police officers in Vermont and around the country face deadly threats that can strike at any time, even during routine traffic stops. Bulletproof vests save lives, and I believe this new law will put vests on our State and local law enforcement officers who put their lives on the line.

I look forward to working with all Senators to ensure that each and every law enforcement community in Vermont and across the nation can afford basic protection for their officers.

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

S. 521

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MATCHING GRANT PROGRAM FOR LAW ENFORCEMENT ARMOR VESTS.

Section 2501(f) of part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 379611(f)) is amended—

(1) by striking "The portion" and inserting the following:

"(1) IN GENERAL.—Subject to paragraph (2), the portion"; and

(2) by adding at the end the following:

"(2) WAIVER.—The Director may waive, in whole or in part, the requirement of paragraph (1) in the case of fiscal hardship, as determined by the Director."

By Mr. LAUTENBERG (for himself, Mr. TORRICELLI, Mrs. BOXER, Mr. LIEBERMAN, and Mrs. FEINSTEIN):

S. 522. A bill to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water, and for other purposes; to the Committee on Environment and Public Works.

BEACHES ENVIRONMENTAL ASSESSMENT, CLOSURE, AND HEALTH ACT OF 1999

Mr. LAUTENBERG. Mr. President, today I am introducing the Beaches Environmental Assessment, Closure, and Health (BEACH) Act of 1999, legislation which would amend the Clean Water Act to require states to adopt water quality standards for coastal recreation waters and to notify the public of unhealthy conditions. I am pleased to be joined by Senator TORRICELLI, Senator BOXER, and Senator LIEBERMAN in sponsoring this legislation.

Mr. President, coastal tourism generates billions of dollars every year for local communities and beaches are the top vacation destination in the nation. A recent survey found that tourists

spend over \$100 billion in coastal portions of the twelve states that were studied. Travel and tourism to the beaches of the Jersey shore alone generates over \$7 billion annually to local economies.

Unfortunately, the increased use of the coastal waters at our public beaches and coastal parks for swimming, wading, and surfing can cause increased risk to public health if these recreational waters are not properly managed. Water pollution and water-borne bacteria and viruses from overflowing sewage systems can cause a wide range of diseases, including gastroenteritis, dysentery, hepatitis, ear, nose, and throat problems, E. coli bacterial infections, and respiratory illness. Upon contracting one of these water-borne diseases, the affected individual often remains contagious even when out of the water and may pass the illness to others. The consequences of these swimming-associated illnesses can be especially severe for children, elderly people, and the infirm. In Maryland, the outbreak of the toxic Pfiesteria organism in several Chesapeake Bay tributaries prompted the state to close several rivers for public health reasons. Fishermen and swimmers who were exposed to Pfiesteria complained of short-term memory loss, dizziness, muscular aches, peripheral tingling, vomiting, and abdominal pain.

In a 1998 report on beach water quality, entitled Testing the Waters, the Natural Resources Defense Council reported over 5,199 closings or advisories of varying durations at U.S. beaches due to detected or anticipated unhealthy water quality in 1997. Many beaches closures and health advisories were a result of sewage spills and overflows.

The number of beach closings and advisories, while large, may represent only a small portion of the actual problem. This is because of an inconsistent approach among the states toward monitoring the water quality of public beaches and notifying the public of unhealthy conditions. In fact, as of 1999, only nine states have comprehensive monitoring programs and adequate public notification. Thirteen states have regular monitoring and public notification programs for a portion of their recreational beaches. Among the remaining coastal and Great Lakes states, some lack any regular monitoring of beach water quality, while others have monitoring programs, but no programs to close beaches or notify the public. As a result, a high bacteria level can cause a beach closure in one state while, in another state, people may be allowed to swim in the water, despite the health risks.

Due in part to my urging, in 1997, the Environmental Protection Agency (EPA) established its Beaches Environmental Assessment, Closure and Health