a rule entitled ''Regatta Regulations; SLR; Charleston to Bermuda Sailboat Race, Charleston, SC (CGD07–99–024)'' (RIN2115–AE46) (1999–0013), received May 3, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3244. A communication from the Chief, Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; City of Augusta, GA (CGD07–98–068)'' (RIN2115–AE46) (1999–0011), received April 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3245. A communication from the Chief, Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Oil Pollution Act of 1990 (OPA 90) Phase-out Requirements for Single Hull Tank Vessels (USCG–1999–4620)'' (RIN2115–ZZ08), received May 3, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3246. A communication from the Chief, Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Vessel Identification System (CGD 89–050)'' (RIN2115–AD35) (1999–0001), received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3247. A communication from the Chief, Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Areas; Mississippi River, LA: (CGD 08–97–020)'', (RIN2115–AE84) (1999–0003), received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3248. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Visiting: Notification to Visitors'' (RIN1120–AA67), received May 14, 1999; to the Committee on the Judiciary.

EC–3249. A communication from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Status for Certain Nationals in Haiti'' (RIN1115–AF33) (INS No. 1963–98), received May 13, 1999; to the Committee on the Judiciary.

EC–3250. A communication from the Director, National Legislative Commission, The American Legion, transmitting, pursuant to law, the consolidated financial statements for the calendar years 1997 and 1998; to the Committee on the Judiciary.

EC–3251. A communication from the Acting Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation entitled ''Chemical Safety Information and Site Security Act of 1999''; to the Committee on the Judiciary.

EC–3252. A communication from the Acting Assistant Attorney General, Department of Justice, transmitting, pursuant to law, the annual report relative to the activities and operations of the Public Integrity Section, Criminal Division for calendar year 1997; to the Committee on the Judiciary.

EC–3253. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, two reports entitled ''1998 Activities of the Administrative Office of the United States Courts'' and ''1998 Judicial Business of the United States Courts'' for fiscal year 1998; to the Committee on the Judiciary.

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–124. A resolution adopted by the Senate of the General Assembly of the State of Illinois relative to senior citizens; to the Committee on Finance.

SENATE RESOLUTION NO. 70

Whereas, The Balanced Budget Act of 1997 established a new reimbursement system for Medicare home health services effective for cost reporting periods beginning on or after October 1, 1997 which has threatened to ruin the home health benefit; and

Whereas, The Balanced Budget Act of 1997 created an interim payment system which is cost-based with reduced limits and is in effect until a prospective payment system is initiated with cost reporting periods beginning on or after October 1, 2000; and

Whereas, While the 105th Congress made strides to rectify the interim payment system, the real effect of the Omnibus Reconciliation Act of 1998 was to raise the per-visit reimbursement for home health between only $0.50 and $1.00 and the per-beneficiary limits by less than 5% for the majority of home health agencies; and

Whereas, If the home health program, which is only 9% of the overall Medicare budget, is slashed, other programs will bear the burden, and in many cases Medicare patients will be transferred to the Medicaid program; and

Whereas, If these patients are not served by home health, they will drive up health care costs in other arenas, including nursing homes, hospitals, and emergency care; and

Whereas, One out of every 10 Medicare beneficiaries received some form of home health care in 1996; and

Whereas, On average, a home care visit in 1996 cost between $40 and $140, while the cost of staying in a hospital per day is $2,071, and a skilled nursing facility, $443; and

Whereas, The average home health agency has seen a 39% reduction in Medicare revenue since the implementation of the interim payment system; and

Whereas, Fifty-eight, or 15%, of Illinois home health agencies have closed in the past year; and

Whereas, Rural home health agencies report revenues at least one-third lower than this same period last year; and

Whereas, Three-fourths of Illinois Home Care Council freestanding agency members (those not affiliated with a hospital or network) estimate that, unless something changes with the interim payment system, they will be closed within 6 months to a year; and

Whereas, The interim payment system is based on average costs, which creates strong incentives to avoid caring for patients with complex or long-term medical problems, forcing many Illinois home health agencies to choose between staying in business and serving highly complex, high visit volume patients; and

