At the request of Mr. Dodd, the name of the Senator from Washington (Mrs. Murray) was added as a cosponsor of S. 635, a bill to reinstate a standard for arsenic in drinking water.

At the request of Mr. Sarbanes, the name of the Senator from Minnesota (Mr. Dayton) was added as a cosponsor of S. 635, the bill to reinstate a standard for arsenic in drinking water.

At the request of Mr. Sarbanes, the name of the Senator from Illinois (Mr. Fitzgerald), the Senator from Michigan (Mr. Levin), the Senator from California (Mrs. Boxer), the Senator from Wyoming (Mr. Enzi), and the Senator from Massachusetts (Mr. Kennedy) were added as cosponsors of S. Res. 16, a resolution designating August 16, 2001, as “National Airborne Day.”

At the request of Mr. Thurmond, the names of the Senator from Illinois (Mr. Fitzgerald), the Senator from Michigan (Mr. Levin), the Senator from California (Mrs. Boxer), the Senator from Wyoming (Mr. Enzi), and the Senator from Massachusetts (Mr. Kennedy) were added as cosponsors of S. Res. 16, a resolution designating August 16, 2001, as “National Airborne Day.”

At the request of Mr. Shelby, the names of the Senator from New Mexico (Mr. Dominguez), the Senator from Vermont (Mr. Jeffords), and the Senator from Colorado (Mr. Campbell) were added as cosponsors of S. Res. 41, a resolution designating April 4, 2001, as “National Murder Awareness Day.”

At the request of Mr. Craig, the name of the Senator from Ohio (Mr. DeWine) was added as a cosponsor of S. Res. 44, a resolution designating each of March 2001, and March 2002, as “Arts Education Month.”

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. Snowe (for herself and Mr. McCain):

S. 635. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) to authorize the establishment of individual fishery quota systems; to the Committee on Commerce, Science, and Transportation.

Ms. Snowe. Mr. President, I rise today, together with Senator McCain, to introduce the Individual Fishing Quota Act of 2001, which will address one of the most complex policy questions in fisheries management, individual fishing quotas, IFQs. This bill will amend the Magnuson-Stevens Fishery Conservation and Management Act to authorize the establishment of new individual quota systems after October 1, 2001. Last year, I introduced legislation to reauthorize the Magnuson-Stevens Act and extend the existing moratorium on new IFQ programs for three years. Congress ultimately extended the moratorium for two years through fiscal year 2002. The combination of the moratorium extension and the IFQ Act provided fishermen and fisheries managers time to prepare for the possibility of using IFQs as a management option. This legislation will in no way whatsoever force IFQs upon any regional management council. It is not intended to use IFQs. Rather, it is intended to provide the councils with an additional conservation and management tool after the existing moratorium expires.

IFQ programs can drastically change the face of fishing communities and the fundamental principles of conservation and management. Therefore, this legislation needs to be developed in a careful and meaningful manner. Accordingly, introduction of this bill is intended to lay the ground work for the possibility of new IFQ programs. I fully anticipate that we will hear from many stakeholders to help the Subcommittee on Oceans and Fisheries shape and reshape this bill as necessary. I look forward to participation by all impacted groups as we move this bill through the legislative process.

The IFQ Act of 2001 sets conditions under which fishery management plans, FMPs, or plan amendments may establish a new individual fishing quota system. The bill ensures that any council which establishes new IFQs will promote sustainable management of the fishery; require fair and equitable allocation of individual quotas; minimize negative social and economic impacts on local coastal communities; ensure adequate enforcement of the system; and take into account present and historical fishing practices of the relevant fishery. Additionally, the bill requires the Secretary of Commerce to conduct a study to ensure that those most affected by IFQs will have the opportunity to formally approve both the initiation and adoption of any new individual fishing quota program.

This bill authorizes the potential allocation of individual quotas to fishing vessel owners, fisherman and crew members who are citizens of the United States. The legislation does not allow, however, individual quotas to be sold, transferred, or leased. Participation in the fishery is required for a person to hold quota. Acknowledging the possibility that undue hardship may ensure, the bill allows for the suspension of the transferability requirement by the Secretary on an individual case-by-case basis. Moreover, this bill permits councils to allocate quota shares to entry-level fishermen, small vessel owners, or crew members who may not otherwise be eligible for individual quota systems. In addition, the bill incorporates certain recommendations of the NAS report and provides councils with the flexibility to adopt additional NAS or other recommendations. Mr. President, as with other components of fisheries conservation and management, there is no “one-size-fits-all” solution to IFQ programs. Therefore, this bill sets certain conditions under which IFQs may be developed, at the same time, it clearly provides the regional councils and the affected fishermen with the ability to shape any new IFQ program to fit the needs of the fishery, if such a program is desired.

Over the past one and a half years, the Subcommittee on Oceans and Fisheries traveled across the country and held six hearings on the reauthorization of the Magnuson-Stevens Act. We began the process in Washington, DC, and then visited fishing communities in Maine, Louisiana, Alaska, Washington, and Massachusetts. During the course of those hearings, we heard official testimony from over 70 witnesses and received statements from many more fishermen during online microphones sessions at each field hearing. The Subcommittee heard the comments, views and recommendations of federal and state officials, regional council chairmen and members, other fishermen, managers, commercial and recreational fishermen, members of the conservation community, and many others interested in these important issues. Additionally, the 26th annual Maine Fishermen’s Forum held a very informative all-day workshop on IFQs on March 1, 2001. The IFQ Act of 2001 incorporates many of the suggestions we heard from those men and women who fish for a living and those who are most affected by the law and its regulations.

Unfortunately successful fisheries conservation and management seems to be the exception and not the rule. The decisions that fishermen, regional councils and the Department of Commerce make are complex and often depend on less than adequate information. It is incumbent upon the Congress to provide the many interested stakeholders with the ability to make practical and informed decisions. At a later
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the ‘‘IFQ Act of 2001.’’

