1970, many of the old, dirty powerplants that were expected to close down were granted exemptions to the strict air pollution control requirements that applied to new facilities. Yet, twenty years later, these old plants continue to operate and enjoy a substantial, unfair competitive economic advantage over electric generators with pollution control technology.

If ways can be found to assure that investments are made in clean technologies, pollution of almost every sort can be sharply reduced and, in likelihood, so can electricity rates. Contrary to the recent wave of doomsday advertising paid for by multi-million dollar electric utility companies, this can be done without jeopardizing our economy. Vermont has shown how jobs can be created through renewable energy and energy efficient technology.

It is clear, Mr. President, that these new technologies and the expertise in building and operating them, will be needed by every nation in the world. If the United States can be the first to master these new engines of the future, we can also be the first to build and export them.

The challenge, Mr. President, is to find the proper combination of measures. During the coming winter, I hope and intend to work with my colleagues and others to identify those measures.

AMENDING THE COMMUNICATIONS ACT OF 1934

Mr. MCCAIN. Mr. President, I would like to discuss a very important bill that I first introduced on October 31, 1997. The bill, S. 1354, which is cosponsored by Senators CAMPBELL, STEVENS, INOUYE, DASCHLE, and DORGAN, is an amendment to the Communications Act of 1934. The amendment enables the Federal Communications Commission [FCC] to designate common carriers not under the jurisdiction of a State commission as eligible recipients of universal service support.

Universal Service provides intercarrier support for the provision of telecommunications services in rural and high-cost areas throughout the United States. However, section 254(e) of the Communications Act states that only an eligible carrier designated under section 214(e) of the Communications Act, shall be eligible to receive specific Federal universal support after the FCC issues regulations implementing the new universal service provisions into the law. Section 214(e) does not account for the fact that State commissions in a few States have no jurisdiction over certain carriers. Typically, States also have no jurisdiction over tribally owned common carriers which may or may not be regulated by a tribal authority that is not a State commission per se.

The failure to account for these situations means that carriers not subject to the jurisdiction of a State commission have no way of becoming an eligible carrier that can receive universal service support. This would be the case whether these carriers are traditional local exchange carriers that provide services otherwise included in the program, have previously obtained universal service support, or will likely be the carrier that continues to be the carrier of last resort for customers in the area.

This simple amendment will address this oversight within the amendments made by the Telecommunications Act of 1996, and prevent the unintentional consequences it will have on common carriers which Congress intended to be covered under the umbrella of universal service support.

Mr. DASCHLE. Would this bill have any effect on the existing jurisdiction of State commissions over new or incumbent local exchange carriers, or providers of commercial mobile radio services?

Mr. MCCAIN. No, this bill does nothing to alter the existing jurisdiction that State commissions already have over local exchange carriers or providers of commercial mobile radio services as set forth in section 332(c)(3) of the Communications Act. Nor will this bill have any effect on litigation that may be pending regarding jurisdictional issues between the States and federally recognized tribal governments. I thank the Democratic leader for his interest in this matter.

Mr. DASCHLE. I thank the Senator for his clarification of this matter.

VETERANS DAY

Mr. ABRAHAM. Mr. President, I rise today in recognition of Veterans Day, that day on which all of us are called on to honor the sacrifices made for our country by those who serve in her armed forces and those who risked or gave their lives defending her.

It is only right, Mr. President, that we pay tribute to the brave men and women who put their country before themselves in time of danger. On the beaches of Normandy or in the jungles of Vietnam, in the South Pacific or the Persian Gulf, on the shores of Inchon or the deserts of North Africa, our soldiers and sailors have defended this country around the globe, in the face of bombs, bullets, disease and hunger. Nothing we do can repay the debt we owe them. But we must note that debt, recognize it and make certain our children know how great it is.

As we remember the brave young people who have defended our nation in time of war, we should not forget that many of them put their lives on the line for America even though they were born in a different land. These soldiers and sailors were not born in this country. But they loved her enough to risk their lives to protect her.

