

the Treasury a separate account to be known as the "Neotropical Migratory Bird Conservation Account", which shall consist of amounts deposited into the Account by the Secretary of the Treasury under subsection (b).

(b) DEPOSITS INTO THE ACCOUNT.—The Secretary of the Treasury shall deposit into the Account—

(1) all amounts received by the Secretary in the form of donations under subsection (d); and

(2) other amounts appropriated to the Account.

(c) USE.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may use amounts in the Account, without further Act of appropriation, to carry out this Act.

(2) ADMINISTRATIVE EXPENSES.—Of amounts in the Account available for each fiscal year, the Secretary may expend not more than 3 percent or up to \$80,000, whichever is greater, to pay the administrative expenses necessary to carry out this Act.

(d) ACCEPTANCE AND USE OF DONATIONS.—The Secretary may accept and use donations to carry out this Act. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Account.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Account to carry out this Act \$5,000,000 for each of fiscal years 2001 through 2005, to remain available until expended, of which not less than 75 percent of the amounts made available for each fiscal year shall be expended for projects carried out outside the United States.

Mr. ABRAHAM. Mr. President, the Migratory Bird Conservation Act which I introduced with the Minority Leader, Senator DASCHLE, and our late colleague Senator Chafee, is designed to protect the habitat of the over 90 endangered species of migratory birds which spend the spring and summer months in the United States and the winter months in other Western Hemisphere nations.

This will be the third time this bill has passed the Senate. It previously cleared the Senate in 1998 and early 1999, but, until Monday's 384-22 House vote, the legislation was stalled in the other chamber.

Despite taking almost three years, this legislation remains very timely. Many bird species of birds are threatened despite the growing popularity of birdwatching.

Every year approximately 25 million Americans travel to observe birds, and 60 million American adults watch and feed birds at home. According to the Fish and Wildlife Service, bird watching and feeding generates fully \$20 billion every year in revenue across America.

Protecting the various species of birds benefits the nation in a variety of ways. The increased popularity of birdwatching is increasingly reflected in the new tourist dollars being spent in small, rural communities. Healthy bird communities also prevent crop failures and infestations by controlling insect populations, thus saving hundreds of millions of dollars in economic losses each year to farming and timber interests. And yet, despite the enormous

benefits we derive from our bird populations, many of them are struggling to survive.

In my own State we are working to bring the Kirtland's Warbler back from the brink of extinction. A few years ago, the population of this distinctive bird has been estimated at approximately 200 nesting pairs. Since then, a great deal of work has been done by Michigan DNR employees to preserve the Kirtland's Warbler habitat in the Bahamas, where they winter. Thanks in large part to this effort, the number of breeding pairs has recently increased to an estimated 800.

The problem we face in Michigan is simple. Since the entire species spends half of the year in the Bahamas, the significant efforts made by Michigan's Department of Natural Resources and concerned residents of Michigan will not be enough to save this bird if its winter habitat is destroyed. The same story is likely true for at least one bird species in every other state.

Because migratory birds range across a number of international borders every year, we must work to establish safeguards at both ends of their migration routes, as well as at critical stop-over areas along their way. Only in this case can conservation efforts prove successful.

That is why Senator DASCHLE, Senator Chafee, and I introduced the Neotropical Migratory Bird Conservation Act. This legislation will protect bird habitats across international boundaries by teaming businesses with conservation groups, thus combining capital with know-how.

These entities will then partner with local organizations in countries where bird habitat is endangered to help teach the local people how to preserve and maintain their critical natural habitat.

The 5 year demonstration project created by this Act will provide \$5 million each year to help establish cost-sharing, habitat conservation programs in the United States, Latin America and the Caribbean.

This legislation is proactive, avoids complicated and expensive bureaucratic structures and will bring needed focus and expertise to areas now receiving relatively little attention in the area of environmental degradation. And it has wide support in the environmental and conservation communities.

This legislation is endorsed by the National Audubon Society, Ducks Unlimited, the Nature Conservancy, the American Bird Conservancy, Defenders of Wildlife, the American Forest and Paper Association and the Conservation Fund. These organizations agree that establishing partnerships between business, government and nongovernmental organizations both here and abroad can greatly enhance the protection of migratory bird habitat.

I want to thank the distinguished minority leader, my original partner for

the past two and one half years, for his hard work and efforts on behalf of this legislation. His involvement and perseverance—long with those of Peter Hanson and Eric Washburn of his staff—helped us overcome a variety of obstacles and pave the way for this bill to become law.

I also want to thank Senator BOB SMITH, Chairman of the Environment and Public Works Committee, for his efforts to move this legislation forward. The continuing commitment of the Senate Environment Committee was essential to bringing this bill to the finish line.

And let me recognize the efforts of Kevin Kolevar of my staff, who began the work on this bill back in February of 1998.