SEC. 2. INDIVIDUAL QUOTA PROGRAMS. (a) AUTHORITY TO ESTABLISH INDIVIDUAL QUOTA SYSTEMS.—

(A) specify factors that shall be considered in determining whether a fishery should be managed under an individual quota system; (B) shall provide for—

(1) establishing procedures and requirements for each Council having authority over the fishery, for—

(i) reviewing and revising the terms of the plan that establish the system; and (ii) renewing, reallocating, and reissuing individual quotas if determined appropriate by each Council;

(B) may be renewed, reallocated, or reissued if determined appropriate by each Council having authority over the fishery;

(a) A T H U R I T Y TO E S T A B L I S H I N D I V I D U A L QUOTA SYSTEMS.—

(1) CONDITIONS.—A fishery management plan which establishes an individual quota system for a fishery after September 30, 2002—

(A) shall provide for administration of the system by the Secretary in accordance with the terms of the plan and regulations issued by the Secretary under this Act; and

(B) may be revoked or limited at any time, in accordance with the terms of the fishery management plan and regulations issued by the Secretary and shall be reallocated under the system to qualified participants in the fishery for which it is issued, if necessary for the conservation and management of the fishery (including as a result of a violation of this Act) or any regulation prescribed under this Act;

(C) if revoked or limited by the Secretary or a Council, shall not confer any right of compensation to the holder of the individual quota;

(D) may be received and held in accordance with regulations prescribed by the Secretary under this Act; and

(E) shall, except in the case of an individual quota allocated under an individual quota system established before the date of enactment of this Act, expire not later than 5 years after the date it is issued, in accordance with the terms of the fishery management plan;

(F) upon expiration under subparagraph (E), may be renewed, reallocated, or reissued if determined appropriate by the Secretary;

(G) NON-CITIZENS NOT ELIGIBLE.—An individual who is not a citizen of the United States may not hold an individual quota share under the system.

(B) INDIVIDUAL QUOTA.—The term ‘‘individual quota’’ means a system that limits access to a fishery in order to achieve optimum yield, through the allocation and issuance of individual quotas.

(1) REFERENDUM PROCEDURE.—

(A) INDIVIDUAL QUOTA SYSTEM.—The term ‘‘individual quota system’’ means a system that limits access to a fishery for which the policy question in fisheries management programs, the most significant policy question in fisheries management. Clearly, I do not presume to offer a perfect solution to a complex and emotional concept. However, it is my intent to resolve this issue after appropriate debate and consideration by the Commerce Committee and the U.S. Senate. I look forward to and expect the full participation of those Senators who have expressed interest in this issue in the past and those who may be new to the debate.

I ask unanimous consent that the test of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 637

March 28, 2001

CONGRESSIONAL RECORD—SENATE

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the ‘‘IQF Act of 2001.’’

SEC. 2. INDIVIDUAL QUOTA PROGRAMS. (a) AUTHORITY TO ESTABLISH INDIVIDUAL QUOTA SYSTEMS.—

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S. 637

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
Mr. DOMENICI. Mr. President, the bill I am introducing today is designed to restore some internal consistency to the Tax Code as it applies to art and artists.

No one has ever said that the Tax Code is fair even though it has always been a theoretical objective of the code to treat similar taxpayers similarly. The bill I am introducing today would address two areas where similarly situated taxpayers are not treated the same.

Internal inconsistency No. 1 deals with long term capital gains tax treatment of investments in art and collectibles.

Internal inconsistency No. 2 deals with the charitable deduction for artists donating their work to a museum or other charitable cause. The unartinperson whose wish to make a charitable contribution of a piece of art is entitled to a deduction equal to fair market value of the art. An artist, on the other hand, just because he/she is the creator of the art, is limited to a deduction equal to the tube of paint, the paper, or other art supplies involved. The tax treatment is a disincentive and a blatant unfairness.

If a person invests in stocks, or bonds, holds the asset for the requisite period of time, and sells at a gain, the tax treatment is long term capital gains. The top capital gains tax rate is 20 percent, 18 percent if the asset is held for five or more years. However, if the same person invests in art or collectibles the top rate is hiked up to 28 percent.

Art for art's sake should not incur an additional 40-percent tax bill simply for revenue's sake. That is a big impact on the pocketbook of the beholder.

Art and collectibles are alternatives to financial instruments as an investment choice. To create a tax disadvantage with respect to one investment compared to another creates an artificial market and may lead to poor investment allocations. It also adversely impacts those who make their livelihood in the cultural sectors of the economy.

Santa Fe, NM, is the third largest art market in the country. We have a diverse colony of artists, collectors and gallery owners. We have fabulous Native American rug weavers, potters and a deduction equal to the tube of paint, the paper, or other art supplies involved. The tax treatment is a disincentive and a blatant unfairness.

If a person invests in stocks, or bonds, holds the asset for the requisite period of time, and sells at a gain, the tax treatment is long term capital gains. The top capital gains tax rate is 20 percent, 18 percent if the asset is held for five or more years. However, if the same person invests in art or collectibles the top rate is hiked up to 28 percent.

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think they are worth more. They’ve traded on his Web site for as high as $43.

William Goetzmann when he was at the Columbia Business School constructed an art index and concluded that painting price movements and stock market fluctuations are correlated. I conclude that with art, as well as stocks, past performance is no guarantee of future returns but the gains should be taxed the same.

In 1990, the editor of Art and Auction asked the question: “Is there an ‘efficient’ art market?” A well known art dealer answered: “Definitely not. That’s one of the things that make the market so interesting.”

For everyone who has been watching world financial markets lately, the art market is not the only market to experience such turmoil. Why do people invest in art and collectibles?

Art and collectibles are something you can appreciate even if the investment doesn’t appreciate. Art is less volatile. If bouncing bond prices drive you berserk and spiraling stock prices scare you silly, art may be the right investment for you.

Because art and collectibles are investments, the long term capital gains tax treatment should be the same as for stocks and bonds. This bill would accomplish that.

Artists will benefit. Gallery owners will benefit. Collectors will benefit. And museums benefit from collectors. About 90 percent of what winds up in museums like the New York’s Metropolitan Museum of Art comes from collectors.

Collecting isn’t just for the hoity toity. It seems that everyone collects something. Some collections are better investments than others. Some collections are just bizarre. The internet makes collecting big business.

The flea market fanatics are also avid collectors. In fact, people collect the darndest things. Books, duck decoys, Audubon prints, cat pets, snowglobes, thimbles, handcuffs, spectacles, baseball cards, and caps, guns and dolls.

This bill could be called the “Fine art, furniture, figurines, coins and stamps, china and pottery, silver, cast-iron and brass wares, beanie babies, rugs, quilts, and other textiles, architectural columns, glassware, jewelry, lamps, military memorabilia, toys, dolls, trains, entertainment memorabilia, political memorabilia, books, maps, antique hardware, clocks and watches” Capital Gains Parity Act and I still would not have accurately captured the full scope of the bill.

For most of these collections, capital gains isn’t really an issue, but you never know. Antique Roadshow is one of the most popular shows on TV. Everyone knows the story about the woman who bought the card table at a yard sale for $25. It turned out to be the work of a Boston cabinet maker circa 1797. It later sold at Sotheby’s for $490,000.

Like the women on Antique Roadshow, you could be creating a sizeable taxable asset if you decide to sell your art or collectible collection. You may find that your collecting passion has created a tax predicament—to phrase it politely. Art and collectibles are tangible assets. When you sell them, capital gains tax is due on any appreciation on the cheap price.

The bill provides capital gains tax parity because it lowers the top capital gains rate from 28 percent to 20 percent. 18 percent if the asset has been held for five or more years.