Whereas, Three prominent public policy research organizations, George Washington University, the Commonwealth Fund, and the Lewin Group, independently concluded that the home health provisions of the Balanced Budget Act of 1997 are causing a crisis in the Medicare home health benefit by: (i) eliminating access to medically necessary home health services for the sickest, most frail Medicare beneficiaries; (ii) rewarding higher cost and penalizing lower cost home health agencies by establishing radically different payment limits that do not reflect current patient mix or efficiency; and (iii) eliminating access to Medicare home health in rural areas; and

Whereas, The prospective payment system is a system by which home health agencies are paid according to types and numbers of patients actually served which assures a predictable reimbursement rate and schedule, beneficial to both the federal government and home health agencies; therefore, be it

Resolved, by the Senate of the Ninety-First General Assembly of the State of Illinois, that we urge Congress to hold the Health Care Financing Authority accountable for the timely implementation of a fair prospective payment system; and be it further

Resolved, That we urge the federal government to rectify some of the damage wrought by the interim payment system by raising the per-beneficiary and per-visit limits, so that agencies can keep serving patients until the prospective payment system is implemented; and be it further

Resolved, That we urge the federal government to eliminate the additional 15% cut in reimbursements scheduled for October 2000; and be it further

Resolved, That we urge Congress to require a representative of the federal government to meet with an Illinois Home Care Council member to discuss the questions and concerns raised by this resolution; and be it further

Resolved, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the House of Representatives, and of the other members of the Illinois Congressional delegation.

POM–125. A concurrent resolution adopted by the Legislature of the State of Michigan relative to the regulation of insurance matters by the states; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 26

Whereas, In 1994, the Michigan Legislature passed legislation (HB 5281) granting lending institutions the authority to sell all lines of insurance; and

Whereas, That legislation, which became 1994 PA 409, includes necessary consumer and fair market protections, such as requiring the separation of lending and insurance transactions; prohibitions against offering or discussing insurance while a loan transaction is pending; requiring separate lending and insurance areas; requirements for full written disclosures to customers; and inclusion of strong prohibitions against sharing confidential insurance-related information in bank loan files with bank-affiliated agencies; and

Whereas, In a joint letter published November 7, 1994, HB 5281 was lauded and strongly supported by the Michigan Bankers Association, Michigan Association of Insurance Agents, Michigan League of Savings Institutions, Michigan Association of Life Underwriters, Michigan Chamber of Commerce, Michigan Consumer Federation, Michigan Credit Union League, Small Business Association of Michigan, Michigan Association of Credit Unions, Michigan Retail Hardware Association, Greater Detroit Chamber of Commerce, and National Electrical Contractors Association (Michigan Chapter); and

Whereas, In 1995, the Rhode Island Legislature resoundingly passed legislation substantially similar to Michigan law, granting lending institutions the authority to sell insurance; and

Whereas, The Comptroller of the Currency is an appointed, federal bureaucrat who has a track record of promulgating regulations that serve to expand bank insurance powers. These new insurance activities, deemed to be banking issues by the Comptroller, often conflict with established state laws; and

Whereas, On January 13, 1997, the Office of the Comptroller of the Currency (OCC) issued a request for comments on Rhode Island's Financial Institution Insurance Sales Act to assist in the determination as to whether Section 92 of the Federal Bank Act provided the Comptroller of the Currency sufficient authority to preempt Rhode Island's banks-in-insurance statute; and

Whereas, The McCarran-Ferguson Act of 1945 relegates authority to the individual states for regulation of the insurance activities of all entities; and

Whereas, The preemption of state insurance laws by an unelected federal bureaucrat is in direct conflict with the fifty-four-year tradition of state regulation of insurance under McCarran-Ferguson and thereby raises vitally important questions of states' rights and the primacy of duly elected representatives to enact laws governing insurance activities within their state borders; and

Whereas, In the Eighty-ninth Michigan Legislature, Michigan's Senate Majority and Minority Leaders, Speaker of the House and House Minority Leader, members of the Senate Financial Services Committee, and Majority and Minority Chairs of the House Insurance and Banking Committees all delivered letters to the Comptroller of the Currency forcefully opposing the OCC's desire to preempt Rhode Island's banks-in-insurance statute; and

