

and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska, Subpart C and D—2001-2002 Subsistence Taking of Fish and Wildlife Regulations" (RIN1018-AG55) received on June 13, 2001; to the Committee on Energy and Natural Resources.

EC-2505. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Kentucky Regulatory Program" (KY-230-FOR) received on June 18, 2001; to the Committee on Energy and Natural Resources.

EC-2506. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Minimum Cost Requirement Permitting the Transfer of Excess Assets of a Defined Benefit Pension Plan to a Retiree Health Account" (RIN1545-AY43) received on June 18, 2001; to the Committee on Finance.

EC-2507. A communication from the Regulations Coordinator of the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "State Child Health: Implementing Regulations for the State Children's Health Insurance Program: Further Delay of Effective Date" (RIN0938-AI28) received on June 18, 2001; to the Committee on Finance.

EC-2508. A communication from the Regulations Coordinator of the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Provisions of the Benefits Improvement and Protection Act of 2001; Inpatient Payments and Rates and Costs of Graduate Medicaid Education" (RIN0938-AK78) received on June 18, 2001; to the Committee on Finance.

EC-2509. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled "The Year in Trade 2000"; to the Committee on Finance.

EC-2510. A communication from the Assistant Director for Executive and Political Personnel, Department of the Navy, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Secretary of the Navy; to the Committee on Armed Services.

EC-2511. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Under Secretary of Defense (Acquisition, Technology and Logistics); to the Committee on Armed Services.

EC-2512. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Under Secretary of Defense (Personnel and Readiness); to the Committee on Armed Services.

EC-2513. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Department of Defense General Counsel; to the Committee on Armed Services.

EC-2514. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomi-

nation for the position of Assistant Secretary of the Navy (Manpower and Reserve Affairs); to the Committee on Armed Services.

EC-2515. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of General Counsel of the Department of the Army; to the Committee on Armed Services.

EC-2516. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistance Secretary of Defense (Force Management Policy); to the Committee on Armed Services.

EC-2517. A communication from the Deputy Director, Selective Service System, transmitting, pursuant to law, the report of a nomination and a nomination confirmed for the position of Director, Selective Service System; to the Committee on Armed Services.

EC-2518. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Secretary of the Air Force; to the Committee on Armed Services.

EC-2519. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report relative to the identification of the Requirements to Reduce the Backlog of Maintenance and Repair of Defense Facilities for 2001; to the Committee on Armed Services.

EC-2520. A communication from the Assistant Secretary of Defense, Force Management Policy, transmitting, pursuant to law, a report relative to Army Communications-Electronic Command Research, Development, and Engineering Community; to the Committee on Armed Services.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-107. A resolution adopted by the City Council of North Olmsted, Ohio relative to national health care insurance plan; to the Committee on Health, Education, Labor, and Pensions.

POM-108. A resolution adopted by the House of the Legislature of the State of Colorado relative to federal regulation governing mining on public lands; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION 01-1015

Whereas, The regulations at 43 C.F.R. Part 3809 (3809 regulations) governing the management of mining operations for hardrock minerals on federal lands that were published by the Bureau of Land Management (BLM) on November 21, 2000, 65 Federal Register 69998, and which became effective January 20, 2001, will have substantial adverse impacts on the mining industry in Colorado and throughout the United States; and

Whereas, The BLM has forecast that the implementation of the regulations will result in the loss of up to 6,000 jobs, costing American workers almost \$400 million in personal income, and the agency also projects that mine production from public lands under the regulations could also decline by as much as 30% or \$484 million; and

Whereas, The regulations would also impose massive additional obligations on state regulators charged with the responsibility of regulating mining on public lands through cooperative agreements with the BLM; and

Whereas, Congress commissioned the National Research Council (NRC) of the National Academy of Sciences to conduct a comprehensive analysis of mining regulations; and

Whereas, Congress prohibited the BLM from promulgating final 3809 regulations, except for revisions that are "not inconsistent with" the recommendations contained within the NRC report, *Hardrock Mining on Federal Lands*, published in 1999; and

Whereas, The NRC report concluded that the existing array of federal and state laws regulating mining is "generally effective" in protecting the environment, and that "improvements in the implementation of existing regulations present the greatest opportunity for improving environmental protections"; and

Whereas, Notwithstanding the unequivocal findings of the NRC report, the BLM published amendments to the 3809 regulations that go far beyond the seven "regulatory gaps" identified in the report; and