The second area where people similarly situated are not treated similarly in the tax code deals with charitable contributions. When someone is asked to make a charitable contribution to a museum or to a fund raising auction it shouldn’t, but under current law does, matter whether you are an artist or not.

Under current law an artist/creator can only take a deduction equal to the cost of the art supplied.

The bill I am introducing with Senators LEAHY and BENNETT will allow a fair market deduction for the artist. It includes certain safeguards to keep the artist from “painting himself a tax deduction.”

This bill applies to literary, musical, artistic, and scholarly compositions if the work was created at least 18 months before the donation was made, has been appraised, and is related to the purpose or function of the charitable organization receiving the donation.

As with other charitable contributions it is limited to 50 percent of adjusted gross income, AGI. If it is also a capital gain, there is a 30 percent of AGI limit.

I believe these safeguards bring fairness back into the code and protect the Treasury against any potential abuse.

The revenue estimate for the capital gains provision is $2.3 billion over ten years and the estimate for the charitable deduction is approximately $48 million over ten years.

I hope my colleagues will help me put the internally consistent into the Internal Revenue Code—for art’s sake.

I ask unanimous consent the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 638
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1. SHORT TITLE. This Act may be cited as the “Art and Collectibles Capital Gains Tax Treatment Parity Act”.
SEC. 2. CAPITAL GAINS TREATMENT FOR ART AND COLLECTIBLES OWNED, MAINTAINED, AND DISPLAYED BY CHARITABLE ORGANIZATIONS.
(a) In General. (b) Treatment of Certain Items Created by the Taxpayer.
SEC. 3. CHARITABLE CONTRIBUTIONS OF CERTAIN ITEMS.
SEC. 4. LIQUIDATION COST OF ART AND COLLECTIBLES.
SEC. 5. LIMITATION ON AMOUNT OF Uncertainties and Inconsistencies.
SEC. 6. AGGREGATION OF CHARGED EXPENSES.
SEC. 7. CHARTERED ART AND COLLECTIBLES CONTRIBUTIONS.
SEC. 8. REPORTS.
SEC. 9. DEFINITIONS.
SEC. 10. EFFECTIVE DATE.

March 28, 2001
CONGRESSIONAL RECORD—SENATE
4918
By Mr. TORRICELLI

S. 641 would amend section 842 of title 18, United States Code, relating to explosive materials; to the Committee on the Judiciary.

Mr. TORRICELLI. Mr. President, I rise today to introduce the "Explosives Protection Act." It is a simple bill meant only to rectify in small way the tragic bombing of the federal building in Oklahoma City, because I hope that this bill will, in some small way, prevent future bombings—whether by terrorists of symbolic targets, malcontents of random ones, or even spouses involved in marital disputes.

This bill, while not directly related to the circumstances in Oklahoma City, is a first step towards protecting the American people from those who would use explosives to do them harm. Not only would it lift any restrictions on the use and sale of explosives really exist. While we have increasingly restricted the number of people who can obtain and use a firearm, we have been lax in extending these prohibitions to explosives.

For instance, while we prohibit illegal aliens from obtaining a gun, we allow them to obtain explosives with-out restriction. And this same divergence applies to those who have been dishonorably discharged from the armed forces, those who have renounced U.S. citizenship, people who have acted in such a way as to have restraining orders issued against them, and those with domestic violence convictions. Each of these categories of persons are prohibited from obtaining firearms, but face no such prohibition on obtaining explosive material.

Congress has already made the determination that certain members of society should not have access to firearms, and the same logic clearly applies to dangerous and destructive explosive materials, materials which can result in an equal or even greater loss of life. It is time to bring the explosives law into line with gun laws, and this is all my bill does. Specifically, this extends the list of persons barred from purchasing explosives so that it matched that of people barred from purchasing firearms.

This is a simple bill meant only to correct longstanding gaps and loopholes in current law. I urge my colleagues to support the bill, and I hope we can quickly move to get this passed and protect Americans from future acts of explosive destruction. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 641

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 2. PROHIBITIONS RELATING TO EXPLOSIVE MATERIALS.

(a) Prohibition of sale, delivery, or transfer of explosive materials to certain individuals.—Section 842 of title 18, United States Code, is amended by striking subsection (i) and inserting the following:

''(d) Prohibition of sale, delivery, or transfer of explosive materials to certain individuals.—It shall be unlawful for any person to ship or transport in interstate or foreign commerce, if that person—

''(1) is less than 21 years of age;

''(2) has been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year;

''(3) is a fugitive from justice;

''(4) is an unlawful user of or addicted to any controlled substance (as defined in section 101(a)(26) of the Controlled Substances Act (21 U.S.C. 802));

''(5) has been adjudicated as a mental defective or who has been committed to a mental institution;

''(6) being an alien—

''(A) is illegally or unlawfully in the United States; or

''(B) except as provided in section 845(d), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26));

''(7) has been discharged from the Armed Forces under dishonorable conditions;

''(8) having been a citizen of the United States, has renounced his citizenship; or

''(9) is subject to a court order that restrains such person from harassing, stalking, or threatening, by separate or consolidated petitions, a child or spouse, or engaging in other conduct that would place an intimate partner in reasonably foreseeable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that was issued after the date of the enactment of this Act in taxable years ending after such taxable year; and

''(ii) shall not be taken into account in determining the amount which may be carried from such a tax year; and

{(C) Maximum dollar limitation; no carryover of increased deduction.—The increase in the deduction under this section by reason of this paragraph for any taxable year—

''(i) shall not exceed the artistic adjusted gross income of the taxpayer for such taxable year, and

''(ii) shall not be taken into account in determining the amount which may be carried from such a tax year; and

''(D) artistic adjusted gross income.—For purposes of this paragraph, the term 'artistic adjusted gross income' means that portion of the adjusted gross income of the taxpayer for such taxable year—

''(i) shall not be treated as separate properties for purposes of this paragraph and subsection (b); and

''(ii) is determined without regard to any increase in the deduction under this section by reason of this paragraph; and

''(E) Paragraph not to apply to certain contributions.—Subparagraph (A) shall not apply to any charitable contribution of any letter, memorandum, or similar property which was written, prepared, or produced by or for an individual while the individual is an officer or employee of any person (including any governmental agency or instrumentality) unless such letter, memorandum, or similar property is entirely personal.

''(F) Copyright treated as separate property for partial interest rule.—In the case of a qualified artistic charitable contribution, the tangible literary, musical, artistic, or scholarly composition, or similar property and the copyright on such work (as defined in section 465(b)(3)(C)) shall be treated as separate properties for purposes of this paragraph and subsection (b).

{(b) Effective date.—The amendment made by this section shall apply to contributions made after the date of the enactment of this Act in taxable years ending after such date.