Whereas, The National Association of Insurance Commissioners (NAIC); National Conference of State Legislators (NCSL); and the National Conference of Insurance Legislators (NCOIL) all submitted letters strongly opposing the Comptroller of the Currency's desire to preempt state insurance law; and

Whereas, In past court disputes between federal banking and state insurance regulators, federal courts have granted ''unequal deference'' to federal regulators, thereby rendering decisions based not on the merits of the case, but on deference to the federal regulator; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact legislation to affirm the authority of the states to regulate insurance matters, including preventing the Office of the Comptroller of the Currency from preempting state laws regulating the sale of insurance through lending institutions and ending the practice of federal regulators being able to be granted ''unequal deference'' in litigation between state and federal regulations on insurance matters; 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–126. A joint resolution adopted by the Legislature of the State of Maine relative to a World War II memorial; to the Committee on Energy and Natural Resources.

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUPPORT A WORLD WAR II MEMORIAL

We, your Memorialists, the Members of the One Hundred and Nineteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress, as follows:

Whereas, in 1987, United States Representative Marcy Kaptur, at the suggestion of World War II veteran Roger Durbin, introduced legislation to establish a memorial to honor all who served in the Armed Forces of the United States during World War II and the entire nation's contribution to the war effort. The legislation failed, but the interest in having a memorial gained patriotic support and subsequent legislation prevailed; and

Whereas, federal Public Law 103–32 authorizing a World War II Memorial in the District of Columbia or its environs was signed into law on May 25, 1993; and

Whereas, the Memorial Advisory Board was created to advise the American Battle Monuments Commission in site selection and design and to promote donations to support the memorial construction; and

Whereas, a memorial design by Freidrich St. Florian at the site of the historic Rainbow Pool on the National Mall was approved; and

Whereas, former Senator Bob Dole and Frederick W. Smith, CEO, Federal Express, were named as National Co-chairmen of the World War II Memorial Campaign; and

Whereas, news of the World War II Memorial is currently be spread throughout the country, to every city, town, church, synagogue, mosque, business, civic group, veterans' organization and every other organization that comprises a part of our American culture; now, therefore, be it

Resolved: That We, your Memorialists, request the President of the United States and the United States Congress to offer support in obtaining the necessary financial resources to help the World War II Memorial take its rightful place in history; and be it further

Resolved: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; each Member of the Maine Congressional Delegation; and the American Legion, Department of Maine.

POM–127. A resolution adopted by the Legislature of the Commonwealth of Guam relative to Federal smuggling interdiction capabilities on Guam; to the Committee on Energy and Natural Resources.

RESOLUTION NO. 85

Whereas, Guam in the last year has become a prime target for a human smuggling operation run by the infamous Chinese criminal organization known as the ''Snakeheads''; and

Whereas, as a result of concerted efforts by organized criminal operations, Guam has been flooded with illegal aliens of this smuggling activity; and

Whereas, six hundred (600) illegal immigrants have been apprehended and detained at the Guam Department of Corrections correctional facility, including four hundred forty-five (445) illegal immigrants currently in detention, to the expense of Guam taxpayers and to the danger of other inmates in an already overpopulated facility; and

Whereas, Guam law enforcement officials estimate that more than two hundred (200) other illegal immigrants have gotten through Guam's borders without detection, and are already in the community at-large; and

Whereas, Guam law enforcement officials estimate that another several thousands illegal immigrants will arrive on Guam in the next few months; and

Whereas, the humans being smuggled often cannot pay the full price of transportation, estimated at Twenty Thousand Dollars to Thirty Thousand Dollars ($20,000.00–$30,000.00), and the immigrants therefore become basically indentured servants; and

Whereas, because of Guam's status under United States immigration laws, the efforts of these criminal organizations are rewarded because the illegal immigrants they transport immediately claim asylum under U.S. law, and are often paroled and allowed to walk free; and