Over 60,000 active military personnel are immigrants to this country. More than 20 percent of recipients of our highest military declaration, the Congressional Medal of Honor, have been immigrants. And the most decorated combat team of World War II was a regiment made up of the sons of Japanese immigrants.

Many immigrants have made the ultimate sacrifice for our country. More than once I have told audiences the story of Nicolas Minue, the Polish born soldier who served the United States in World War II. I tell this story because of the inspiring bravery that is its subject, because of the pride it should evoke in every American, native or foreign born.

In Tunisia in 1943, private Minue's company was pinned down by enemy machine gunfire.

According to the official report, ''Private Minue voluntarily, alone, and unhesitatingly, with complete disregard of his own welfare, charged the enemy entrenched position with fixed bayonet. Private Minue assaulted the enemy under a withering machine-gun and rifle fire, killing approximately ten enemy machine gunners and riflemen. After completely destroying this position, Private Minue continued forward, routing enemy riflemen from dugout positions until he was fatally wounded. The courage, fearlessness and aggressiveness displayed by Private Minue in the face of inevitable death was unquestionably the factor that gave his company the offensive spirit that was necessary for advancing and driving the enemy from the entire sector.''

America remains free because she has been blessed with many American heroes, willing to give their lives in her defense. Nicolas Minue showed that not every American hero was born in America.

Michigan, too, has her share of heroes. More than once, I have related the story of Francisco Vega, a citizen of my state who was born and raised in San Antonio, Texas, the son of Mexican immigrants. His father, Naba Lazaro Vega served in the American Army during World War I. I tell Mr. Vega's story because it, too, is one of inspiring bravery and love of country.

Mr. Vega volunteered for the Army in October 1942 and served during the Second World War. He fought for the Americans in five major battles in Europe, including the crucial landing at Omaha Beach in Normandy. He was awarded bronze stars for bravery in each of these five battles. Mr. Vega was discharged in December 1945 and came to Michigan, where he attended the University of Michigan in Ann Arbor and graduated from Aquinas College in Grand Rapids. He retired from his own cemetery business in 1993 and currently resides in Grand Rapids.

In Vietnam, also, immigrants served our nation and became heroes. For example, Alfred Rascon immigrated to the U.S. from Mexico. At age 20, while a lawful permanent resident, Mr. Rascon volunteered to serve in Vietnam. During a firefight he twice used his body to shield wounded soldiers. He was nearly killed dashing through heavy enemy fire to get desperately

needed ammunition, but refused medical attention until the wounds of all the other soldiers in his unit were tended. Asked why he showed such courage even though he was not yet a U.S. citizen, Mr. Rascon replied ''I was always an American in my heart.'' So impressed were they by his bravery that fellow soldiers who witnessed his acts have urged that he receive the Medal of Honor.

I could tell many more such stories. But let these three suffice to show the commitment to America's ideals and way of life that has been shown by so many brave young soldiers and sailors over the years.

We owe a debt to all these people for keeping our nation free and safe in a dangerous world. And we owe a continuing debt of gratitude to those today who serve, guarding our country, our homes and our freedom. Like all good things, freedom must be won again and again. I hope all of us will remember those, immigrants and native born, who have won freedom for us in the past, and stand ready to win freedom for us again, if they must.

May we never forget our debt to the brave who have fallen and the brave who stand ready to fight.

I yield the floor.

RECOGNIZING JEAN FORD FOR HER CONTRIBUTIONS TO THE GREAT STATE OF NEVADA

Mr. REID. Mr. President, I rise today to pay tribute to a Nevadan whose dedication, foresight and work on behalf of women and minorities has profoundly changed the face of the Silver State. Jean Ford can be called a role model and an inspiration for generations to come, not only in Nevada but across our great Nation. Time and again she has given of herself to better the lives of those around her and she has created a legacy that will long endure in the history of Nevada.

Jean Ford has been a State legislator, an educator, a successful businesswoman and I am proud to say a true friend to me and my family. Over the years we worked together on a great many projects, and I have come to deeply admire Jean's compassion for all people, and her devotion to protecting and preserving Nevada's natural beauty.