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physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

(10) has been convicted in any court of a misdemeanor crime of domestic violence.

(c) EXCEPTIONS AND WAIVER FOR CERTAIN INDIVIDUALS.—Section 845 of title 18, United States Code, is amended by adding at the end the following:

(1) the term ‘‘nonimmigrant visa’’ has the same meaning as in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)); and

(2) by adding at the end the following:

(3) WAIVER.—

(A) Admitted to the United States for legal purposes;

(B) a foreign personnel on official assignment to the United States;

(C) an official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State;

(D) a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.

(3) Waiver.—

(A) IN GENERAL.—Any individual who has been admitted to the United States under a nonimmigrant visa and who is not described in paragraph (2), may receive a waiver from the applicability of subsection (d)(5)(B) or (1)(i)(B) of section 842 if—

(i) the individual submits to the Attorney General a petition that meets the requirements of subparagraph (B); and

(ii) the Attorney General approves the petition.

(B) Petitions.—Each petition under subparagraph (A)(i) shall—

(i) demonstrate that the petitioner has resided in the United States for a continuous period of not less than 180 days before the date on which the petition is submitted under subparagraph (A)(i); and

(ii) include a written statement from the embassy or consulate of the petitioner, authorizing the petitioner to engage in any activity prohibited under subsection (d) or (1) of section 842, as applicable, and certifying that the petitioner would not otherwise be prohibited from engaging in that activity under subsection (d) or (1) of section 842, as applicable.

By Mr. TORRICELLI:

S. 642. A bill to amend part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide assistance for unincorporated neighborhood watch programs; to the Committee on the Judiciary.

Mr. BAUCUS. Mr. President, I rise today to introduce the Neighborhood Watch Partnership Act. This bill will broaden the eligibility of groups that may apply for essential funding for neighborhood watch activities.

Community policing, neighborhood watch groups are having a decisive impact on crime. There are almost 20,000 such groups creating innovative programs that promote community involvement in crime prevention. They empower community members and organize them against rape, burglary, and all forms of fear on the street. They forge bonds between law enforcement and the communities they serve.

Unfortunately, many communities find it difficult to afford the often expensive equipment such as cellphones and CB's needed to start a neighborhood watch organization. While the COPS program within the Department of Justice provides funding for some neighborhood watch groups, an organization must incorporate to benefit from the current program. A mere 2000 of the nearly 20,000 groups incorporate, however, meaning that the vast majority of watch groups cannot apply for funding assistance. This makes very little sense.

The time has come to make a clear commitment to these groups. That is why I am introducing a bill to extend COPS funding to unincorporated neighborhood watch organizations. The bill would provide grants of up to $1500 to these groups. Under current law, either the local police chief or sheriff must approve grant requests by unincorporated watch groups. We should impossibly place any group on unincorporated groups, thus providing accountability for the disbursement of funds.

Neighborhood watch organizations provide an invaluable service. By extending the partnership between community policing and watch group organizations, we will boldly encourage and all forms of fear on the street. Furthermore, by providing essential funding to neighborhood watch groups, an organization must incorporate to benefit from the current program. A mere 2000 of the nearly 20,000 groups incorporate, however, meaning that the vast majority of watch groups cannot apply for funding assistance. This makes very little sense.

The time has come to make a clear commitment to these groups. That is why I am introducing a bill to extend COPS funding to unincorporated neighborhood watch organizations. The bill would provide grants of up to $1500 to these groups. Under current law, either the local police chief or sheriff must approve grant requests by unincorporated watch groups. We should impossibly place any group on unincorporated groups, thus providing accountability for the disbursement of funds.

Neighborhood watch organizations provide an invaluable service. By extending the partnership between community policing and watch group organizations, we will boldly encourage small and large communities to preserve and create crime prevention tools. We should act now. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 642

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ASSISTANCE FOR UNINCORPORATED NEIGHBORHOOD WATCH PROGRAMS.

(a) Short Title.—This Act may be cited as the “Neighborhood Watch Partnership Act of 2001”.

(b) In General.—Section 1701(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793d(d)) is amended—

(1) in paragraph (10), by striking “(a)” at the end;

(2) in paragraph (11), by striking the period at the end and inserting “); and”;

(b) by adding at the end the following:

(12) provide assistance to unincorporated neighborhood watch organizations approved by the appropriate local police or sheriff’s department, in an amount equal to not more than $1950 per organization, for the purchase of citizen band radios, street signs, magnetic signs, flashlights, and other equipment relating to neighborhood watch by inserting after “(B)” the following: “Of amounts made available to carry out part Q in each fiscal year $4,625,000 shall be used to carry out section 1701(d)(12).”.

By Mr. BAUCUS (for himself, Mr. KERRY, Ms. LANDRIEU, Mr. INOUYE, Mr. TORRICELLI, Mr. DASCHLE, Mr. LEAHY, Mr. WYDEN, Mr. BINGAMAN, and Mr. LIEBERMAN):

S. 643. A bill to implement the agreement establishing a United States-Jordan free trade area, to the Committee on Finance.

Mr. BAUCUS. Mr. President, I rise today to introduce legislation to implement the United States-Jordan Free Trade Agreement.

I introduce this legislation on behalf of myself and Senators KERRY, LANDRIEU, INOUYE, TORRICELLI, DASCHLE, LEAHY, BINGAMAN, WYDEN, and LIEBERMAN. The same legislation is today being introduced by colleagues in the other body.

The United States-Jordan FTA was signed on October 26, 2000 and formally submitted to Congress on January 6.

For a variety of reasons, it is one of the most significant trade achievements in recent years. Simply put, the United States-Jordan FTA is a strong trade agreement. It eliminates barriers to trade on goods and services across the board. The agreement is very much on a par with the FTA with Canada and Mexico; the specific provisions of the agreement mirror the United States-Israel FTA and the related understanding with the Palestinian Authority.

Although the volume of trade involved is not likely to have much impact on the United States, it should be a significant boon to Jordan—and that does benefit the United States.

Jordan has become one of the United States' best allies in the Middle East. Demonstrating considerable courage and leadership, Jordan has made peace with Israel and cooperated with the United States on a number of diplomatic fronts.

As the majority leader Senator LOTT wrote in a letter to the President on March 8 urging approval of the agreement:

Jordan has been a reliable partner of the United States and has played an important role in America’s efforts to achieve a lasting peace in the Middle East. The United States-Jordan Free Trade Agreement is an important and timely symbol of this critical relationship.

I strongly agree with Senator LOTT. I am normally skeptical of using geo-political rationales to change U.S.
trade policy, but in this case the right geopolitical outcome is also the right trade policy outcome.

Most of the controversy surrounding the United States-Jordan FTA focuses on provisions of the agreement regarding the environment and labor.

