

figure in the creation of many successful economic development projects in our state.

For instance, the South Dakota Rural Development office was responsible for helping to create one of the first Enterprise Communities in the country—the Beadle and Spink Enterprise Community, BASEC. Additionally, RD assisted in developing the very first American Indian Empowerment Zone in the United States at the Pine Ridge Indian Reservation. Under the leadership of Dallas, Rural Development helped establish the South Dakota Value Added Agriculture Development Center, which now creates opportunities for farmers and ranchers to add value to the raw commodities produced on their operations, and capture the profits from these value-added products. Dallas is one of South Dakota's leading advocates of farmer-owned value-added cooperatives in South Dakota.

Through the Rural Housing Service, South Dakota Rural Development has disbursed \$320 million since 1995, which has benefitted nearly 6,000 families in our state. Moreover, RD has distributed \$173 million in funding under the Rural Business Cooperative Service program, which has saved 2,001 and created another 1,414 jobs in South Dakota since 1995.

Finally, Dallas and his family have always been dedicated to public service, and I know he will continue to contribute to our state and its citizens in the future. Therefore, I wish him all the best and I will continue to rely upon his valuable insight on the economic development needs in South Dakota. On behalf of the people of South Dakota, I want to thank Dallas for being a true public servant who has helped improve the quality of life for thousands of people all across South Dakota.●

#### CLLOUDCROFT, NEW MEXICO

● Mr. DOMENICI. Mr. President, recently the city of Cloudcroft, New Mexico was named one of the world's "10 Overlooked and Underrated Winter Destinations," by the editors of Fodor's Travel Publications.

Cloudcroft hasn't changed much over the years. There are more summer homes than before, but the permanent population has not grown substantially, and the Village still maintains a small-town atmosphere that is so appealing to the tourists who come from every state in the Union and many foreign countries. They appreciate the attitude of the locals and the laid-back feeling of the community as contrasted to the high-speed life in the big cities.

Cloudcroft is located in the southeastern area of New Mexico. A small mountain village located in the heart of the Lincoln National Forest. It is a great travel location for both the out-

doors and indoors visitors. For individuals who enjoy the outdoors, it offers year-round hiking, mountain biking, skiing, golfing and other activities. For the indoors visitors it offers a variety of unique shops, restaurants, and museums.

Cloudcroft is not commonly known for its glitzy ski resorts like other cities in New Mexico but rather as a perfect location for families learning the ropes. It offers a number of great inns and the distinction of having no stoplights. A great place for families to take their vacations. Children can play outside and adults can enjoy the quietness of the village.

Cloudcroft offers several festive events such as the New Year's Eve Torchlight Parade down the Cloudcroft mountain, caroling in the Clouds and Currier & Ives Candelit Christmas in December, or the full-moon ice-skating in February.

When visiting Cloudcroft, one must not miss the opportunity to go sledding on the dunes of White Sands National Monument or visit the Sunspot National Solar Observatory. No matter what your preference, Cloudcroft has an activity for you.

Many of us share a passion for travel, but often times finding a good location is not always easy. However, Cloudcroft truly is a city often overlooked by most. With its great weather, shopping and mountains, I am proud to say Cloudcroft is a part of New Mexico.●

#### MESSAGES FROM THE HOUSE

Under authority of the order of the Senate of December 11, 2000, the Secretary of the Senate, on December 11, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 129. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

Under authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on December 11, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the House has heard with profound sorrow of the death of the Honorable Julian C. Dixon, a Representative from the State of California.

That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid

out of applicable accounts of the House.

That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

ENROLLED BILL SIGNED

Under authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on December 13, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 129. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

Under the authority of the orders of the Senate of December 11, 2000, the enrolled joint resolution was signed subsequently by the Acting President pro tempore (Mr. FITZGERALD).