Whereas, the impact of this human smuggling operation on the government of Guam and the local community has been great and is potentially devastating, with costs estimated in the millions, with the mass of illegal immigrants using law enforcement, corrections, hospital, public health and many other local resources, which are already strained by the recent economic slump; and

Whereas, the illegal immigrants who have likely come into Guam's borders unnoticed, and the illegal immigrants who have been apprehended and then paroled and let free in the community are a serious public health hazard, as more than a few have been diagnosed with tuberculosis and other diseases; and

Whereas, neither the United States Immigration and Naturalization Service, nor the United States Coast Guard, currently have sufficient resources stationed on Guam to control the influx of illegal immigrants, resulting in an alarming lack of enforcement of the very laws that have created this emergency situation; now therefore, be it

Resolved, that I MináBente Singko Na Liheslaturan Guåhan (Twenty-Fifth Guam Legislature) does hereby, on behalf of the people of Guam, respectfully request the Federal Government of the United States of America to permanently upgrade the U.S. Coast Guard facility, vessesls and equipment, and properly man these facilities and vessels on Guam to give the Coast Guard the ability to patrol the seas surrounding Guam and detect, intercept and redirect any vessels carrying illegal immigrants; and be it further

Resolved, that I MináBente Singko Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, respectfully request the Federal Government of the United States of America to apply Six Dollars ($6.00) of the U.S. Immigration departure fee currently collected from each passenger departing the Guam International Air Terminal, as a funding source to support the intent of this resolution; and be it further

Resolved, that I MináBente Singko Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, respectfully request the President of the United States and his Administration to identify and set a permanent location for the diversion of vessels interdicted in the open sea in a location outside of Guam so that persons shall be repatriated from this alternate location; and be it further

Resolved, that I MináBente Singko Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, respectfully request the Federal Government of the United States of America to reimburse the government of Guam for all expenses associated with this

illegal immigrant operation; and be it further

Resolved, that I MináBente Singko Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, respectfully request the Congress of the United States of America to pass legislation as soon as possible that would cause Guam to cease to be an area where asylum can be granted under U.S. law; and be it further

Resolved, that I MináBente Singko Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, respectfully request the United States Congress to pass legislation, if simply removing Guam as an area where asylum can be granted would bring the potential for any litigation, to remove Guam from the Immigration and Nationality Act, from U.S. Immigration and Naturalization Service jurisdiction and from the immigration laws of the United States of America; and be it further

Resolved, that I MináBente Singko Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, respectfully request the Guam Delegate to the United States House of Representatives to fully support this Resolution in Congress; and be it further

Resolved, That the Speaker certify, and the Legislative Secretary attests to, the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to the Secretary of the United States Department of Justice; to the Guam Congressional Delegate; and to the Honorable Carl T. C. Gutierrez, I MináBente Guåhan (Governor of Guam).

POM–128. A resolution adopted by the Board of Directors of the Puerto Rico Bar Association relative to the death penalty; to the Committee on Energy and Natural Resources.

POM–129. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to the ''Millennium of Peace''; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 208

Whereas, the goal of the coming millennium is to encourage each person on Earth in dedicating the third millennium as the ''Millennium of Peace;'' and

Whereas, the multi-ethnic and multi-cultural population of Hawaii sets an encouraging example for international understanding as all nations and peoples strive to live together in peace and harmony; and

Whereas, the spirit of Aloha is the gift of the Hawaiian people to the world and the profound meaning it has for all of the children on Earth with its message of love; and

Whereas, the President of the United States has admonished the citizens and communities of America to develop and implement millennium projects and celebrations; and

Whereas, the United Nations has dedicated the year 2000 as the Year of World Peace; now, therefore,

Be It Resolved by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, the Senate concurring, that the Legislature joins in and encourages all citizens and governments of the Earth to join with the people of Hawaii in the spirit of Aloha to dedicate the celebrations of the third millennium to peace and understanding as ''The Millennium of Peace'' for all of Earth's children; and

Be It Further Resolved that certified copies of this Concurrent Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of Hawaii's Congressional Delegation, the Governor of the State of Hawaii, and the United States Ambassador to the United Nations.