Without question, these are significant provisions. They address labor rights and environmental issues in the core of the agreement and make the issues subject to dispute settlement like all other provisions of the agreement.

That said, the provisions simply obligate both countries to enforce their current labor and environmental laws and not weaken their laws with the aim of distorting trade.

Any objective reading of the provisions makes it clear that critics’ fears of partisan agenda-setting, NAFTA, and portions of the agreement or attacking U.S. environmental laws are simply unfounded.

The agreement is clearly a government-to-government agreement; private parties cannot trigger dispute settlement proceedings. I believe there is little chance of the United States actually weakening its environmental laws, but it is certainly not going to take such a step with the aim of distorting trade with Jordan.

Given Jordan’s strong position on labor rights and environmental issues and the consultative process of the dispute settlement in the agreement, it is quite unlikely these provisions will ever result in the imposition of trade sanctions—the stated fear of the critics.

In fact, in the decade and a half it has been in place, the United States-Israel FTA dispute settlement procedures, and the Jordan FTA, have only been invoked once and, even in that case, sanctions were never imposed.

I suspect the real fear of critics is that the Jordan agreement will set a precedent for inclusion of labor and environmental provisions in future trade agreements. I understand that. That precedent, however, has already been set. Both the world trading system—now represented by the World Trade Organization—and the North American Free Trade Agreement, NAFTA, address labor and environmental issues.

In my opinion, all future trade agreements must meaningfully address labor and environmental issues to win congressional approval.

Further, the United States-Jordan FTA has already been negotiated, and it has been signed. Even if it was not ultimately approved by the Congress, the precedent has already been set with an approved and signed agreement. The bell cannot be unrung.

There is a more serious precedent at stake.

When President Clinton took office in 1993, I urged him to support the NAFTA agreement struck by his predecessor in the White House without renegotiation. I did this not because the NAFTA was an imperfect agreement, it was not. It needed improvement. But certainly there were certain areas where improvement was possible.

I supported it, and I told the President so because it is vital for there to be continuity in trade policy. I might add, also in foreign policy. Reopening negotiations on an agreement that is already signed to address what can only be called a partisan concern threatens the credibility of U.S. trade policy.

Scuttling or renegotiating the United States-Jordan FTA also sets a precedent for any new administration to undo the agreements negotiated by its predecessor. This would destroy any possibility of bipartisan trade policy and discourage our trading partners from negotiating seriously with the United States. We simply cannot afford to allow this kind of partisan chicanery to overwhelm good trade policy.

I introduce this implementing legislation for the United States-Jordan FTA in the hopes it can be rapidly passed and signed into law.

This is a good agreement. The United States-Jordan FTA advances U.S. trade policy as well as Middle East policy. It has widespread support from labor and environmental groups, as well as from business leaders. The United States-Jordan FTA can go far to build a consensus on trade policy. It is very important.

Aside from the concerns over the labor and environmental provisions which I have already addressed, no one has raised serious objections to this agreement.

With Jordan’s King Abdullah visiting the United States next week, the Congress and the administration should move together to approve the United States-Jordan FTA.

I ask unanimous consent to print the bill in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE, TABLE OF CONTENTS. This Act may be cited as the "United States-Jordan Free Trade Area Implementation Act".

SEC. 2. PURPOSES.

The purposes of this Act are:

(1) to implement the Agreement between the United States and Jordan establishing a free trade area;

(2) to strengthen and develop the economic relations between the United States and Jordan for their mutual benefit; and

(3) to establish free trade between the 2 nations through the removal of trade barriers.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) AGREEMENT.—The term "Agreement" means the Agreement between the United States of America and the Hashemite Kingdom of Jordan for the Establishment of a Free Trade Area entered into on October 24, 2000.

(2) HTS.—The term "HTS" means the Harmonized Tariff Schedule of the United States.
(b) DIRECT COSTS OF PROCESSING OPERATIONS.—

(1) IN GENERAL.—As used in this section, the term "direct costs of processing operations" includes, but is not limited to—

(A) all actual labor costs involved in the growth, production, manufacture, or assembly of the specific merchandise, including fringe benefits, on-the-job training, and the cost of engineering, supervisory, quality control, and similar personnel; and

(B) dies, molds, tooling, and depreciation on machinery and equipment which are allocable to the specific merchandise.

(2) EXCLUDED COSTS.—The term "direct costs of processing operations" does not include costs which are not directly attributable to the merchandise concerned, or are not costs of manufacturing the product, such as—

(A) profit; and

(B) general expenses of doing business which are either not allocable to the specific merchandise or are not related to the growth, production, manufacture, or assembly of such merchandise, such as administrative salaries and expenses, casualty and liability insurance, advertising, and salesmen's salaries, commissions, or expenses.

(c) TEXTILE AND APPAREL ARTICLES.—

(1) IN GENERAL.—A textile or apparel article imported directly from Jordan into the customs territory of the United States shall be considered to meet the requirements of paragraph (1)(A) of subsection (a) only if—

(A) the article is wholly obtained or produced in Jordan;

(B) the article is a yarn, thread, twine, cordage, rope, cable, or braiding, and—

(i) the constituent staple fibers are spun in Jordan; or

(ii) the continuous filament is extruded in Jordan;

(C) the article is a fabric, including a fabric classified under chapter 59 of the HTS, and the constituent fibers, filaments, or yarns are woven, knitted, needled, tufted, felted, entangled, or transformed by any other fabric-making process in Jordan; or

(D) the article is affixed to a textile or apparel article that is wholly assembled in Jordan from its component pieces.

(2) DEFINITION.—For purposes of paragraph (1), and subparagraphs (B) and (C) of this paragraph, "wholly obtained or produced in Jordan" if it is wholly the growth, product, or manufacture of Jordan.

(d) SPECIFIC RULES.—(A) Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, subparagraph (A), (B), or (C) of paragraph (1), as appropriate, shall determine whether a good that is classified under one of the following headings or subheadings of the HTS shall be considered to meet the requirements of paragraph (1)(A) of subsection (a) if the fabric in the good, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, permanent embossing, or moireing.

(D) Notwithstanding paragraph (1)(C), a fabric classified under the HTS as of silk, cotton, man-made fiber, or vegetable fiber shall be considered to meet the requirements of paragraph (1)(A) of subsection (a) if the fabric, whether wholly obtained or produced in Jordan, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(e) MULTICOUNTRY RULE.—If the origin of a textile or apparel article cannot be determined under paragraph (1) or (3), then that article shall be considered to meet the requirements of paragraph (1)(A) of subsection (a) if—

(A) the most important assembly or manufacturing process occurs in Jordan; or

(B) if the applicability of paragraph (1)(A) of subsection (a) cannot be determined under subparagraph (A), the last important assembly or manufacturing occurs in Jordan.

