

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

Mr. LOTT. I further ask that following that vote, the Senate proceed to S. Res. 33 reported today by the Judiciary Committee regarding National Military Appreciation Month, and the Senate proceed to vote on the resolution without further debate.

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

Mr. LOTT. I ask consent it be in order for me to ask for the yeas and nays at this time.

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

Mr. LOTT. Mr. President, I now ask for the yeas and nays on adoption of S. Res. 33.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LOTT. There will be two rollcall votes on Friday beginning at 10 a.m. I thank my colleagues for their consideration of these issues.

As a result of the agreement outlined, there will be no further votes today. In addition, I am working with the minority leader, Senator McCain, and others to reach an agreement for consideration of the resolution Senator MCCAIN introduced regarding Kosovo. That could involve other votes or other resolutions. For now, we are working on exactly when the MCCAIN resolution would come up. I hope the Senate can reach consideration on this matter in early May. I expect a little debate yet today on the pending lockbox issue.

#### RECESS

Mr. LOTT. In light of a briefing that is ongoing, a very important briefing in the secure room with regard to the conflict in Kosovo, I ask that the Senate stand in recess until 4:30 so all Senators can attend this briefing.

There being no objection, the Senate, at 3:42 p.m., recessed until 4:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. GORTON].

The PRESIDING OFFICER. The Presiding Officer, in his capacity as a Senator from the State of Washington, notes the absence of a quorum.

The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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 President, I ask unanimous consent the order for the quorum call be rescinded.

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

#### CONGRATULATING THE ST. PIUS DECATHLON TEAM

Mr. DOMENICI. Mr. President, with the recent tragic events in Colorado, it's good for us to remind one another that there are a lot of terrific young

people out there accomplishing great feats involving teamwork, academic study, and a lot of guts.

That's why today I want to salute the St. Pius High School academic decathlon team from my hometown in Albuquerque, NM. The St. Pius students just finished in 7th place at the national academic decathlon finals in California. That's the best finish New Mexico young people have ever scored at the decathlon nationals.

One of the St. Pius team members said it best about the contest. He said it's the only competitive event in high school where your best chance of winning involves going home and reading a book.

These outstanding young people were tested based on their knowledge and scholastic skills in fine art, music, history, economics, mathematics and literature.

It is with great pride that I salute the St. Pius decathlon team and their accomplishments. Congratulations to team members Caleb Benton, Nicholas Jaramillo, Stephanie Piegzik, Dennis Carmody, Mark Mulder, Matt Spurgeon, Louis Rivera, Ben Sachs, Jesse Vigil and their coach James Penn.

THE PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. I thank the Chair.

(The remarks of Mr. DOMENICI pertaining to the introduction of S. 925 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### THE FLAWED ENDANGERED SPECIES ACT

Mr. DOMENICI. Mr. President, I rise today to share with my fellow Senators an extraordinary exchange that occurred last week in the Interior Appropriations Subcommittee when they were conducting a hearing under your chairmanship regarding the year 2000 budget for the Department of Interior.

As some of you here may know, Secretary Babbitt and I, while both being from adjacent Western States, have not agreed on a lot of land management, water, and endangered species issues affecting the West. However, last Thursday a most unusual and enlightening thing took place. We both agreed that, regarding the impact of the Endangered Species Act on desert States like New Mexico, the current implementation of the law does not work.

I ask unanimous consent Secretary Babbitt's testimony be printed in the RECORD. It is not yet an official record because the entire transcript has not been completed, but it is a literal translation of what he said that day.

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

#### DEPARTMENTS OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2000

THURSDAY, APRIL 22, 1999

U.S. SENATE, SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS, Washington, DC.

The subcommittee met at 9:33 a.m., in room SD-124, the Dirksen Senate Office Building, Hon. Slade Gorton (chairman of the subcommittee) presiding. Present: Senators Gorton, Stevens, Cochran, Domenici, Burns, Campbell and Byrd.

UNEDITED PARTIAL TRANSCRIPT

Senator GORTON. Senator Campbell?

Senator CAMPBELL. Mr. Chairman, Senator Domenici has to—he has another very tight commitment.

Did you want to ask a question before I go?

Senator DOMENICI. I would really ask if I could ask two questions. I have to preside at a committee hearing at 10:00 o'clock, and I will be a little late to that.

Senator GORTON. Fine, fine. Go ahead.

Senator DOMENICI. Thank you.

Mr. Secretary, I am going to submit some questions to you with reference to the drought in the State of New Mexico, which will essentially be asking you if you can make sure there is a coordination of all of the federal agencies, some under you, as to what might be done.

We are—we are clearly—I do not know if you know this, but we are destined this year to have the worst drought we have ever had. Our rivers are going to run dry, and a lot of things are going to happen that are very, very bad. And I will ask you about that in detail.

But now I want to raise an issue that is related to the drought and share it with you with reference to the Endangered Species Law, and I think you are aware of this.

Mr. Secretary, New Mexico, like Arizona, is a very arid state. Folks here in the Beltway are primarily unaware of the critical needs for water out there in the West. We are very grateful that you come from out there and you know about these needs.

With the lack of snow pack and precipitation in New Mexico, we are going to have a drought. In fact, parts of the Rio Grande River which you are familiar with, which historically has gone dry at various times, may dry up as early as this week, believe it or not.

The traditional stresses of water users are only made more difficult by litigation regarding the needs for the silver minnow endangered species. A recent notice of intent to sue by the Forest Guardians and others—that is an entity in New Mexico—threatened to force the release of stored water in any of Heron, El Vado, Abiquiú, and Cochiti Reservoirs to maintain—quote, "to maintain the riparian habitat necessarily for the survival," of the silver minnow and the willow flycatcher.

I am concerned about water necessary for the survival of New Mexico, our cities which use that water, our irrigators which have—as you know, under our water system, they have primacy as per the time they applied it to the ground, and they own much of that water.

In the lawsuit which sought to force immediate critical habitat designation, you, as the Secretary of Interior, in the lawsuit which I will make available to you, you argued that the Department did not have the data necessary to determine water amounts needed for the fish.