

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

ORDER OF PROCEDURE

Mr. DOMENICI. Mr. President, I note the presence on the floor of the distinguished Senator from Connecticut who just came off a major campaign. We welcome him back to the Senate. He has never stopped being a Senator, but he has been very busy doing other things.

I yield so he can speak. I will speak following his remarks. So I ask unanimous consent that Senator LIEBERMAN be permitted to speak for up to 15 minutes, and then I ask consent Senator DOMENICI be permitted to speak for 15 minutes thereafter.

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

THE ELECTION

Mr. LIEBERMAN. Mr. President, I thank my colleague from New Mexico. I thank him for his customary graciousness. As I think about this year and look across the map of the United States and look at the results in the various States, I have even greater love and affection for New Mexico than I did before the year began.

Mr. President, have you noticed that many things in politics and government seem to be taking longer than usual this year? It is December 14 and the 106th Congress is surprisingly still in session. But happily that allows me to come to the Senate chamber—this great American forum, which I love and respect so much—and reflect on the extraordinary opportunity Vice President AL GORE gave me to be his running mate this year.

When I accepted the Vice-Presidential nomination at the Democratic Convention in Los Angeles in August, I began by asking: "Is America a great country or what?"

Last night, we ended that remarkable journey in a disappointing way. Nevertheless, I want to answer my question this morning by declaring: "Yes, America is a great country!"

Let me offer to my colleagues a few reasons why I feel this way today. In selecting me, a Jewish American, to be his running mate, Vice President GORE did what no presidential candidate before him had done. That required personal courage and confidence in the American people. Today we can look back and say that the Vice President's confidence was totally justified.

The fact is that while my faith was the focus of the earliest reactions to my candidacy, it was not even mentioned at the end of the campaign. That is the way we all hoped it would be. And that is good news for all Americans—a fulfillment of the promise that America makes to its citizens that in this country no matter who you

are or where you start, you should be able to go as far as your God-given talents and individual determination will take you.

The absence of bigotry in this campaign and the fact that the Vice President and I received the second highest number of votes in history of American national elections should encourage every parent in this country to dream the biggest dreams for each and every one of their children.

Anything is possible for anyone in America.

In the five weeks since election day—because this turned out to be the closest election in American history—our nation's greatness was tested in a different way. But I am confident that in the end our election process can only be made stronger by this experience.

For one thing, it opened our eyes to some long-overlooked problems with our system of voting, to the disparities in technologies and practices that may be stopping large numbers of voters from having their votes counted and that in particular may be undermining the electoral rights of many poor and minority citizens. These problems call out for investigation and reform.

Whether you are happy or sad with the results of the 2000 election, I do think every one of us should be grateful this morning that here in America, we work out our differences not with civil wars but with spirited elections. We resolve our disputes not through acts of violence but through the rule of law. And we preserve and protect our system of justice best when we accept its judgments that we disagree with most.

This election is over. I congratulate Governor Bush and Secretary Cheney and wish them well. Mr. President, I had the opportunity to do that personally in a very cordial conversation this morning with the Vice President-elect, Secretary Dick Cheney.

As Vice President GORE said eloquently last night, it is time now for all of us to come together in support of these United States and the shared values that have long sustained us. Governor Bush and Secretary Cheney are in my prayers, and I know they are in the prayers of all Americans, as they begin now to assume the awesome responsibilities that go with leadership of this great country.

In the strong words and soft voices they both used last night, Vice President GORE and Governor Bush raised us all up and pointed America toward the reconciliation that our history expects and that our national interests now require.

As they both noted last night, this was the closest election we have ever experienced, with the vote for President essentially ending in a tie, the Senate split 50-50 and the House nearly even as well. That puts a special burden, not just on Governor Bush but on

all of us in Congress to work on a bipartisan basis and in a cooperative spirit. As I have in the past, I fully intend to work with my colleagues on both sides of the aisle and with President-elect Bush to find that constructive consensus without which we will not help the American people realize their potential.