Whereas, The BLM inserted several additional provisions that ignored the findings of the NRC report, including a "mine veto" provision that was never subject to public review and comment, as required by the federal "Administrative Procedures Act" and the United States Constitution; and

Whereas, The BLM further ignored the advice and recommendations of the Western Governors Association, which specifically advised the BLM to adhere to the findings of the NRC report; and

Whereas, The State of Nevada and two industry organizations have filed suit asking that the regulations which became effective on the last day of the former presidential administration be set aside; and

Whereas, The litigation calls into substantial question the validity of the 3809 regulations; and

Whereas, The BLM has conducted a preliminary review of the regulations, has concerns about "substantial policy and legal issues" raised in these lawsuits, and wants to resolve such concerns before implementing a new regulatory program; and

Whereas, The BLM published a proposal on March 23, 2001, 66 Federal Register 16162, to suspend all or some parts of the regulations that took effect on January 20, 2001, pending a complete review of the issues; and

Whereas, If such regulations were suspended, mining activities would be subject to the state and federal laws and regulations that the NRC found to be effective in protecting the environment and that were in place prior to the adoption of the current scheme; and

Whereas, The BLM's and the new presidential administration's actions once again demonstrate the willingness to provide a balance between important goals of environmental protection and responsible development of our nation's mineral resources; now, therefore, be it

Resolved by the House of Representatives of the Sixty-third General Assembly of the State of Colorado;

That the Colorado House of Representatives hereby expresses its support for the action of the Department of the Interior and the Bureau of Land Management in reviewing and proposing to suspend the 3809 regulations that took effect on January 20, 2001.

That the Colorado House of Representatives urges the Bureau of Land Management

to promulgate new 3809 regulations that adhere to the specific recommendations of the report of the National Research Council of the National Academy of Sciences entitled *Hardrock Mining on Federal Lands*, as the United States Congress has mandated. Be it further

Resolved, That copies of this resolution be transmitted to the President of the United States; to the United States Department of the Interior, Bureau of Land Management, Washington, D.C.; to the Honorable Gale Norton, Secretary of the Interior, Washington, D.C.; and to the United States House of Representatives and the United States Senate.

POM-109. A joint resolution adopted by the Legislature of the State of Colorado relative to the Railroad Retirement and Survivors Improvement Act; to the Committee on Finance.

HOUSE JOINT RESOLUTION 01-1012

Whereas, The Railroad Retirement and Survivors Improvement Act of 2000 was approved in a bipartisan effort by 391 members of the United States House of Representatives in the 106th Congress, including Representatives Diana DeGette, Scott McInnis, Thomas Tancredo, and Mark Udall; and

Whereas, More than 80 United States Senators, including Senator Ben Nighthorse Campbell, signed letters of support for this legislation; and

Whereas, The bill now before the 107th Congress modernizes the railroad retirement system for its 748,000 beneficiaries nationwide, including over 9,000 Colorado citizens; and

Whereas, Railroad management, labor, and retiree organizations have agreed to support this legislation; and

Whereas, This legislation provides tax relief to freight railroads, Amtrak, and commuter lines; and

Whereas, This legislation provides benefit improvements for surviving spouses of rail workers who currently suffer deep cuts in income when the rail worker retiree dies; and

Whereas, No outside contributions from taxpayers are needed to implement the changes called for in this legislation; and

Whereas, All changes will be paid for from within the railroad industry, including a full share to be paid by active employees; now, therefore, be it

Resolved by the House of Representatives of the Sixth-third General Assembly of the State of Colorado, the Senate concurring herein:

That the Colorado General Assembly urges the United States Congress to enact the Railroad Retirement and Survivors Improvement Act in the 107th Congress. Be it further

Resolved, That copies of this Joint Resolution be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Colorado Congressional delegation.

POM-110. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to increasing funding for agricultural conservation programs; to the Committee on Appropriations.