POM–130. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to the restoration of redress funds to compensate individuals of Japanese ancestry; to the Committee on Appropriations.

SENATE CONCURRENT RESOLUTION NO. 45

Whereas, during World War II, the United States forcibly removed and interned over 120,000 United States citizens and legal permanent residents of Japanese ancestry from their homes and relocated them to government internment camps; and

Whereas, in addition, the United States arranged the deportation of over 2,264 men, women, and children of Japanese ancestry from thirteen Latin American countries to the United States to be interned and used in prisoner of war exchanges with Japan; and

Whereas, in 1988, the United States Congress passed, and President Reagan signed, the Civil Liberties Act of 1988 (the Act), which acknowledged the fundamental injustice of that evacuation, relocation, and internment, and to apologize on behalf of the people of the United States for the wrongs done to United States citizens and legal permanent residents of Japanese ancestry; and

Whereas, that Act further sought to make restitution to those individuals of Japanese ancestry who were interned by authorizing a $20,000 redress payment to each citizen and legal permanent resident of Japanese ancestry who was deprived of liberty or property as a result of government action; and

Whereas, the Act directed the United States Treasury to distribute these payments, to which Congress appropriated $1,650,000,000 between October 1990 and October 1993; and

Whereas, in a subsequent settlement of a class action suit, the United States agreed to send a letter of apology and to pay a $5,000 redress payment from the same fund to each formerly interned Japanese Latin American; and

Whereas, to fulfill its educational purpose of informing the public about the internment so as to prevent the recurrence of similar events, the Act also created the Civil Liberties Public Education Fund to make disbursements for research and educational activities up to a total of $50,000,000; and

Whereas, Congress specified in the Act that the principal of $1,650,000,000 was to be invested in government obligations and earn interest at an annual rate of at least five per cent; and

Whereas, in 1998, a Japanese Peruvian former internee and the National Coalition for Redress/Reparations filed a class action suit alleging that the Treasury Department breached its fiduciary duty by failing to invest the funds mandated by Congress, and seeking to recover the lost interest which is estimated to be between $50,000,000 and $200,000,000; and

Whereas, while the reparations fund has made payments to approximately eighty-two thousand claimants, there will not be sufficient money in the trust fund established by Congress to pay all of the remaining claims by Japanese Americans and Japanese Latin Americans or to meet the goal of $50,000,000 in educational grants; and

Whereas, a United States Justice Department official has apparently acknowledged that the funds were not invested as originally mandated by Congress, and that the $1,650,000,000 has all been spent, although claims are still pending; and

Whereas, the Legislature finds that while nothing can replace the loss of civil liberties suffered by those who were forced to evacuate their homes and relocate to internment camps on the basis of their ancestry, a formal apology and token redress payment to these individuals of Japanese ancestry is the least that can be done to compensate them for the loss of their rights; now, therefore,

Be It Resolved by the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, the House of Representatives concurring, that the United States government is urged to restore redress funds to pay all outstanding Japanese American and Japanese Latin American redress claims and to fulfill the educational mandate of the Act; and

Be It Further Resolved that certified copies of this Concurrent Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, Hawaii's congressional delegation, and the Governor of Hawaii.

POM–131. A concurrent resolution adopted by the Legislature of the State of Iowa relative to the Mississippi River; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION 23

Whereas, barges operating on United States inland waterways are the dominant carriers of United States grains to export port facilities; and

Whereas, the majority of this barge grain traffic traverses the Mississippi River system; and

Whereas, the Upper Mississippi River is the dominate originator of grain barge traffic for export; and

Whereas, 95 percent of the world's population live outside the United States; and

Whereas, economies and populations continue to grow worldwide and these agricultural export markets are essential to the economic future of the Upper Midwest including Iowa; and

Whereas, international markets are very competitive and opportunities can be gained or lost based on very small differences in price; and

Whereas, the United States Army Corps of Engineers projects Upper Mississippi River barge traffic to increase dramatically; and