(f) EXCLUSION.—A good shall not be considered to meet the requirements of paragraph (1)(A) of subsection (a) if the good—

(1) is imported into Jordan, and at the time of importation, would be classified under heading 2309.90.00 of the HTS; and

(2) is processed in Jordan into a good classified under any of subheadings 2009.11 through 2009.39 of the HTS.

(g) REGULATIONS.—The Secretary of the Treasury, after consultation with the United States Trade Representative, shall prescribe such regulations as may be necessary to carry out this section.

TITLE II—RELIEF FROM IMPORTS

Subtitle A—General Provisions

SEC. 201. DEFINITIONS.

As used in this title:

(1) COMMISION.—The term "Commission" means the United States International Trade Commission.

(2) JORDANIAN ARTICLE.—The term "Jordanian article" means an article that qualifies for reduction or elimination of a duty under section 102.

(3) FILING OF PETITION.—

(a) IN GENERAL.—A petition requesting action under this part for the purpose of adjusting to the obligations of the United States under the Agreement may be filed with the Commission in the determination and to facilitate the efforts of the domestic industry to make a positive adjustment to import competition. The import relief recommended by the Commission under this section shall be limited to that described in section 212(c).

(b) REPORT TO PRESIDENT.—No later than the date that is 30 days after the date on which a determination is made under subsection (a) with respect to a petition, the Commission shall submit to the President a report that shall include—

(1) a statement of the basis for the determination;

(2) dissenting and separate views; and

(3) any finding made under subsection (b) regarding import relief.

(c) PUBLIC NOTICE.—Upon submitting a report under paragraphs (1) and (2) of subsection (c), the Commission shall promptly make public such report with the exception of information which the Commission determines to be confidential and shall cause a summary thereof to be published in the Federal Register.

(d) APPLICABLE PROVISIONS.—For purposes of this part, the provisions of paragraphs (1), (2), and (3) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d)) shall be applied
with respect to determinations and findings made under this section as if such deter-
minations and findings were made under sec-

SEC. 212. PROVISION OF RELIEF.

(a) In general.—No later than the date that is 30 days after the date on which the
President receives the report of the Commis-
sion containing an affirmative determina-
tion under section 203(a), the President shall provide relief from im-
ports of the article that is the subject of such
determination to the extent that the President finds that such relie-
ment would cause serious harm to the national
security of the United States.

(b) National Economic Interest.—The
President, either—

(1) by inserting before the period at the end
of paragraph (a) the words "(A) the rate of
imposed on the article to a level that does not ex-
ceed the lesser of—"

(A) the column 1 general rate of duty im-
posed under the HTS on like articles at the
time the import relief is provided; or

(B) the column 1 general rate of duty im-
posed under the HTS on like articles on the
day before the date on which the Agreement
enters into force; or

(2) in the case of a duty applied on a sea-
sonal basis, an increase in the rate of
duty imposed on the article to a level that does not exceed the column 1 general
rate of duty imposed under the HTS on the
article for the corresponding season occur-
ing immediately before the date on which the
Agreement enters into force.

(d) Period of Relief.—The import
relief that the President is authorized to provide
under this section may not exceed 4 years.

(e) Rate After Termination of Import
Relief.—When import relief under this part is
terminated, with respect to an article—

(1) the rate of duty on that article after
such termination and on or before December
31 of the year in which termination occurs shall be, according to the
United States Schedule to Annex 2.1 of the
Agreement for the staged elimination of the
tariff, would have been in effect 1 year after
the import relief action under section 211; and

(2) the tariff treatment for that article after
December 31 of the year in which ter-
mination occurs shall be, at the discretion of
the President, either—

(A) the rate of duty conforming to the ap-
plied rate set out in the United States
Schedule to Annex 2.1 for the
elimination of the tariff.

SEC. 214. TERMINATION OF RELIEF AUTHORITY.

(a) General Rule.—Except as provided in
subsection (b), no import relief may be pro-
vided under this part after the date that is 15
years after the date on which the Agreement
enters into force.

(b) Exception.—Import relief may be pro-
vided under this part in the case of a Jor-
danian article after the date on which such
relief would, but for this subsection, termi-
rate under subsection (a), but only if the
President finds that the Government of Jordan consents to such rel-

SEC. 215. COMPENSATION AUTHORITY.

For purposes of section 123 of the Trade
provided by the President under section 213
shall be treated as action taken under chap-
ter 1 of title II of such Act.

SEC. 216. SUBMISSION OF PETITIONS.

A petition for import relief may be sub-
mitted to the Commission under—

(1) this part;

(2) chapter 1 of title II of the Trade Act of
1974; or

(3) under both this part and such chapter 1
at the same time, in which case the Commis-
sion shall consider such petitions jointly.

Subtitle C—Cases Under Title II of the
Trade Act of 1974

SEC. 221. FINDINGS AND ACTION ON JORDANIAN
IMPORTS.

(a) Effect of Imports.—If, in any inves-
tigation initiated under chapter 1 of title II
of the Trade Act of 1974, the Commis-
sion makes an affirmative determination (or a de-
termination which the President may treat
as an affirmative determination under such
chapter by reason of section 330(d) of the
Tariff Act of 1930), the Commission shall also
find (and report to the President at the time
such injury determination is submitted to
the President) whether imports of the article
from Jordan are a substantial cause of seri-
ous injury or threat thereof.

(b) Presidential Action Regarding Jor-
danian Imports.—In determining the nature
and extent of action to be taken under chap-
ter 1 of title II of the Trade Act of 1974, the
President shall determine whether imports from Jordanian article shall be the rate that, according to the
United States Schedule to Annex 2.1 of the
Agreement in the

TITLE III—TEMPORARY ENTRY

SEC. 301. NONIMMIGRANT TRADERS AND INVE-
STORS.

Upon the basis of reciprocity secured by
the Agreement or by any person or circumstance, the alien is otherwise admissible to the United States as such a nonimmigrant.

TITLE IV—GENERAL PROVISIONS

SEC. 401. RELATIONSHIP OF THE AGREEMENT TO
UNITED STATES LAW.

(a) Relationship of Agreement to United States Law.—

(1) United States Law to Prevail in Con-

lict.—No provision of the Agreement, nor
the application of any such provision to any
person or circumstance, that is inconsistent
with any law of the United States shall have ef-
fect.

(2) Construction.—Nothing in this Act
shall be construed—

(A) to amend or modify any law of the
United States, or

(B) to limit any authority conferred under
any law of the United States, unless
specifically provided for in this Act.

(b) Relationship of Agreement to State Law.—

(1) Legal Challenge.—No State law, or
the application thereof, may be declared in-
consistent with the Agreement, except in an action brought by the United States for
the purpose of declaring such law or applica-
tion invalid.

(2) Definition of State Law.—For purposes
of this subsection, the term "State law" in-
cludes—

(A) any law of a political subdivision of a
State; and

(B) any State law regulating or taxing the
business of insurance.