For my family and me, this campaign has been a thrilling and joyful experience. It has deepened the appreciation we have for the goodness of the American people and the love and loyalty we feel for this country. We could not have asked for a more warm, open, and accepting reception as we traveled around this blessed land. We could not have been more impressed with the common sense and strong values that unite our very diverse citizenry. From their Government, it became clear to me over and over again, most of them, most of the American people, want only a little help every now and then as they work so hard to make their lives better. That is exactly what we, together, should do for them.

The most powerful emotion that I feel on this morning after is gratitude. I am grateful to be an American, proud to be an American; grateful to my wife Hadassah—my love and my partner—for the devoted support she gave me and the extraordinary way she reached out to everyone she met in this campaign; grateful to our dear children and mothers and sisters and brothers and relatives and friends whose help and love sustained us; grateful to Tipper and the Gore children for being such genuine and such generous friends, and for the skill and grace with which they conducted themselves in this campaign; grateful to the Gore-Lieberman campaign staff, whose idealism, ability, and hard work make me optimistic about America's future; grateful to my Senate staff here in Washington and back home in Hartford—they have served with me on behalf of the people of Connecticut for so many years, and continue to do so with such commitment during this eventful and unusual year—grateful to the people of Connecticut whose support over the past 30 years has put me in a position where AL GORE could give me the extraordinary opportunity he did this year; and grateful to the people of Connecticut without whose backing this year I would not now have the privilege of looking forward to 6 more years of service to them and with you, my colleagues, as a United States Senator.

My greatest gratitude is to Vice President GORE himself. He has been my friend and colleague for 15 years now, but I have never been prouder of him than I was this year, and than I was last night. He conducted the campaign with dignity. He presented his policies and programs with conviction. He spoke with a precision that showed respect for the American people. He

stuck to the record, and he worked hard, very hard. AL GORE ran this campaign as he lives his life: with honor, intelligence, and devotion.

Today, the Vice President can look back on 24 years of public service with great pride in his accomplishments, and he can look forward to the years ahead with great excitement about the unlimited opportunities that await him. I wish him Godspeed, and I look forward to his continued friendship. The Vice President knows, as I do on this morning, that Psalm 30 assures us that weeping may linger for the night but in the morning there are shouts of joy.

So, today, as some of us weep for what could have been, we look to the future with faith that on another morning joy will surely come.

I thank my colleagues in the Senate from both parties for their warm personal wishes and support during the last 5 months. I look forward, now, to returning to this Chamber in January and working with all of you to help improve the lives of the American people and to help elevate their respect for the institutions of our great democracy.

Mr. President, I again thank my friend and colleague from New Mexico for yielding me the time, I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. We are all very proud of the Senator from Connecticut.

The Senator from New Mexico.

Mr. DOMENICI. I believe under the unanimous-consent agreement I am to speak next, but I note the presence of the chairman of the Appropriations Committee who would like to speak. I yield to him, and I ask I follow him this morning.

The PRESIDING OFFICER (Mr. ALLARD). Without objection, the Senator from Alaska is recognized.

STELLER SEA LIONS

Mr. STEVENS. Mr. President, I am grateful to my friend from New Mexico. I am here once again to talk about the last controversial amendment in the appropriations bills for the fiscal year 2001. We have completed all work on these bills now except for one amendment and that is the amendment that pertains to the Steller sea lions. I am here because there seems to still be a misunderstanding about what we are trying to do. The Congress has passed and the President has signed, as a matter of fact, an extension of the Magnuson-Stevens Act, the act that deals with the 200-mile limit off our shores. That act in its original form created the North Pacific Fisheries Council that has jurisdiction under the law for the management plans that apply to fisheries off the shores of my State of Alaska.

In its recent action in issuing a biological opinion under the Endangered

Species Act, the Department of Commerce saw fit to use the emergency portions of the Magnuson Act to issue a management plan for pollack and for cod off the State of Alaska within what they call the RPAs, the reasonable prudent alternative areas, dealing with the decline of the Steller sea lion.

