

Resolved by the Legislature of the State of Minnesota. That it urges the President and the Congress of the United States to take whatever action is necessary to obtain the release of Americans who may be held against their will in North Korea, China, Russia, and Vietnam. Be it further

Resolved. That the Secretary of State of the State of Minnesota is directed to prepare copies of this memorial and transmit them to the President of the United States, the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and Minnesota's Senators and Representatives in Congress.

SENATE RESOLUTION NO. 331

Whereas, The U.S. Environmental Protection Agency (USEPA) is required to submit a report to the U.S. Congress under the Bevill Amendment of 1980, otherwise known as the Bevill Regulatory Determination for Fossil Fuel Combustion Wastes; and

Whereas, The Bevill Regulatory Determination requires the USEPA to "conduct a detailed and comprehensive study and submit a report on the adverse effects on human health and environment, if any, of the disposal and utilization of fly ash waste, bottom ash waste, slag waste, flue gas emission control waste, and other by-product materials generated primarily from other combustion of coal or other fossil fuels"; and

Whereas, The USEPA has studied this issue since 1981 and in 1993 decided that these coal combustion wastes do not pose a threat to human health and the environment under current disposal practices; and

Whereas, The new USEPA report may recommend that coal ash be classified as a hazardous waste; and

Whereas, Illinois is a coal-producing state and a determination that coal ash is a hazardous waste would inhibit the sales of Illinois coal; and

Whereas, Coal is used in a number of industrial processes by major employers and is a vital component of the Illinois industrial fuel mix; and

Whereas, Coal ash can be a useful by-product of coal combustion and can be incorporated in a number of products such as gypsum board, roof shingles, abrasives, and fluid fill material and classifying coal ash as a hazardous waste would seriously damage recycling efforts and the business economy associated with these products; and

Whereas, Illinois derives nearly half of its energy needs from coal-fired power plants and further hindering their operations could compromise the reliability of the electric system; and

Whereas, Illinois coal-fired power plants would be put at a competitive disadvantage if the Bevill Determination were to recommend that coal ash be classified a hazardous waste; therefore, be it

Resolved, by the Senate of the Ninety-first General Assembly of the State of Illinois. That we urge the USEPA to refrain from classifying coal ash as a hazardous waste; and be it further

Resolved. That suitable copies of this resolution be delivered to Vice President Al Gore, USEPA Director Carol Browner, and every member of the Illinois congressional delegation.

POM-466. A resolution adopted by the Senate of the State of Illinois relative to classifying coal ash as a hazardous waste; to the Committee on Environment and Public Works.

POM-467. A resolution adopted by the Senate of the General Assembly of the State of Connecticut relative to a regional petroleum supply mechanism; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 12

Whereas, a sharp, sustained increase in the price of fuel oil would negatively affect the overall economic well-being of the United States, and such increases have occurred in the winters of 1983-1984, 1988-1989 and 1999-2000; and

Whereas, the United States currently imports roughly fifty-five per cent of its oil; and

Whereas, the heating oil price increases disproportionately harm the poor and the elderly; and

Whereas, the global oil market is often greatly influenced by nonmarket-based supply manipulation, including price fixing and production quotas; and

Whereas, according to the June 1998 United States Department of Energy "Report to Congress on the Feasibility of Establishing a Heating Oil Component to the Strategic Petroleum Reserve", (1) the use of a government-owned distillate reserve in the Northeast would provide benefits to consumers in the Northeast and to the nation, (2) the federal government would make a profit of forty-six million dollars from drawing down and selling the distillate, (3) consumer savings, including reductions in jet fuel, would total four hundred twenty-five million dollars, (4) there are a number of commercial petroleum storage facilities with available capacity for leasing in the New York/New Jersey area, and (5) it would be cost-effective to keep a federal government stockpile of approximately two million barrels in leased storage in the Northeast, filled by trading some crude oil from the federal government's strategic reserve of oil for the refined product, now, therefore, be it

Resolved. That the Senate calls upon the United States Congress to create a heating oil reserve located in the Northeast region of the United States to be utilized to stabilize the cost of heating oil for residents of the state; and be it further

Resolved. That the clerk of the Senate cause a copy of this resolution to be sent to the presiding officer of each house of Congress and to each member of the Connecticut congressional delegation.

REPORT OF COMMITTEE

The following report of committee was submitted:

By Mr. HELMS, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 682: A bill to implement the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes (Rept. No. 106-276).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services.

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John L. Woodward, Jr., 3961

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Harry D. Raduege, Jr., 9435

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John R. Dallager, 9670

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general, medical service corps

Col. Richard L. Ursone, 5290

Bruce Sundun, of Rhode Island, to be a Member of the National Security Education Board for a term of four years.

Manuel Trinidad Pacheco, of Arizona, to be a Member of the National Security Education Board for a term of four years. (Reappointment)

The following named officer for appointment as Deputy Judge Advocate General of the United States Navy in the grade indicated under title 10, U.S.C., section 5149:

To be rear admiral

Capt. Michael F. Lohr, 1245

The following named officer for appointment as Judge Advocate General of the United States Navy under title 10, U.S.C., section 5148:

Judge Advocate General of the United States

Rear Adm. Donald J. Guter, 0275

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Edmund P. Giambastiani, Jr., 8318

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Raymond P. Ayres, Jr., 5986

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Emil R. Bedard, 9035

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Bruce B. Knutson, Jr., 7136

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. William L. Nyland, 8595

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael W. Hagee, 5620

(The above nominations were reported with the recommendation that they be confirmed.)