(c) Effect of Agreement With Respect to
Private Remedies.—No person other than the
United States—

(1) shall have any cause of action or de-
fense under the Agreement; or

(2) may challenge, in any action brought
under any provision of law, any action or in-
action by any department, agency, or other
instrumentality of the United States, any
State, or any political subdivision of a State
on the ground that such action or inaction is
inconsistent with the Agreement.

SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for
each fiscal year after fiscal year 2001 to the
Department of Commerce not more than
$100,000 for the payment of the United States
share of the expenses incurred in dispute set-
tlement proceedings under article 17 of the
Agreement.

SEC. 403. IMPLEMENTING REGULATIONS.

After the date of enactment of this Act—

(1) the President may proclaim such ac-
tions, and

(2) other appropriate officers of the United
States may issue such regulations, as
may be necessary to ensure that any pro-
vision of this Act, or amendment made by
this Act, that takes effect on the date the
Agreement enters into force, is appropri-
ately implemented on such date, but no such pro-
lamation or regulation may have an effec-
tive date earlier than the date the Agree-
ment enters into force.

SEC. 404. EFFECTIVE DATES; EFFECT OF TERMI-
NATION.

(a) Effective Dates.—Except as provided in
subsection (b), the provisions of this Act and
the amendments made by this Act take
effect on the date the Agreement enters into
force.

(b) Exceptions.—Sections 1 through 3 and
this title take effect on the date of the en-
actment of this Act.
There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. Res. 11

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. Any bill to levy a new tax or increase the rate of an existing tax, or to authorize the expenditure of public money for any purpose of revenue, shall be proposed in the manner prescribed in the following Article II, and if proposed and adopted in pursuance of the provisions thereof, shall be further referred to as 'party jurisdictions.' The Congress may also amend any provision of law which would, standing alone, be subject to section 1 but for this section and which becomes law within 7 years after the date of its submission for ratification:

ARTICLE II — General Implementation

"Each party jurisdiction entering into this compact recognizes that many emergencies may exceed the capabilities of a party jurisdiction and that intergovernmental cooperation is essential in such circumstances. Each jurisdiction further recognizes that there will be emergencies that may require immediate access and present procedures to apply outside resources to make a prompt and effective response to such an emergency because few, if any, individual jurisdictions have all the resources they need in all types of emergencies or the capability of delivering resources to areas where emergencies exist.

"The prompt, full, and effective utilization of resources of the participating jurisdictions, including any resources on hand or available from any other source that are essential to the safety, care, and welfare of the people in the event of any emergency or disaster, shall be the underlying principle on which all articles of this compact are understood.

"On behalf of the party jurisdictions participating in the compact, the legally designated official who has assigned responsibility for emergency management is responsible for formulation of the appropriate inter-jurisdictional mutual aid plans and procedures necessary to implement this compact, and for recommendations to the jurisdiction concerned with respect to the amendment of any statutes, regulations, or ordinances required for that purpose.

"ARTICLE III — Party Jurisdiction Responsibilities

"(a) Formulate Plans and Programs — It is the responsibility of each party jurisdiction to formulate procedural plans and programs for inter-jurisdictional mutual aid and to provide for the performance of the responsibilities listed in this section. In formulating and implementing such plans and programs the party jurisdictions shall:

"(1) review individual jurisdiction hazards analyses that are available and, to the extent reasonably possible, determine all those potential emergencies the party jurisdictions might jointly suffer, whether due to natural disaster, technological hazard, man-made disaster or civil emergency aspects of resources shortages.

"This compact also provides for the process of planning mechanisms among the agencies responsible and for mutual cooperation, including, if need be, emergency-related exercises, testing, or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid by party jurisdictions or subdivisions of any jurisdiction.

"(2) After draft emergency plans have been completed, the agencies of the party jurisdictions shall: a. review the plans with other agencies and within the party jurisdictions; and b. submit to the Congress consistent plans for approval.
made disaster or emergency aspects of re-
sources of the requesting party, and the immunities as are afforded similar or like forces of the jurisdiction in which they are performing emergency services. Emergency forces continue under the command and control of the regular leaders, but the jurisdictional units come under the operational control of the emergency services authorized by the jurisdiction receiving assistance. These provisions may be revoked, as need-
ed, by the jurisdiction that is to receive as-
sistance or upon commencement of exercises for training or continuing as long as the exercises or training for mutual aid are in progress, the emergency or dis-
aster remains in effect or loaned resources remain in the receiving jurisdiction or juris-
dictions, whichever is longer. Receiving jurisdiction is responsible for informing the assisting jurisdictions of the specific mo-
time when services will no longer be re-
quired.

"Article V—Licenses and Permits"
Whenever a person holds a license, certifi-
cate, or other permit issued by any jurisdic-
tion party to the compact evidencing the per-
mission or right to practice or perform a profession, mechanical, or other skills, and when such assistance is requested by the receiving party jurisdiction, such person is deemed to be licensed, certified, or competent in the jurisdic-
tion requesting assistance to render aid in the profession of such skill to meet an emergency or disaster, subject to such limitations and con-
ditions as the requesting jurisdiction pre-
scribes by Executive order or otherwise.

"Article VI—Liability"
Any person or entity of a party jurisdic-
tion rendering aid in another jurisdiction pursuant to this compact are considered agents of the requesting jurisdiction for tort, liability and immunity purposes. Any person or entity rendering aid in another jurisdic-
tion pursuant to this compact are not liable on account of any act or omission in good faith on the part of such forces while so en-
gaged or on account of the maintenance or loss of any equipment or connec-
tion therewith. Good faith in this article does not include willful misconduct, gross negligence, or recklessness.

"Article VII—Supplementary Agreements"
Because it is probable that the pattern and detail of the machinery for mutual aid among 2 or more jurisdictions may differ from that among the jurisdictions that are party to this compact, this compact contains elements of a broad base common to all ju-
risdictions, and nothing in this compact pre-
cedes any jurisdiction from entering into supplementary agreements with another ju-
risdiction or affects any other agreements already in force among jurisdictions. Supple-
mentary agreements may include, but are not limited to, provision for evacuation and reception of injured and other persons and the exchange of medical, fire, public utility, law enforcement, transportation and communications personnel, equipment, and supplies.

"Article VIII—Workers' Compensation and Death Benefits"
Each party jurisdiction shall provide, in accordance with its own laws, for the pay-
ment of workers' compensation and death benefits to injured members of the emer-
gency forces of that jurisdiction and to rep-
resentatives of deceased members of those forces. Such benefits shall be paid to the survivors injured in or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were incurred within that jurisdiction.

