

the format conforms with federal regulations (when they are promulgated).

It appears we'd need to have the attached disclosures whether or not there is something to disclose, which could mean lots of go-backs for incomplete applications.

#### REBUILDING AND INSPECTION

The restrictions imposed by this bill would seem to significantly reduce interest in rebuilding flood or salvage vehicles. The rebuilders is also the inspector in this bill and he or she must: Sign and attach to the title, a secure inspection certificate attesting that "original manufacturer established repair procedures or specifications" were followed in making the repairs and inspections; affix a decal to the door jamb or other conspicuous place; follow "regulations promulgated" describing qualifications and equipment required to do inspection certifications; follow "regulations promulgated" that establish minimum steps for inspection; and post up to a \$250,000 bond (if required) to protect the public against unsafe or inadequate repairs or improper inspection certification.

So, the person who repairs a flood or salvage vehicle also inspects it for safety and quality of repair—but not anti-theft. There doesn't seem to be a provision for anti-theft inspection.

#### NONREPAIRABLE VEHICLES

Nonrepairable vehicles can't be registered and can only be transferred to an insurance company, automotive recycler or dismantler—and only for the purpose of dismantling or crushing.

So, the owner of a classic car that's damaged more than 90% of its fair market value has no choice but to have it dismantled or crushed—even if willing to pay whatever it costs to get it back to legal operating condition.

#### PENALTIES

A civil penalty of up to \$2,000 may be charged for "a violation"—the violation doesn't have to be "knowingly and willfully" performed.

However, if it is "knowingly and willfully" performed, the penalty is the \$2,000 fine, or three years in prison, or both.

#### MISCELLANEOUS

We'd have to revise any of our laws that are inconsistent with this. We would be able to keep our other brands (manufacturer buyback, police, taxi, non-USA standard and insurance claim—if we revised the percentage to 30-65% damage).

Thank you for this opportunity to offer comments on the "Salvaged and Damaged Motor Vehicle Information Disclosure Act." On behalf of the Wisconsin DMV, I hope our ideas prove useful. Please do not hesitate to contact me or Carson Frazier (with our Bureau of Vehicle Services at 608-266-7857) if you have any questions.

Sincerely,

ROGER D. CROSS,  
*Administrator.*

STATE OF ALABAMA,  
DEPARTMENT OF REVENUE,  
*Montgomery, AL, April 14, 1999.*

Ms. LINDA LEWIS,  
*Public and Legislative Affairs, AAMVA,  
Arlington, VA.*

DEAR Ms. LEWIS: Pursuant to President Beam's memo of March 31, 1999, we have reviewed S. 678 to ascertain its possible effects on Alabama. Below is a listing of problems observed.

1. The bill establishes a 65% threshold for salvage vehicles. Alabama has a 75% thresh-

old to determine when a vehicle is declared salvage. In addition, the proposed legislation states that "if the full cost of the damages suffered in 1 incident is attributable only to cosmetic damages, those damages shall not constitute major damage." Alabama has no such exemption for cosmetic damage when determining whether a vehicle qualifies as a salvage vehicle.

2. The bill has a specific definition for a "flood vehicle." Alabama law does not distinguish between salvage vehicles that have been declared salvage due to flood damage and vehicles that have been declared salvage due to other events. Vehicles that suffer flood damage in Alabama are subject to the 75% threshold for a salvage vehicle and receive a salvage title if damage to the vehicle is equal to or greater than 75% of the retail value for the vehicle. Alabama law does not require a vehicle to be branded as a "flood vehicle."

3. The bill provides a definition for a leased vehicle that differentiates the vehicle from a non-leased motor vehicle. Alabama law makes no such distinction.

4. The written disclosure requirements mandated by the bill would be difficult to comply with when transfers involves repossession, disposal of an abandoned motor vehicles, situations where ownership passes as a result of the death of an owner, non-voluntary transfers by operation of law and other situations where the transferor may not have personal knowledge of previous vehicle damage.

5. The bill's prescribed use of a secure power of attorney could prove to be burdensome in situations where there was a transfer between individuals who do not have access to the secure document.