SENATE CONCURRENT RESOLUTION NO. 134

Whereas, since the adoption of the 1985 Farm Bill and subsequent iterations of federal farm legislation in 1990 and 1996, U.S. agriculture policy has included major voluntary conservation incentive programs such as the Conservation Reserve Program (CRP) and Wetlands Reserve Program (WRP); and

Whereas, the most popular of the federal agricultural conservation programs in Louisiana have been the WRP with 368 approved easements on 137,632 acres, the Environmental Quality Incentives Program (EQIP) with 4,803 approved contracts on 494,006 acres, the Wildlife Habitat Incentives Program (WHIP) with 168 contracts on 12,900 acres, and the Forestry Incentives Program (FIP) with all available funds having been allocated; and

Whereas, Louisiana has the most easement acres enrolled in the WRP of all participating states, 407 pending applications on over 102,000 acres, and a potential WRP enrollment demand of up to 474,000 acres; and

Whereas, Louisiana is second only to Texas in the number of EQIP contracts with an estimated potential demand of three to four times the allocation currently available and only one out of every four applications for assistance able to be funded; and

Whereas, the demand for participation in WHIP and FIP also exceeds available funds; and

Whereas, CRP, which benefits Louisiana primarily through improving upstream water quality and providing nesting habitats for waterfowl and other migratory birds, and these other agricultural programs have profound beneficial impacts on wildlife habitat and water quality in our state, including ameliorating the nutrient loading of rivers and streams that contribute to the annual occurrence of hypoxia in the Gulf of Mexico, while aiding rural communities and benefiting farmers; and

Whereas, agricultural conservation incentive programs are an efficient and effective use of tax dollars to restore habitats and prevent the degradation of soil, water, and habitat over a long term and, with WRP and CRP, overproduction of crops and direct subsidy payments are reduced; and

Whereas, the Lower Mississippi Valley Initiative (LMVI), a multi-state partnership to address agriculturally based environment stewardship consisting of producers, universities, natural resource agencies, and conservation organizations in Louisiana, Arkansas, Mississippi, Missouri, Kentucky, and Tennessee formed to inform the process of developing the conservation provisions of the next farm bill, has recognized the importance to the environment, the farming community, and the future of agriculture of strategically enlarging and enhancing farm bill conservation programs; and

Whereas, although agricultural conservation programs authorized by the 1996 farm bill have reached their acreage and funding caps, additional funding has not been included in the proposed FY 2002 budget; and

Whereas, legislation has been introduced in Congress to expand agricultural conservation programs to meet the needs of farmers and the environment until the next farm bill is enacted. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby urge and request the president of the United States and memorializes the Congress of the United States to expand and fund federal agricultural conservation programs, including the Conservation Reserve, Wetlands Reserve, Environmental Quality Incentives, Wildlife Habitat Improvement, and Forestry Incentives Programs. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the President of the United States, the Secretary of the United States Senate, the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the Congress of the United States.

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. HUTCHINSON (for himself and Mr. DAYTON):

S. 1058. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for farmers and the producers of biodiesel, and for other purposes; to the Committee on Finance.

By Mr. BAYH:

S. 1059. A bill to amend the Internal Revenue Code of 1986 to provide that certain postsecondary educational benefits provided by an employer to children of employees shall be excludable from gross income as a scholarship; to the Committee on Finance.

By Mr. BAYH:

S. 1060. A bill to amend the Internal Revenue Code of 1986 to provide that certain postsecondary educational benefits provided by an employer to children of employees shall be excludable from gross income as part of an educational assistance program; to the Committee on Finance.

By Mr. MCCONNELL:

S. 1061. A bill to authorize the Secretary of the Interior to acquire Fem Lake and the surrounding watershed in the States of Kentucky and Tennessee for addition to Cumberland Gap National Historic Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Ms. COLLINS, Mr. BIDEN, Mrs. CLINTON, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. JOHNSON, and Mr. INOUE):

S. 1062. A bill to amend the Public Health Service Act to promote organ donation and facilitate interstate linkage and 24-hour access to State donor registries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER (by request):

S. 1063. A bill to amend chapter 72 of title 38, United States Code, to improve the administration of the United States Court of Appeals for Veterans Claims; to the Committee on Veterans' Affairs.

By Mr. BOND (for himself, Mr. REID, Mr. SMITH of New Hampshire, Mr. KERRY, Mr. WARNER, Mr. CHAFEE, Mr. WYDEN, Mr. CLELAND, Mr. ENSIGN, and Ms. LANDRIEU):

S. 1064. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide certain relief from liability for small businesses; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (for acted upon), as indicated:

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. Res. 113. A resolution congratulating the Los Angeles Lakers on their second consecutive National Basketball Association championship; considered and agreed to.

By Mr. BROWNBACK (for himself and Mr. LOTT):

S. Con. Res. 51. A concurrent resolution recognizing the historical significance of Juneteenth Independence Day and expressing the sense of Congress that history be regarded as a means of understanding the past