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

Mr. WARNER. Mr. President, for the Committee on Armed Services, I report favorably nomination lists which were printed in the RECORDS of the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning Marlene E. Abbott and ending Brian P. Zurovetz, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 30, 2000.

Air Force nomination of David S. Wood, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 4, 2000.

Air Force nominations beginning Robert F. Byrd and ending John B. Steele, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 11, 2000.

Army nominations beginning Robert B. Abernathy, Jr. and ending X4568, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 2, 2000.

Army nominations beginning Harold T. Carlson and ending Jeffrey M. Young, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 7, 2000.

Army nominations beginning Robert V. Loring and ending Jeffrey D. Watters, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 30, 2000.

Army nominations beginning Willie D. Davenport and ending William P. Troy, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 30, 2000.

Army nominations beginning *Thomas N. Auble and ending *Robert A. Yoh, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 30, 2000.

Army nominations beginning Richard A. Keller and ending *Wendy L. Harter, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 4, 2000.

Army nominations beginning James M. Brown and ending Thomas E. Stokes, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 11, 2000.

Navy nomination of Leanne M. York-Slagle, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of March 30, 2000.

Navy nominations beginning James H. Fraser and ending Dwayne K. Hopkins, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 30, 2000.

Navy nominations beginning Gerald L. Gray and ending Linda M. Gardner, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 4, 2000.

Navy nominations beginning Coy M. Adams, Jr. and ending Michael A. Zurich,

which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 4, 2000.

Marine Corps nomination of J. E. Christiansen, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 4, 2000.

Marine Corps nomination of Clifton J. McCullough, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 4, 2000.

Marine Corps nomination of Landon K. Thorne III, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 4, 2000.

Marine Corps nominations beginning David R. Chevallier and ending John K. Winzeler, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 4, 2000.

By Mr. HELMS, from the Committee on Foreign Relations

Treaty Doc. 105-51 Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Exec. Report No. 106-14).

TEXT OF THE COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, adopted and opened for signature at the conclusion of the seventeenth session of the Hague conference on Private International Law on May 29, 1993 (Treaty Doc. 105-51) (hereinafter, "The Convention"), subject to the declarations of subsection (a) and subsection (b).

(a) DECLARATIONS.—The Senate's advice and consent is subject to the following declarations, which shall be included in the instrument of ratification:

(1) NON-SELF EXECUTING CONVENTION.—The United States declares that the provisions of Articles 1 through 39 of the Convention are not self-executing.

(2) PERFORMANCE OF REQUIRED FUNCTIONS.—The United States declares, pursuant to Article 22(2), that in the United States the Central Authority functions under Articles 15-21 may also be performed by bodies or persons meeting the requirements of Articles 22(2)(a) and (b). Such bodies or persons will be subject to federal law and regulations implementing the Convention as well as state licensing and other laws and regulations applicable to providers of adoption services. The performance of Central Authority functions by such approved adoption service providers would be subject to the supervision of the competent federal and state authorities in the United States.

(b) DECLARATIONS.—The Senate's advice and consent is subject to the following declarations, which shall be binding on the President:

(1) DEPOSIT ON INSTRUMENT.—The President shall not deposit the instrument of ratification for the Convention until such time as the federal law implementing the Convention is enacted and the United States is able to carry out all the obligations of the Convention, as required by its implementing legislation.

(2) TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among

the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(3) SUPREMACY OF THE CONSTITUTION.—Nothing in the Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

(4) REJECTION OF NO RESERVATIONS PROVISION.—It is the Sense of the Senate that the "no reservations" provisions contained in Article 40 of the Convention has the effect of inhibiting the Senate from exercising its constitutional duty to give advice and consent to a treaty, and the Senate's approval of this Convention should not be construed as a precedent for acquiescence to future treaties containing such a provision.

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. COVERDELL:

S. 2475. A bill to amend the Internal Revenue Code of 1986 to allow nonitemizers a deduction for a portion of their charitable contributions, and for other purposes; to the Committee on Finance.

By Mr. BURNS (for himself, Mr. DORGAN, Mr. WYDEN, and Mr. BAUCUS):

S. 2476. A bill to amend the Communications Act of 1934 in order to prohibit any regulatory impediments to completely and accurately fulfilling the sufficiency of support mandates of the national statutory policy of universal service, and for other purposes; to the Committee of Commerce, Science, and Transportation.

By Mr. GRASSLEY (for himself and Mr. BREAUX):

S. 2477. A bill to amend the Social Security Act to provide additional safeguards for beneficiaries with representative payees under the Old-Age, Survivors, and Disability Insurance program or the Supplemental Security Income program; to the Committee on Finance.

By Mr. AKAKA (for himself and Mr. GRAHAM):

S. 2478. A bill to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. LANDRIEU:

S. 2479. A bill to amend the Internal Revenue Code of 1986 to provide a refundable credit against income tax to certain elementary and secondary school teachers who receive advanced certification and to exclude from gross income certain amounts received by such teachers; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. FRIST, Mr. ABRAHAM, Ms. SNOWE, and Mr. JEFFORDS):

S. 2480. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of perishable product whose import is regulated by the Commissioner of Food and Drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself and Mr. LEVIN) (by request):

S. 2481. A bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, to prescribe