Whereas, increased barge traffic will continue to place a burden on the river transportation system which is more than 50 years old; and

Whereas, the original design specifications for the locks and dams have been surpassed by modern barge technology resulting in delays because tows must be broken down to move through the locks; and

Whereas, delays are projected to rise as high as several million dollars per year; and

Be It Further Resolved, That the Congress is urged to provide adequate funding for major rehabilitation efforts on the Upper Mississippi River; and

Be It Further Resolved, That copies of this Resolution be sent by the Chief Clerk of the House of Representatives to the President of the United States; the Chief of Engineers, United States Army Corps of Engineers, North Central Division; the United States Secretary of Transportation; the President of the United States Senate; the Speaker of the United States House of Representatives;

and the members of Iowa's congressional delegation.

We, Brent Siegrist, Speaker of the House and Mary Kramer, President of the Senate; Elizabeth A. Isaacson, Chief Clerk of the House, and Michael E. Marshall, Secretary of the Senate, hereby certify that the above and foregoing Resolution was adopted by the House of Representatives and the Senate of the Seventy-eighth General Assembly.

POM–132. A resolution adopted by the Senate of the General Assembly of Commonwealth of Pennsylvania relative to moneys earmarked for abandoned mine land reclamation; to the Committee on Appropriations.

SENATE RESOLUTION NO. 33

Whereas, The biggest water pollution problem facing this Commonwealth today is polluted water draining from abandoned coal mines; and

Whereas, Over half the streams that do not meet water quality standards in this Commonwealth are affected by mine drainage; and

Whereas, This Commonwealth has over 250,000 acres of abandoned mine lands, refuse banks and old mine shafts in 45 of Pennsylvania's 67 counties, more than any other state in the nation; and

Whereas, The Department of Environmental Protection estimates it will cost more than $15 billion to reclaim and restore abandoned mine lands; and

Whereas, The Commonwealth now receives about $20 million a year from the Federal Government to do reclamation projects; and

Whereas, There is now a $1 billion balance in the Federal Abandoned Mine Reclamation Trust Fund that is set aside by law to take care of pollution and safety problems caused by old coal mines; and

Whereas, Pennsylvania is the fourth largest coal producing state in the nation, and coal operators contribute significantly to the fund by paying a special fee for each ton of coal they mine; and

Whereas, Pennsylvania is not seeking to rely solely on Federal moneys to address its abandoned mine reclamation needs and has undertaken a comprehensive program designed to maximize reclamation opportunities by increasing community involvement, making better use of existing resources, encouraging private and public participation in reclamation activities and reducing the cost of abandoned mine reclamation projects; and

Whereas, The Department of Environmental Protection and 39 county conservation districts through the Western and Eastern Pennsylvania Coalitions for Abandoned Mine Reclamation have worked as partners to improve the effectiveness of mine reclamation programs; and

Whereas, Pennsylvania has been working with the Interstate Mining Compact Commission, the National Association of Abandoned Mine Land Programs and other states to free more of these funds to clean up abandoned mine lands; and

Whereas, Making more funds available to states for abandoned mine reclamation should preserve the interest revenues now being made available for the United Mine Workers Combined Benefit Fund; and

Whereas, The Federal Office of Surface Mining, the United States Environmental Protection Agency and Congress have not agreed to make more funds available to states for abandoned mine reclamation; therefore be it

Resolved, That the Senate of Pennsylvania urge the President of the United States, and Congress make the $1 billion of Federal moneys already earmarked for abandoned mine land reclamation available to states to clean up and make safe our abandoned mine lands; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress.

POM–133. A concurrent resolution adopted by the Legislature of the Commonwealth of Puerto Rico relative to military activities in the municipality of Vieques and surrounding waters; to the Committee on Armed Services.

CONCURRENT RESOLUTION NO. 45

STATEMENT OF PURPOSE

In the course of the last one hundred years, the People of Puerto Rico have shown their loyalty to the democratic values of liberty, equality and respect for human rights consecrated by and set forth in the Constitution of the United States of America. The People of Puerto Rico have responded affirmatively and participated in all of the armed conflicts in which our Nation has been forced to take part, from World War I to the Persian Gulf War. In these conflicts, over two thousand (2,000) Puerto Rican fellowmen and women have made the ultimate sacrifice, giving their lives in defense of the ideals of justice, liberty and the principles of democracy. Furthermore, other thousands of other Puerto Ricans have been wounded while participating in these conflicts.