There is no emergency provision in the Endangered Species Act. Under the Magnuson Act, management plans are issued by the regional councils, not by the Department of Commerce. There is an emergency clause, if the Secretary makes findings of problems with the fishery, that could justify the Secretary issuing a plan or a revision of the existing plan. That was not done. Instead, the Department of Commerce saw fit to use the emergency clause of the Magnuson Act to once again seize total control of the pollack and the cod fisheries off our shores within the so-called RPAs. They amount to an area of 20 miles around every sea lion rookery. It is an area that extends from Kodiak, all the way out along the Aleutian chain.

The National Marine Fisheries Service has told us there is no data to support the concept that there is a connection between the decline of the sea lion and the harvest of pollack. There is no cause and effect relationship scientifically that exists with regard to this decline. We are appalled by the decline of sea lions off our shores. We also know that sea otters are steadily disappearing, as are fur seals and harbor seals. We believe the reason is the tremendous increase in the killer whales. That is another subject.

Very clearly, what the Department has done now is to increase the danger for fishermen who live in Alaska and fish in the areas off our shores. That fishing currently has the highest level of deaths per capita of any industry in the United States. What this order has done, now, is it has foreclosed the fishing by these small boats in the areas where the pollack is located except during the wintertime. This is a particularly dangerous area. Winter storms increase the problems of fishing. What is more, if they follow the order and go beyond the 20 miles, the further from shore they go on these small boats, even a minor injury becomes a life threatening injury, particularly in the stormy season. I have to report to the Senate that the Coast Guard voted against following this biological opinion last Saturday, in my State, for safety reasons.

What the administration has done is they have restarted the race for the fish. They have made it almost impossible for the enforcement of this biological opinion. They have not consulted with the people who really know the industry as they have issued this opinion. This opinion will have a \$500 million to \$800 million impact on the industry, according to figures that came from the Department itself.

Just think of this. The largest concentration of fish processors in the United States is on Kodiak Island. I was informed yesterday that, as a result of this opinion, if it is enforced, Kodiak processors will be able to operate for 2½ days. This opinion will create ghost towns in my State along the shore from Kodiak all the way out along the Aleutian chain. Primarily those are native villages. These are not enormous factory trawlers. They fish way offshore. These are people who live in these small villages and harvest this fish—which is a unique fish, as I have told the Senate before. It is unique because it is a biomass constantly growing. Because of the management schemes we have worked out under the Magnuson Act, that biomass has increased almost five times since we started the Magnuson Act.

There is more pollack than ever before, but this is going to limit fishing for pollack in specific areas where the small boats fish.

There is just no way to justify this. Native Alaskans, as I say, are going to lose their jobs, lose their subsistence. About 1,000 boats that otherwise would have gone to sea will not fish under this order. It is just unconscionable.

I am not one who makes threats; I make statements. I have made the statement that I will not sign this conference report if it does not adequately restore this fishery. I will oppose the bill on the floor, and I am hopeful my friends on this floor will understand why.

What this means is we cannot resolve this issue. My staff will meet—thanks to the good offices of the Democratic leader—with representatives of the administration in just a few minutes, but if we cannot resolve this, my advice is make different reservations.

Understand, I cannot as a Senator allow an action that is not following the law that I helped author put a considerable portion of the people who have year-round jobs in my State out of work, and not just temporarily. They have purported to create these areas around these rookeries forever without any consultation with the regional council that was created by the Magnuson Act, without any public hearings, based solely upon a lawsuit that was filed in a Federal court in Seattle and a friendly suit to use that as a justification for taking back into the Federal Government the management of these two magnificent fisheries—pollack and cod—off our State.

In my opinion, it is unconstitutional, but I know one thing—it is not going to be approved by this Senate.

I thank the Chair, and I thank my friend from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, when I yielded time to my good friend from Alaska, I did not think I would be hearing what I just heard. I am pleased I