

A concurrent resolution (S. Con. Res. 126) expressing the sense of Congress that the President should support free and fair elections and respect for democracy in Haiti.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BURNS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this resolution be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 126) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 126

Whereas the legacy of fiat and abuse of the Duvalier dictatorship led the framers of the 1987 Haitian constitution to provide for clear separation of powers;

Whereas the 1987 Haitian constitution permanently vests all legislative authority in an independent National Assembly;

Whereas national and local elections were held in Haiti on May 21, 2000, which were intended to restore the independent legislature which was dismissed by Haiti's President, Rene Preval Garcia, in January 1999;

Whereas the Haitian people are to be congratulated for patiently and peacefully voting in large numbers on May 21, 2000, despite an unfavorable electoral environment;

Whereas the legitimacy of the May 21, 2000, elections has been compromised by organizational flaws, political murders, the involvement of the Haitian National Police in the arrest and intimidation of opposition figures, manipulation of the independent Provisional Electoral Council by the Government of Haiti and the ruling Fanmi Lavalas party, and the publication of fraudulent results;

Whereas the Provisional Electoral Council has been compromised by Fanmi Lavalas partisans operating within the Council and inappropriate pressure and threats made against members of the Council from the highest levels of the Haitian government to induce the Council to issue fraudulent results;

Whereas Leon Manus, President of the Provisional Electoral Council, was forced to flee Haiti in fear for his life and in a statement released June 21, 2000 noted that the opposition had made "legitimate" challenges to the credibility of the electoral process and that the Council "was often plagued with traps and attacks" and fought "slanders and threats" that came "most often from state actors" and received "from the highest level of the government, unequivocal messages on the consequences that would follow if [he] refused to publish supposed final results";

Whereas the Provisional Electoral Council is no longer viewed as credible or independent by a broad spectrum of political parties and civil society groups in Haiti;

Whereas Haitian organizations, including the Chamber of Commerce, political parties, the Association of Haitian Industrialists, the Roman Catholic Bishops Conference, and the Protestant Federation have strongly protested the publication of election results that do not correspond to the provisions of Haiti's electoral law and generally accepted norms and which have also been contested by

the president of the Provisional Electoral Council;

Whereas the international community, including the United States, Canada, France, the United Nations, and the Organization of American States, has condemned attempts to manipulate the May 21, 2000, electoral process in Haiti; and

Whereas the absence of free and fair elections and the resultant failure to constitute a duly elected legislative body in Haiti constitutes a major setback for the Haitian people's aspirations for peace and democracy, could result in instability in Haiti, and directly jeopardizes United States anti-narcotics objectives in Haiti and the region: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) condemns the electoral fraud being perpetrated against the Haitian people and the continuing interruption of democratic institutions in Haiti;

(2) calls on the Government of Haiti forthwith to end its manipulation of the electoral process and take immediate steps to reverse the fraudulent results announced by the remaining members of the Provisional Electoral Council;

(3) calls on the Government of Haiti to immediately engage in a thorough and verifiable process involving the National Observation Council (CNO), all concerned Haitian political parties, as well as private sector and other civil society organizations, to review all reported irregularities and allegations of fraud and authenticate the true results of the election so that a legitimate, democratically-elected National Assembly and local councils can be seated;

(4) urges the Organization of American States (OAS) to consider joint actions by its members states to bring about a return to democracy in Haiti; and

(5) calls on the President of the United States to—

(A) terminate United States assistance to the discredited Provisional Electoral Council;

(B) review and modify as appropriate United States political, economic, and law enforcement relations with Haiti, if Haitian authorities persist in their current path; and

(C) work with other democracies in the Western Hemisphere and elsewhere toward a restoration of democracy in Haiti.

SEC. 2. The Secretary of the Senate shall transmit a copy of this concurrent resolution to the President.

IRAQ'S FAILURE TO RELEASE POWS

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 658, S. Con. Res. 124.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 124) expressing the sense of the Congress with regard to Iraq's failure to release prisoners of war from Kuwait and nine other nations in violation of the international agreements.

There being no objection, the Senate proceeded to consider the concurrent resolution.

AMENDMENTS NOS. 3941, 3942, AND 3943, EN BLOC

Mr. BURNS. Mr. President, I send a group of amendments to the desk, en

bloc, and ask for their immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. SMITH, proposes amendments numbered 3941, 3942 and 3943, en bloc.

The amendments are as follows:

AMENDMENT NO. 3941

On page 3, between lines 3 and 4, insert the following:

(A) demands that the Government of Iraq immediately provide the fullest possible accounting for United States Navy Commander Michael Scott Speicher in compliance with United Nations Security Council Resolution 686 and other applicable international law;

On page 3, line 4, strike "(A)" and insert "(B)".