6. The bill would be an unfunded mandate that would require a costly re-design of the Alabama certificate of title and the design and implementation of a new secure power of attorney document and secure inspection form. Additional costs would include: training costs for designated agents and reprogramming costs for county offices, automobile dealers, financial institutions, and insurance companies.

7. The disclosure requirements in the bill do not address vehicle damage that occurred prior to the proposed implementation date of the legislation. Therefore, it is unlikely that this information would not be readily accessible to transferor of the vehicle for a subsequent disclosure statement.

8. The bill does not clearly specify who is responsible for conducting a rebuilt salvage vehicle inspection.

In summary, the bill would be an administrative nightmare for the State of Alabama to implement. In addition, based upon the past experience of implementing the federal truth in mileage act, the gains in uniformity among states would be minimal for a substantial period of time and the costs would be both immediate and significant. If additional input is desired, please feel free to contact me at the address listed below or at telephone (334) 242-9013.

Sincerely,

MIKE GAMBLE,  
*Assistant Supervisor, Motor Vehicle  
Division/Title Section.*

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, May 10, 1999, the federal debt stood at \$5,571,919,882,068.64 (Five trillion, five

hundred seventy-one billion, nine hundred nineteen million, eight hundred eighty-two thousand, sixty-eight dollars and sixty-four cents).

Five years ago, May 10, 1994, the federal debt stood at \$4,571,813,000,000 (Four trillion, five hundred seventy-one billion, eight hundred thirteen million).

Ten years ago, May 10, 1989, the federal debt stood at \$2,765,710,000,000 (Two trillion, seven hundred sixty-five billion, seven hundred ten million).

Twenty-five years ago, May 10, 1974, the federal debt stood at \$469,195,000,000 (Four hundred sixty-nine billion, one hundred ninety-five million) which reflects a debt increase of more than \$5 trillion—\$5,102,724,882,068.64 (Five trillion, one hundred two billion, seven hundred twenty-four million, eight hundred eighty-two thousand, sixty-eight dollars and sixty-four cents) during the past 25 years.

#### CONTINUING CAMPAIGN OF TERROR IN EAST TIMOR

Mr. FEINGOLD. Mr. President. I am dismayed to report to the Senate that the situation in East Timor continued to deteriorate over the weekend. The violence has become so bad that courageous human rights activists, lawyers, health workers and others have been forced to go into hiding. There are reports that thousands of East Timorese are trapped inside what one observer has called a "concentration camp."

This situation comes on the heels of several new developments. Last week, we had the unfortunate and ironic coincidence of several events on one day, Wednesday, May 5. On that day, the governments of Portugal and Indonesia, under the auspices of the United Nations, signed an agreement regarding the modalities of the planned August 8, 1999, vote on autonomy in East Timor. On that same day, the New York Times published a very significant op-ed by a key human rights lawyer, Aniceto Guterres Lopes, while at the same time, his house was surrounded by armed militias. And, still on the same day, I and several other Senators introduced S. Res. 96, a resolution to push for the Government of Indonesia to make a top priority the disarming of the very militias that seem to be terrorizing the region, among other actions.

Mr. President, on Sunday, May 9, 1999, the Washington Post published an excellent article that explains in horrifying detail just how bad the situation has become in East Timor. I ask unanimous consent that the text of the article be printed in the RECORD, and I thank the Chair.

[From the Washington Post, May 9, 1999]  
 A CAMPAIGN OF TERROR; ARMY-BACKED MILITIAS USE VIOLENCE TO SWAY VOTE ON E. TIMOR INDEPENDENCE

(By Keith B. Richburg)

The Indonesian military, through armed surrogates and paramilitary groups, is using intimidation, violence and the forced relocation of thousands of people to ensure that residents of East Timor do not vote for independence in a referendum Aug. 8, according to relief workers, human rights groups, Western military analysts and independent reporting here.

The actions of the paramilitary groups stand in sharp contrast to the central government's commitment in a U.N.-brokered agreement last week to allow East Timor's 800,000 people to choose their own future in a referendum, even if they decide to sever ties with Indonesia and become the world's newest independent nation. The government promised a free and fair vote.