Finally, Mr. President, I want to recognize the efforts of our former colleague and friend, Senator John Chafee, who passed away earlier this year. As chairman of the Environmental Committee, Senator Chafee was a driving force behind this legislation. Senator Chafee and his committee staffer, Jason Patlis, shepherded this bill through the Senate twice.

This legislation is yet another addition to the long list of contributions made by Senator John Chafee to protect our natural resources for generations.

I can think of no better tribute to Senator Chafee than to send this bill to the President with a resounding bipartisan vote by the Senate.

Mr. STEVENS. I ask unanimous consent the Senate agree to the amendment of the House.

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

AUTHORIZING TESTIMONY, DOCUMENT PRODUCTION, AND LEGAL REPRESENTATION IN UNITED STATES V. ELLEN ROSE HART

Mr. STEVENS. Mr. President, I now ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 331, submitted earlier by Senator LOTT and Senator DASCHLE.

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

The legislative clerk read as follows:

A resolution (S. Res. 331), to authorize testimony, document production, and legal representation in United States v. Ellen Rose Hart.

The Senate proceeded to consider the concurrent resolution.

Mr. LOTT. Mr. President, this resolution concerns a request for testimony in a criminal action in the United States District Court for the Eastern District of California. In a federal indictment, the defendant has been charged with making a false statement on a passport application and possessing a false identification document in violation of federal law.

In connection with the passport application that is the subject of the indictment, the defendant sought constituent casework assistance from the offices of Senator BARBARA BOXER and Senator DIANE FEINSTEIN. At the request of the U.S. attorney who is prosecuting this case, this resolution authorizes employees in both Senators' offices who worked on this constituent casework matter to testify and produce documents at trial, with representation by the Senate Legal Counsel.

Mr. STEVENS. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 331) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 331

Whereas, in the case of *United States v. Ellen Rose Hart*, CR-F 99-5275 AWI, pending in the United States District Court for the Eastern District of California, testimony has been requested from Eric Vizcaino, an employee in the office of Senator Boxer, and Monica Borvice, an employee in the office of Senator Feinstein;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That Eric Vizcaino, Monica Borvice, and any other employee of the Senate from whom testimony or document production may be required are authorized to testify and produce documents in the case of *United States v. Ellen Rose Hart*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Eric Vizcaino, Monica Borvice, and any Member or employee of the

Senate in connection with the testimony and document production authorized in section 1 of this resolution.

MEASURE READ THE FIRST
TIME—H.R. 4680

Mr. STEVENS. Mr. President, I understand H.R. 4680 is at the desk. I ask for its first reading.

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

The legislative clerk read as follows:

A bill (H.R. 4680) to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, and for other purposes.

Mr. STEVENS. I now ask for its second reading, and I object to my own request.

The PRESIDING OFFICER. The bill will receive its second reading on the following legislative day.

ORDERS FOR FRIDAY, JUNE 30, 2000

Mr. STEVENS. I now ask unanimous consent when the Senate completes its business today it stand in adjournment until 9:30 a.m. on Friday, June 30, 2000. I further ask that on Friday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of H.R. 4577, the Labor, Health and Human Services, and Education appropriations bill under the previous order.

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

Mr. STEVENS. Mr. President, I further ask consent that following the votes, Senator DOMENICI be recognized as in morning business.

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

PROGRAM

Mr. STEVENS. For the information of all Senators, on Friday the Senate will resume consideration of the Labor, Health and Human Services, and Education bill at 9:30 a.m. Under the previous order, there will be several votes on the remaining amendments, which include the Wellstone amendment re-

garding drug pricing, the Helms amendment regarding school facilities, the Harkin amendment regarding IDEA, the Baucus amendment regarding the impact aid, any amendment that is not cleared within the managers' package, disposition of the point of order that is pending, final passage of the Labor, Health and Human Services, and Education appropriations bill, and possibly a vote on adoption of the conference report to accompany the military construction appropriations bill.

Mr. President, I hope that "possibly" is not possibly but it is a fact tomorrow.

I do want to say on my own behalf that the enactment of this bill that we have just brought out of conference is absolutely essential to the well-being of the men and women of the armed services of this country. If it is not passed tomorrow and signed by the President before the Fourth of July, there will be severe repercussions in the military services of this country. We have worked day and night to get this bill done, and I congratulate the Members of the House in accomplishing passage of it earlier this evening. I do encourage our colleagues to remain in the Chamber during the series of votes that will come about in the morning hours tomorrow.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. STEVENS. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 9:30 p.m., adjourned until Friday, June 30, 2000, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 29, 2000:

DEPARTMENT OF JUSTICE

DANIEL G. WEBBER, JR., OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF OKLAHOMA.

JAMES L. WHIGHAM, OF ILLINOIS, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS.

RUSSELL JOHN QUALLIOTINE, OF NEW YORK, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS.

JULIO F. MERCADO, OF TEXAS, TO BE DEPUTY ADMINISTRATOR OF DRUG ENFORCEMENT.