The Preamble of the Constitution of the United States of America provides that it was ordained to "[...] establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty to ourselves and our posterity." However, despite the fact that the United States Constitution was established to promote for the general welfare and insure domestic tranquility, the people of the island municipality of Vieques have suffered the direct consequences of military practices, including air, land and naval activities for the last thirty (30) years. Ever since the administration of Governor Roberto Sanchez-Vilella from 1965 to 1969, the Department of Defense has been made aware of the grave problems and ominous consequences to the quality of life, tranquility and the pursuit of happiness of the United States citizens who reside in the island municipality of Vieques. The Legislature of Puerto Rico believes that the time has come to ensure the people of Vieques the full enjoyment of their unalienable rights to life, liberty and the pursuit of happiness while ensuring common defense of all United States citizens. The People of Puerto Rico are grateful for, appreciate and value the contribution of the armed forces of the United States of America to our collective security, and recognize the vital strategic importance, for our collective defense, of the Navy bases located in Ceiba and Vieques. Nevertheless, and in light of our modern world realities, we request that the courageous men and women of the Navy ensure that the people of Vieques, who have sacrificed so much throughout the years for our national security, achieve full enjoyment of their fundamental rights by ceasing their military exercises and bombing with live ammunition in the territory and surrounding waters of the island municipality of Vieques.

In the case of *Alberto Lozada-Colon* vs. *U.S. Department of State*, docket number 98–5179, filed in the U.S. Court of Appeals for the District of Columbia, the counsels for the U.S. Department of State and the U.S. Department of Justice have argued before the court that the provisions for the organization of a constitutional government in Puerto Rico and the political status adopted as of 1952, in now way altered the political relationship with the United States of America, and that the Island of Puerto Rico continues to be a territory, subject to the plenary powers of the U.S. Congress. Despite this evident colonial status, we are United States citizens and we have the right to enjoy the protection and guarantees that are provided by our U.S. Constitution. Because of this, the U.S. citizens residing in the island of Vieques are covered and protected by the same basic rights as the citizens of any of the fifty (50) states of the American Nation. Upon examining the history of military activity in Vieques, we have to conclude that these have dramatically affected the lives of its people. The constant bombing and other military practices using live ammunition have affected the physical and emotional health of the residents of Vieques.

In the light of these considerations, the Legislature of Puerto Rico believes that it is imperative that the United States Navy cease using live ammunition in its firing and bombing military practices in Vieques. Once again, we reaffirm the need for the residents of Vieques to live in an environment of tranquility and to enjoy the happiness that all Americans aspire; be it

Resolved by the Legislative Assembly of Puerto Rico:

Section 1.—To request that the President, the Congress and the Navy of the United States of America, on behalf and in representation of the People of Puerto Rico, immediately respond to the plea of our people to cease using live ammunition in firing and bombing military practices in the island municipality of Vieques and its surrounding waters.

Section 2.—To request that the President, the Congress, and the Navy of the United States of America, once the firing and bombing military practices mentioned in Section 1 have ceased, deactivate and remove all undetonated explosive artifacts used during its firing and bombing military practices which might reasonably constitute a risk to the inhabitants of Vieques.

Section 3.—This Concurrent Resolution shall be remitted to the Honorable William Jefferson Clinton. President of the United States of America; the Congress of the United States of America, the Vice President of the United States of America, the Chairman of the Joint Chiefs of Staff, the Secretary of the Department of Defense, and the Secretary of the Navy of the United States of America.

Section 4.—This Concurrent Resolution shall take effect immediately after its approval.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. GRAMS:

S. 1102. A bill to guarantee the right of individuals to receive full social security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Finance.

S. 1103. A bill to reform Social Security by creating personalized retirement accounts,