Hundreds of Timorese independence activists have been killed or have gone into hiding after receiving death threats from army-backed militias. The main independence group, the National Council for Timorese Resistance has been wiped out in the capital, Dili; its downtown office is shut and its leaders are on the run. Militia members armed with machetes and homemade rifles roam the streets, carrying what is believed to be a death list with the names of prominent activists, human rights lawyers and even Catholic priests.

And in the most ominous sign yet that the military intends to engineer the outcome of the vote, 20,000 people have been herded from their mountain villages and are being held in this town as virtual hostages of the militia—creating a captive bloc of votes in favor of Timor remaining a part of Indonesia. Each day, the men are separated from the women, are forced to stand and sing the Indonesian national anthem and to wear red-and-white armbands and scarves, the colors of the Indonesian flag.

The police say these people are refugees fleeing the pro-independence guerrillas in the hills, who have been waging a low-level insurgency against Indonesian occupation for 24 years. But local relief workers in Dili—no foreign aid workers are allowed here—say they have been barred from traveling to Liquica to check on the condition of these people, who are living in makeshift tents, under tarps or in abandoned buildings. What little food they have is provided by the local government, and water is scarce.

Last week, a small group of reporters was allowed into Liquica to see the detainees and take pictures. But interviews outside the presence of the police or militia were forbidden, and most of the people seemed too frightened to speak. A few times, someone in the crowd shouted to the journalists a line not in the official script—one shouted, for example, that they did not have enough to eat—but they were quickly silenced by militia members who raced into the crowds after them.

The police commander for East Timor, Col. Timbul Silaen, had said in Dili earlier that reports of people being held captive in Liquica were untrue. "At most, there are 100 [people being held], and they are from the pro-independence faction," he said in an interview.

#### LIKE A CONCENTRATION CAMP

But when journalists arrived in Liquica, they saw what appeared to be at least 20,000 people. The Liquica police commander, Lt.

Col. Adios Salova, put the number at 10,000, but he insisted, "They can go back to their homes if they want."

"They've got Liquica like a concentration camp," said Dan Murphy, an American physician from Iowa working at a church-run clinic in Dili. "They need help. These people are in desperate shape. . . . They're just sitting out in the open. It's a perfect setup for massive amounts of death" from disease, with so many people without access to clean water and medical care.

Other Timorese relief workers said the kind of forced relocation seen in Liquica is being repeated on a large scale elsewhere in the territory. The goal, they said, appears to be to hold the detainees captive until the referendum, to create a large bloc of voters who will support a government-sponsored package that would give broad autonomy to East Timor, but keep it as a part of Indonesia.

"Their plan is to keep the people there and make sure they vote for" autonomy, said Stanislaus Martins, an official of the Catholic charity Caritas.

East Timor, a former Portuguese colony, has been a nettlesome problem for Indonesia since its troops invaded in 1975 on the pretext of stopping a civil war between rival Timorese factions. East Timor was annexed the following year as a province of Indonesia, but the United Nations never recognized the annexation.

For much of the past 24 years, Indonesia refused to budge on recognizing Timorese demands for independence. Displays of defiance were crushed, including a series of army massacres that are now etched in the psyche of Timorese. Human rights groups and Timorese activists estimate the conflict has killed as many as 200,000 Timorese. But for the most part, Timor has simmered on the back burners of international diplomacy.

All that changed this year, when President B.J. Habibie, who took power last May after the fall of longtime ruler Suharto, suddenly announced that Timorese could have independence if they rejected one last, broadened autonomy offer.

But while the civilian government in Jakarta was eager to rid itself of the East Timor problem, the Indonesian military apparently has other concerns. Senior military officers are known to fear that granting the territory independence will fuel separatist movements across the sprawling archipelago, particularly in the mineral-rich province of Irian Jaya, and in the troubled, Muslim fundamentalist-dominated province of Aceh on Sumatra Island. Troops have been fighting insurgencies in both those provinces, and the rebels have been emboldened by the government's concessions to the Timorese.

"It's national unity, and fear of national disintegration," said a Western military analyst.

The armed forces created the militias ostensibly to help keep the peace. But Timorese activists, human rights lawyers, and Western military analysts point to a more sinister purpose—to use them to create the appearance of a civil war in East Timor, while embarking on a campaign to terrorize and intimidate enough people to ensure a vote against independence.