On page 3, line 8, strike "(B)" and insert "(C)".

On page 4, line 3, strike "(C)" and insert "(D)".

On page 4, line 8, strike "(D)" and insert "(E)".

On page 4, between lines 14 and 15, insert the following:

(A) actively seek the fullest possible accounting for United States Navy Commander Michael Scott Speicher;

On page 4, line 15, strike "(A)" and insert "(B)".

On page 4, line 22, strike "(B)" and insert "(C)".

AMENDMENT NO. 3942

Insert immediately after the title the following:

"Whereas the Government of Iraq has not provided the fullest possible accounting for United States Navy Commander Michael Scott Speicher, who was shot down over Iraq on January 16, 1991, during Operation Desert Storm;"

AMENDMENT NO. 3943

Amend the title to read as follows: "Expressing the sense of Congress with regard to Iraq's failure to provide the fullest possible accounting of United States Navy Commander Michael Scott Speicher and prisoners of war from Kuwait and nine other nations in violation of international agreements."

Mr. BURNS. Mr. President, I ask unanimous consent that the amendments be agreed to, that the resolution be agreed to, as amended, the preamble be agreed to, as amended, the title, as amended, be agreed to, the motion to reconsider be laid upon the table, and the statements relating to the resolution be printed in the RECORD.

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

The amendments (Nos. 3941, 3942 and 3943) were agreed to.

The concurrent resolution (S. Con. Res. 124), as amended, was agreed to.

The preamble, as amended, was agreed to.

The title was amended.

The concurrent resolution, as amended, with its preamble, as amended, reads as follows:

S. CON. RES. 124

Whereas the Government of Iraq has not provided the fullest possible accounting for

United States Navy Commander Michael Scott Speicher, who was shot down over Iraq on January 16, 1991, during Operation Desert Storm;

Whereas in 1990 and 1991, thousands of Kuwaitis were randomly arrested on the streets of Kuwait during the Iraqi occupation;

Whereas in February 1993, the Government of Kuwait compiled evidence documenting the existence of 605 prisoners of war and submitted its files to the International Committee of the Red Cross (ICRC), which passed those files on to Iraq, the United Nations, and the Arab League;

Whereas numerous testimonies exist from family members who witnessed the arrest and forcible removal of their relatives by Iraqi armed forces during the occupation;

Whereas eyewitness reports from released prisoners of war indicate that many of those who are still missing were seen and contacted in Iraqi prisons;

Whereas official Iraqi documents left behind in Kuwait chronicle in detail the arrest, imprisonment, and transfer of significant numbers of Kuwaitis, including those who are still missing;

Whereas in 1991, the United Nations Security Council overwhelmingly passed Security Council Resolutions 686 and 687 that were part of the broad cease-fire agreement accepted by the Iraqi regime;

Whereas United Nations Security Council Resolution 686 calls upon Iraq to arrange for immediate access to and release of all prisoners of war under the auspices of the ICRC and to return the remains of the deceased personnel of the forces of Kuwait and the Member States cooperating with Kuwait;

Whereas United Nations Security Council Resolution 687 calls upon Iraq to cooperate with the ICRC in the repatriation of all Kuwaiti and third-country nationals, to provide the ICRC with access to the prisoners wherever they are located or detained, and to facilitate the ICRC search for those unaccounted for;

Whereas the Government of Kuwait, in accordance with United Nations Security Council Resolution 686, immediately released all Iraqi prisoners of war as required by the terms of the Geneva Convention;

Whereas immediately following the cease-fire in March 1991, Iraq repatriated 5,722 Kuwaiti prisoners of war under the aegis of the ICRC and freed 500 Kuwaitis held by rebels in southern Iraq;

Whereas Iraq has hindered and blocked efforts of the Tripartite Commission, the eight-country commission chaired by the ICRC and responsible for locating and securing the release of the remaining prisoners of war;

Whereas Iraq has denied the ICRC access to Iraqi prisons in violation of Article 126 of the Third Geneva Convention, to which Iraq is a signatory; and

Whereas Iraq—under the direction and control of Saddam Hussein—has failed to locate and secure the return of all prisoners of war being held in Iraq, including prisoners from Kuwait and nine other nations: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That—*

(1) the Congress—

(A) demands that the Government of Iraq immediately provide the fullest possible accounting for United States Navy Commander Michael Scott Speicher in compliance with United Nations Security Council Resolution 686 and other applicable international law;

(B) acknowledges that there remain 605 prisoners of war unaccounted for in Iraq, although Kuwait was liberated from Iraq's bru-

tal invasion and occupation on February 26, 1991;