#### 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-11836. A communication from the Acting Chief, Division of General and International Law, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Statistical Data for Use in Operating-Differential Subsidy Application Hearings" (RIN2133-AB43) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11837. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Algona, IA Class E Airspace Area Docket No. 00-ACE-34 [11-20-11-20]" (RIN2120-AA66) (2000-0279) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11838. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments 492 Admt. no 2021 Docket No 30214 [11-16-11-20]" (RIN2120-AA65) (2000-0056) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11839. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Turbomeca Arriel 1 Series Turbohaft Engines Docket No. 2000-NE-11 [11-27-12-4]" (RIN2120-AA64) (2000-0575) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11840. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing

Model 767 Series Airplanes; docket no. 2000-NM-91; [10-20/12-4]" (RIN2120-AA64) (2000-0577) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11841. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: P & W PW2000 Series Turbofan Engines; docket no. 98-ANE-61 [10-24/12-7]" (RIN2120-AA64) (2000-0579) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11842. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: P & W JT8D Series Turbofan Engines; docket no. 99-NE-29; [11-7/12-7]" (RIN2120-AA64) (2000-0580) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11843. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: CFC Company CFE738-1-B Turbofan Engines; Docket no. 2000-NE-40; [10-24/12-7]" (RIN2120-AA64) (2000-0581) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11844. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments; (58); Amdt. No. 2023 [11-30/12-7]" (RIN2120-AA65) (2000-0057) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11845. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Fayetteville, AR; docket no. 2000-ASW-17; [11-16-00]" (RIN2120-AA66) (2000-0280) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11846. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of the Dimensions of the Grand Canyon National Park; SFRA and Flight Free Zones, Delay of effective date; 11-20/12-4" (RIN2120-ZZ32) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11847. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Commercial Routes for the Grand Canyon National Park; notice; delay of effective date" (RIN2120-ZZ31) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11848. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Service Difficulty Reports; final rule-notice of meeting - Docket no. FAA-2000-7952; [12-30/12-6]" (RIN2120-AF71) (2000-0003) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11849. A communication from the Chief, Office of Regulations and Administrative

Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Andrew McArdle (Meridian Street) Bridge, Chelsea River, Chelsea, Massachusetts (CGD01-00-240)" (RIN2115-AA97) (2000-0094) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11850. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Neches River, TX (CGD08-00-026)" (RIN2115-AE47) (2000-0059) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11851. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Sabine Lake, Texas (CGD08-00-027)" (RIN2115-AE47) (2000-0060) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11852. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Rahway River, NJ (CGD01-00-245)" (RIN2115-AE47) (2000-0061) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11853. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Raritan River, Arthur Kill, and their tributaries, NJ (CGD01-00-244)" (RIN2115-AE47) (2000-0062) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11854. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Cortez Bridge (SR 64), Bradenton, Manatee County, FL (CGD07-00-110)" (RIN2115-AE47) (2000-0063) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11855. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Stickney Point Bridge (SR 72) County, FL (CGD07-00-112)" (RIN2115-AE47) (2000-0064) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11856. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Siesta Key Bridge (SR 758), Sarasota, Sarasota County, FL (CGD 07-00-111)" (RIN2115-AE47) (2000-0065) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11857. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Depart-

ment of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Boynton Beach Boulevard Bridge, Atlantic Intracoastal Waterway, Boynton Beach, FL (CGD07-00-109)" (RIN2115-AE47) (2000-0066) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11858. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Atlantic Intracoastal Waterway, Mile 1084.6, Miami, FL (CGD07-00-106)" (RIN2115-AE47) (2000-0067) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11859. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Citizenship Standards for Vessel Ownership and Financing; American Fisheries Act (USCG-1999-6095)" (RIN2115-AF88) received on December 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11860. A communication from the Director, Management and Budget Office, National Ocean Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Coastal Ocean Program: Funding Announcement for the Student Career Development Program for FY01" (RIN0648-ZA93) received on December 8, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11861. A communication from the Director, Management and Budget Office, National Ocean Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for New York" received on December 8, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11862. A communication from the Director, Management and Budget Office, National Ocean Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for Virginia" received on December 8, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11863. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Butte Falls, Oregon)" (MM Docket No. 00-83, RM-9849) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11864. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Des Moines, New Mexico)" (MM Docket No. 00-66, RM-9842) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11865. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law,

the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Grants and Milan, New Mexico)" (MM Docket No. 99-75, RM-9446) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11866. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Sister Bay, Wisconsin and Escanaba, Michigan)" (MM Docket No. 99-288) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11867. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Randolph and Little Valley, NY)" (MM Docket No. 00-113, RM-9904, RM-9952) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11868. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Pilot Rock, Oregon)" (MM Docket No. 00-128, RM-9912) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11869. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Bogota, Texas)" (MM Docket No. 00-54) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11870. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Dillsboro and Rosman, North Carolina)" (MM Docket No. 00-88, RM-9871) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11871. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Wheatland and Wright, Wyoming)" (MM Docket No. 99-195) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11872. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Dos Palos and Livingston, California)" (MM Docket No. 00-92, RM-9857) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11873. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications

Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Darby, Montana)" (MM Docket No. 99-220) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11874. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (McCook, Nebraska)" (MM Docket No. 00-82, RM-9841) received on December 11, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11875. A communication from the Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Tribal Self-Governance" (RIN1076-AD21) received on December 8, 2000; to the Committee on Indian Affairs.

#### 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-642. A concurrent resolution adopted by the General Assembly of the Commonwealth of Pennsylvania relative to the levying or increasing of taxes; to the Committee on the Judiciary.

#### RESOLUTION

Whereas, Separation of powers is fundamental to the Constitution of the United States, and the power of the Federal Government is strictly limited; and

Whereas, Under the Constitution of the United States, the States are to determine public policy; and

Whereas, It is the duty of the judiciary to interpret the law, not to create law; and

Whereas, Our present Federal Government has strayed from the intent of our Founding Fathers and the Constitution of the United States through inappropriate Federal mandates; and

Whereas, These mandates by way of statute, rule or judicial decision have forced state governments to serve as the mere administrative arm of the Federal Government; and

Whereas, Federal district courts, with the acquiescence of the United States Supreme Court, continue to order states to levy or increase taxes to comply with Federal mandates; and

Whereas, these court actions violate the Constitution of the United States and the legislative process; and

Whereas, The time has come for the people of this great nation and their duly elected representatives in State government to reaffirm in no uncertain terms that the authority to tax under the Constitution of the United States is retained by the people, who by their consent alone do delegate such power to tax explicitly to those duly elected representatives in the legislative branch of government whom they choose, such representatives being directly responsible and accountable to those who have elected them; and

Whereas, Several states have petitioned the Congress of the United States to propose an amendment to the Constitution of the United States; and

Whereas, As previously introduced in Congress, the amendment seeks to prevent Fed-

eral courts from levying or increasing taxes without representation of the people and against the people's wishes; therefore be it

*Resolved (the House of Representatives concurring),* That the Congress prepare and submit to the several states an amendment to the Constitution of the United States to add a new article providing as follows: "Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or a political subdivision, to levy or increase taxes"; and be it further

*Resolved,* That this application constitute a continuing application in accordance with Article V of the Constitution of the United States; and be it further

*Resolved,* That the General Assembly of the Commonwealth of Pennsylvania also propose that the legislatures of each of the several states comprising the United States, that have not yet made a similar request, apply to the Congress requesting enactment of an appropriate amendment to the Constitution of the United States and apply to the Congress to propose such an amendment to the Constitution of the United States; and be it further

*Resolved,* That copies of this resolution be transmitted to the President and Vice President of the United States, to the presiding officers of each house of Congress, to the presiding officers of each house of Legislature in each of the states in the union and to each member of Congress from Pennsylvania.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BINGAMAN:

S. 3277. A bill to amend the National Energy Conservation Policy Act to enhance and extend authority relating to energy savings performance contracts of the Federal Government; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN:

S. 3278. A bill to authorize funding for nanoscale science and engineering research and development at the Department of Energy for fiscal years 2002 through 2006; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself, Mr. JEFFORDS, and Mr. LEAHY):

S. 3279. A bill to amend the Richard B. Russell National School Lunch Act to authorize the Secretary of Agriculture to carry out pilot projects to increase milk consumption and reduce the cost of milk served to children; to the Committee on Agriculture, Nutrition, and Forestry.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. BINGAMAN:

S. 3277. A bill to amend the National Energy Conservation Policy Act to enhance and extend authority relating to energy savings performed contracts of the Federal Government; to the Committee on Energy and Natural Resources.

ENERGY EFFICIENT COST SAVINGS IMPROVEMENT ACT OF 2001

Mr. BINGAMAN. Mr. President, I rise today to introduce important legislation, to amend the National Energy