#### WEAPONS OF TERROR

In recent weeks, the militias have rampaged unchecked in East Timor, killing and maiming suspected independence supporters and sympathizers. "Ever since [Secretary of State] Madeleine Albright came [in March], it's been terrible," said Murphy, the American physician. "Since then, they've decided

to take a hard line, and bring out all the weapons of terror and intimidation."

The most brazen attack was here in Liquica on April 6, when militiamen stormed a Catholic church sheltering hundreds of refugees. Tear gas forced the refugees into the open, where they were shot and hacked with axes and machetes; human rights groups recorded 57 deaths.

On the weekend of April 17, militias rampaged through Dili, driving out most of the independence supporters after a rally at the offices of Timor's Jakarta-appointed governor. The militia members burned down homes and shops in Dili's Becora market area, injuring scores of people.

"The militia is the military; they didn't do this on their own," said a man named Mateus, whose house was spared but who saw his neighbors' houses reduced to smoldering rubble. "We saw their cars, and behind them was the military."

The Western military analyst agreed that the armed forces control the militias, and are using them as surrogates. "There's a big disconnect between what the leadership in Jakarta is saying and what's going on on the ground," he said. "If [Defense Minister Wiranto] was unhappy with what's going on in East Timor, he would have fired some people."

There are now at least 13 militia groups in East Timor, one for each of the territory's 13 districts, with names like Red and White Iron and Aitarak. The Western military analyst said the number now could be as high as 20. The Dili police commander, Col. Timbul, said each militia has about 5,000 members.

One tactic of the militia groups is intimidation of independence supporters. Militia posts have been set up just yards from the homes of human rights activists and other independence sympathizers.

Last Wednesday night, the Portuguese consul general in Jakarta, Ana Gomes, telephoned journalists in Dili to tell them that the Aitarak militia had surrounded the home of a prominent human rights lawyer, Aniceto Gutierrez Lopes, director of the Legal Aid, Human Rights and Justice Foundation. The journalists, arriving in taxis just before midnight, found about two dozen militiamen outside Gutierrez' empty home.

Gutierrez and his family were discovered hiding in his back yard. He whispered to the reporters to stay and make sure he was not found, and to try to persuade the militia that he was not at home. He escaped, and has gone into hiding.

That episode was not unique; dozens of independence supporters, human rights workers and others have been threatened, have fled East Timor or have gone into hiding. Those who remain say they sleep in different houses each night.

Relief workers and foreign military analysts in Jakarta say the militias have a death list, with the names of prominent independence sympathizers to be killed between now and the vote, to guarantee the result the military brass prefers.

Matins, of Caritas relief agency, said he knows his name is on the list. "It's all the key persons they say have to be killed," he said, cowering in his office after receiving an early morning warning of an imminent attack.

"They believe if they kill them all, they can win the elections." He said four priests are on the list, including the Rev. Francisco Barreto who heads the Caritas office. A man stands in front of bullet holes that riddled his home during an attack by a militia group in the East Timor town of Liquica. The militias, who are believed to have the support of

the Indonesian armed forces, also rounded up an estimated 20,000 villagers who are being detained in the town. Members of this family are among thousands of East Timorese being held in tents and abandoned buildings in Liquica. It is believed that they will be pressured to vote against independence.

#### TAX FREEDOM DAY

Mr. MACK. Mr. President, I am here today because finally, Tax Freedom Day has arrived—the day the average American has earned enough income to cover his or her Federal, State and local taxes for the year. Only today—after one-third of the year has already passed—have our working men and women earned enough money to pay their taxes for the year! This is truly amazing, and it is also truly wrong.

Tax Freedom Day has moved successively later into the year for the past 7 years, as the Federal Government seeks to claim a larger and larger portion of the American family income. Since 1993, Federal tax revenues have grown 52 percent faster than personal income growth. And last year alone, Federal revenues grew 80 percent faster than personal income.

Florida's Tax Freedom Day is even later—Floridians will not finish earning enough to pay their taxes for the year until Friday, May 14. They also shoulder the 5th heaviest total tax burden in the country.