(C) condemns and denounces the Iraqi Government's refusal to comply with international human rights instruments to which it is a party;

(D) urges Iraq immediately to disclose the names and whereabouts of those who are still alive among the Kuwaiti prisoners of war and other nations to bring relief to their families; and

(E) insists that Iraq immediately allow humanitarian organizations such as the International Committee of the Red Cross to visit the living prisoners and to recover the remains of those who have died while in captivity; and

(2) it is the sense of the Congress that the United States Government should—

(A) actively seek the fullest possible accounting for United States Navy Commander Michael Scott Speicher;

(B) actively and urgently work with the international community and the Government of Kuwait, in accordance with United Nations Security Council Resolutions 686 and 687, to secure the release of Kuwaiti prisoners of war and other prisoners of war who are still missing nine years after the end of the Gulf War; and

(C) exert pressure, as a permanent member of the United Nations Security Council, on Iraq to bring this issue to a close, to release all remaining prisoners of the Iraqi occupation of Kuwait, and to rejoin the community of nations with a humane gesture of good will and decency.

#### SMALL BUSINESS INNOVATION RESEARCH PROGRAM REAUTHORIZATION ACT OF 2000

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 541, H.R. 2392.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2392) to amend the Small Business Act to extend the authorization for the Small Business Innovation Research Program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Small Business, with an amendment, as follows:

(Strike out all after the enacting clause and insert the part printed in italic.)

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Small Business Innovation Research Program Reauthorization Act of 2000".

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Extension of SBIR program.

Sec. 4. Third phase assistance.

Sec. 5. Rights to data.

Sec. 6. Report on programs for annual performance plan.

Sec. 7. Collection, reporting, and maintenance of information.

Sec. 8. Federal agency expenditures for the SBIR program.

Sec. 9. Federal and State technology partnership program.

Sec. 10. Mentoring Networks.

#### SEC. 2. FINDINGS.

*Congress finds that—*

(1) the small business innovation research program established under the Small Business Innovation Development Act of 1982, and reauthorized by the Small Business Research and Development Enhancement Act of 1992 (referred to in this section as "SBIR" or the "SBIR program"), is highly successful in involving small business concerns in federally funded research and development;

(2) the SBIR program made the cost-effective and unique research and development capabilities possessed by the small business concerns of this Nation available to Federal departments and agencies;

(3) the innovative goods and services developed by small business concerns that participated in the SBIR program have produced innovations of critical importance in a wide variety of high-technology fields, including biology, medicine, education, electronics, information technology, materials, and defense;

(4) the SBIR program is a catalyst in the promotion of research and development, the commercialization of innovative technology, the development of new products and services, the attraction of private investment, and the continued excellence of the high-technology industries of this Nation; and

(5) the continuation of the SBIR program will—

(A) provide expanded opportunities for one of the vital resources of the Nation, its small business concerns;

(B) foster invention, research, and technology;

(C) create jobs; and

(D) increase economic growth and the competitiveness of this Nation in international markets.

#### SEC. 3. EXTENSION OF SBIR PROGRAM.

Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended to read as follows:

"(m) *TERMINATION.*—The authorization to carry out the Small Business Innovation Research Program established under this section shall terminate on September 30, 2010."

#### SEC. 4. THIRD PHASE ASSISTANCE.

Section 9(e)(4)(C)(i) of the Small Business Act (15 U.S.C. 638(e)(4)(C)(i)) is amended by striking "; and" and inserting "; or".

#### SEC. 5. RIGHTS TO DATA.

Section 9(j) of the Small Business Act (15 U.S.C. 638(j)) is amended by adding at the end the following:

"(3) *ADDITIONAL MODIFICATIONS.*—Not later than 120 days after the date of enactment of the Small Business Innovation Research Program Reauthorization Act of 2000, the Administrator shall modify the policy directives issued under this subsection to clarify that the rights provided for under paragraph (2)(A) apply to all Federal funding awards, including—

"(A) the first phase (as described in subsection (e)(4)(A));

"(B) the second phase (as described in subsection (e)(4)(B)); and

"(C) the third phase (as described in subsection (e)(4)(C))."

#### SEC. 6. REPORT ON PROGRAMS FOR ANNUAL PERFORMANCE PLAN.

Section 9(o)(8) of the Small Business Act (15 U.S.C. 638(o)(8)) is amended—

(1) by striking "its STTR program" and inserting "the SBIR and STTR programs of the agency"; and

(2) by inserting before the semicolon " , and to the Administrator".

#### SEC. 7. COLLECTION, REPORTING, AND MAINTENANCE OF INFORMATION.

(a) *COLLECTION.*—Section 9(g) of the Small Business Act (15 U.S.C. 638(g)) is amended—