"Article IX—Reimbursement"
Any party jurisdiction rendering aid in another jurisdiction pursuant to this com-
 pact shall, if requested, be reimbursed by the party jurisdiction receiving assistance for any loss or damage to, or expense incurred in, the operation of any equipment and the pro-
vision of any service in answering a request for assistance and for the costs incurred in connec-
tion with those requests. An aiding party jurisdic-
tion may assume in whole or in part any such loss, damage, expense, or other cost or expense in connection with the services to the receiving party jurisdiction without charge or cost. Any 2 or more party jurisdictions may enter into supplementary agreements establishing a different alloca-
tion of costs among those jurisdictions. Ex-
enses under article VIII are not reimburs-
able under this section.

"Article X—Evacuation"
Each party jurisdiction shall initiate a process to prepare and maintain plans to fa-
cilitate the movement of and reception of evacuees into its territories. Such plans shall take into account the capabilities and pow-
ers of the party jurisdiction from which the evacuees came shall assume the ultimate re-
sponsibility for the care of the evacuees and after the termination of the emergency or disaster, for the repatriation of such evacu-
ees.

"Article XI—Implementation"
(a) This compact is effective upon its exe-
cution or adoption by any 2 jurisdictions, and is effective as to any other jurisdiction upon its execution or adoption thereby: subject to approval of the United States Congress, if required, and subject to enactment of provincial or State legis-
lation that may be required for the effec-
tiveness of the Memorandum of Under-
standing.
(b) Any party jurisdiction may withdraw from this compact, but the withdrawal does not take effect until 30 days after the gov-
ernor or premier of the withdrawing jurisdic-
tion has given notice in writing of such with-
drawal to the governors or premiers of all other party jurisdictions. The action does not relieve the withdrawing jurisdiction from obligations assumed under this com-
 pact prior to the effective date of with-
drawal.
(c) Duly authenticated copies of this com-
pact in the French and English languages and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party jurisdictions.

"Article XII— Severability"
This compact is construed to effectuate the purposes stated in Article I. If any provi-
sion of this compact is declared unconstitu-
tional or the applicability of the compact to any person or circumstances is held invalid, the validity of the remainder of this compact and the applicability of the compact to other persons and circumstances are not affected.

"Article XIII—Consistency of Language"
The validity of the arrangements and agreements consented to in this compact shall not be affected by any inessential differences in form or phrase as may be adopted by the various states and provinces.

"Article XIV—Amendment"
This compact may be amended by agree-
ment of the party jurisdictions and signa-
tures and acceptance of LANGUAGE.

The validity of the arrangements consented to by this Act shall not be affected by
any insubstantial difference in their form or language as adopted by the States and provinces.

SEC. 3. RIGHT TO ALTER, AMEND, OR REPEAL.
The right to alter, amend, or repeal this Act is hereby expressly reserved.

AMENDMENTS SUBMITTED AND PROPOSED
SA 151. Mrs. FEINSTEIN (for herself, Mr. COCHRAN, and Mr. SCHUMER) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

SA 152. Mrs. FEINSTEIN (for himself, Mr. HATCH, Mr. HUTCHINSON, Mr. BROWNBACK, and Mr. ROBERTS) proposed an amendment to the bill S. 27, supra.

SA 154. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 27, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS
SA 151. Mrs. FEINSTEIN (for herself, Mr. COCHRAN, and Mr. SCHUMER) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

Strike all after the first word and insert the following:

104. CLARITY IN CONTRIBUTION LIMITS. (a) CONTRIBUTION LIMITS APPLIED ON ELECTION CYCLE BASIS.—Section 315(a)(1)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)(A)) is amended to read as follows:

“(A) to any candidate and the candidate’s authorized political committee during the election cycle with respect to any Federal office which, in the aggregate, exceeds $1,000.”

(b) INDIVIDUAL AGGREGATE CONTRIBUTION LIMITS APPLIED ON ELECTION CYCLE BASIS.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)), as amended by this Act, is amended to read as follows:

“(3) The aggregate contributions an individual may make—

“(A) by candidates or their authorized political committees for any House election cycle shall not exceed $30,000; or

“(B) to all political committees for any House election cycle shall not exceed $35,000.

For purposes of this paragraph, if any contribution is made to a candidate for Federal office during a calendar year in the election cycle for the office and no election is held during that calendar year, the contribution shall be treated as made in the first succeeding calendar year in the cycle in which an election for the office is held.”

(c) INDEXING OF CONTRIBUTION LIMITS.—Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(1) in paragraph (1)—

(A) by striking the second and third sentences;

(B) by inserting “(A) before “At the beginning”; and

(C) by adding at the end the following:

“(B) Except as provided in subparagraph (A), in any year after 2002—

(ii) a limitation established by subsection (a)(1)(A), (b), (d), or (h) shall be increased by the percent difference determined under subparagraph (A) after the date of the previous general election for the specific Federal office or seat that the candidate is seeking and ending on the date of the general election for the seat;”

“(C) HOUSE ELECTION CYCLE.—The term ‘House election cycle’ means, the period of time determined under paragraph (A) for a candidate seeking election to a seat in the House of Representatives.”

(2) in paragraph (2)(A), by inserting “(B) House election cycle’ means, the period of time determined under paragraph (A) for a candidate seeking election to a seat in the House of Representatives.”

(3) in paragraph (2)(B), by inserting “(B) House election cycle’ means, the period of time determined under paragraph (A) for a candidate seeking election to a seat in the House of Representatives.”

(4) in paragraph (2)(C), by striking “means the period of time determined under paragraph (A) for a candidate seeking election to a seat in the House of Representatives.”

“(B) the Federal Election Commission shall prescribe rules to ensure that each national committee of a political party that submits a certification under section 315(b)(2)(B) of the Communications Act of 1934, and each State committee of that political party described in such section, complies with such certification.”

SA 152. Mr. DEWINE (for himself, Mr. HATCH, Mr. HUTCHINSON, Mr. BROWNBACK, and Mr. ROBERTS) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

Strike all after the first word and insert the following:

SEC. 5. TELEVISION MEDIA RATES FOR NATIONAL PARTIES CONDITIONED ON ADHERENCE TO EXISTING COORDINATED SPENDING LIMITS.

(a) AVAILABILITY OF TELEVISION MEDIA RATES.—Section 315(b)(2) of the Communications Act of 1934 (47 U.S.C. 315(b)(2)), as amended by this Act, is amended—

(1) by striking “TELEVISION.—The charges” and inserting “TELEVISION.—

(A) IN GENERAL.—Except as provided in subparagraph (B),”

(2) by adding at the end the following:

“(B) LIMITATIONS ON AVAILABILITY FOR NATIONAL COMMITTEES OF POLITICAL PARTIES.—

“(1) RATE CONDITIONED ON VOlUNTARY ADHERENCE TO EXPENDITURE LIMITS.—If the limit on expenditures under section 315(d)(3) of