In 1999, Federal, State and local governments are projected to collect an average of \$10,298 in tax revenue for every person in the country. This year, the Federal Government will collect more tax revenue as a share of GDP—that is 20.7 percent—than at any time since 1944. This is the highest level in peacetime history.

If that isn't enough to put the high Federal tax take into perspective, let me share with you a few examples of just how much taxes impede our freedom every day of the year.

I brought with me a daily tax clock to illustrate just how many different times we are taxed in ways we may not even realize. Think about the different things you do in the course of your average day. Planning your family's summer vacation? Forty percent of the cost of an airline ticket is taxes! When you drive to and from work today, 54 percent of the price of a gallon of gasoline is taxes. Did you call your mother on Mother's Day? Fifty percent of the cost of your phone bill is due to taxes.

Taxes infringe on our freedom—our freedom to work, our freedom to invest and our freedom to provide for our families. It is more apparent than ever that the mammoth Federal Government we have created will never be satisfied—if there is money to be had, the Federal Government will take it.

That is why it is more important than ever to provide tax relief to our families. We have a balanced budget, and soon we will be working with a

Federal surplus. If the Federal Government has its way, this overpayment of taxes by the American people will be spent in Washington on new Federal programs. We need to give the American people their money back. I have proposed a tax plan which will do just that by, No. 1, providing tax relief for all American income taxpayers, No. 2, encouraging economic growth and, No. 3, ensuring U.S. technological leadership in the 21st century.

We need to ensure the United States keeps its status as an economic powerhouse in the next millennium. The Federal Government's role in ensuring this happens is to cut taxes and get out of the way to give the American people the freedom to pursue their own dream—not Washington's.

#### SOCIAL SECURITY LOCK BOX

Mr. FITZGERALD. Mr. President, twice, the Senate has failed to invoke cloture on the Social Security Lock Box. I am a cosponsor of this important amendment and I encourage all of my colleagues to join me in support for a Social Security lock box.

For several years, Congress has taken all the money out of the Social Security Trust Fund and spent it on other programs. In fact, through the end of last year, Congress has taken over \$730 billion out of the trust fund and spent it all on other programs.

I believe that it is wrong to spend Social Security Trust Fund money on other programs. If a private corporation were to take money out of an employees' pension plan and spend it on something else, the executives of that corporation would, under Congress' own laws, be subject to prosecution and imprisonment. Why do we allow Congress to raid Social Security, the pension fund for all Americans?

Each time our government takes money out of the Social Security Trust Funds, it incurs a debt to these funds. To date, the government has incurred total debts of over \$730 billion to the Social Security Trust Funds. The debts owed to these funds are included in the calculation of our total national debt which now stands at roughly \$5.5 trillion. This debt, along with the program's massive unfunded liabilities, will ultimately have to be paid by future taxpayers.

The lock box proposal would ban Congress from spending Social Security Trust Fund monies on other programs (unless there is a super-majority vote to do so). Those who oppose the lockbox proposal want to continue spending Social Security Trust Funds on other new and unrelated programs.

While I believe that we need to take other steps to protect Social Security, I nevertheless believe that this lockbox provision is an important first step in ensuring the long-term fiscal health of our nation. By making it more difficult

to spend Social Security Trust Funds on other programs, we will make it easier for ourselves to meet our obligation to Social Security in the future.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT ON CERTIFICATION OF EXPORTING TO THE PEOPLE'S REPUBLIC OF CHINA SATELLITE FUELS AND SEPARATION SYSTEMS—MESSAGE FROM THE PRESIDENT—PM 26

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services.

*To the Congress of the United States:*

In accordance with the provisions of section 1512 of Public Law 105-261, the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, I hereby certify that the export to the People's Republic of China of satellite fuels and separation systems for the U.S.-origin Iridium commercial communications satellite program:

(1) is not detrimental to the United States space launch industry; and

(2) the material and equipment, including any indirect technical benefit that could be derived from such export, will not measurably improve the missile or space launch capabilities of the People's Republic of China.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 10, 1999.

#### 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-2964. A communication from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Electronic Funds Transfer (EFT)", received on April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2965. A communication from the Acting Associate Administrator for Procurement,