I first met Jean Ford more than 25 years ago when she was elected to Nevada's State Assembly. Jean quickly rose to become a driving force for women's equality in Nevada, introducing the equal rights amendment in our State and working to end sex discrimination and break down long standing gender barriers. Through the years, her work in the legislature also carried over to other minority groups who found in Jean a voice, and a visionary willing to lead them on what was often a long, hard struggle for equal treatment under the law. Senior citizens, the disabled, single mothers, they were all important to Jean, and in turn, she helped make them important to each of us.

It was through working with Jean that I came to realize the importance of many of the issues that I have taken on in my own legislative career. Women's health, child care, the environment, equal rights, protecting our seniors and the list goes on. I also owe her a great deal of thanks for bringing to my attention the need for involvement by women at every level of the political spectrum. From the State legislature where Jean and I both cut our political teeth, to this very body I stand before today. Diversity of opinion is the lifeblood that feeds democracy and I am grateful that people like Jean Ford helped break down the walls that once kept all but a privileged few out of the political realm.

For her work in opening these doors, Jean has been honored dozens of times by groups throughout Nevada, including being named '' Outstanding Woman of the year'' by the Nevada Women's Political Caucus, and ''Civil Libertarian of the year'' by the ACLU. Jean's legacy also encompasses several political organizations which she helped co-found including the National Women's Legislator's Network, and the Nevada Elected Women's Network.

More recently, Jean has dedicated herself to helping future Nevadans through her work in the classroom. Since 1991, Jean has been an instructor at the University of Nevada—Reno, where she served as acting director of the Women's Studies Program. She has also been an instructor of History and Political Science, and helped developed the Nevada Women's archives through the University library system. It is only fitting that Jean is also the current State coordinator for the Nevada Women's History Project.

But In spite of all that she has endeavored to create, the magnificent achievements of Jean Ford are truly overshadowed by the warmth and graciousness which she has exhibited through the many years that I have known her. I am sure if you could count them, her friends would number in the thousands, and her admirers would number even more. That is the true testament to a life long list of accomplishments.

I ask all my colleagues to join with me today to recognize a true pioneer who changed her world for the better, and whose efforts have touched not only those who call Nevada home, but the hearts and minds of all who have had the pleasure and the honor to know my friend Jean Ford.

JUDICIAL NOMINATIONS DURING THE FIRST SESSION

Mr. LEAHY. Mr. President, as we wrap up our business for the first year of the 105th Congress, I believe it is appropriate to take account of the Senate's advice and consent on judicial nominations. As I have said many times this year in the Judiciary Committee and on the Senate floor, the Senate has failed to fulfill its constitutional responsibilities to the Federal judiciary.

In recent days, the Senate has quickened its painfully slow pace on reviewing and confirming judicial nominations. I have commended the Chairman of the Judiciary Committee for holding two judicial nominations hearings in September and October and for holding another hearing yesterday, which brings the total for the year to nine.

Unfortunately, we had no hearings at all in 4 months—January, February, April or August—and none is anticipated in December. I repeat that we have never had a day go by this session without having a backlog of at least 20 judicial nominations awaiting a hearing. Even with the virtual frenzy of last-minute hearings, we will close the year with more than 30 nominees having never been accorded a confirmation hearing.

I acknowledge that the majority leader has allowed the Senate to proceed to confirm 13 judicial nominees in the last week, but that still leaves eight outstanding nominees on the Senate Calendar still to be considered.

I understand that Senator BOXER has received a commitment from the Republican leadership to proceed to consideration of the longstanding nomination of Margaret Morrow by the middle of February next year. I commend the Senator from California for achieving what appeared to be impossible, getting the Senate to debate this outstanding nominee. I deeply regret that we have not proceeded to debate and vote to confirm Margaret Morrow to the District Court for the Central District of California this year. Hers is the nomination that has been stalled before the Senate the longest, since June 12.

She has twice been reported to the Senate favorably by the Judiciary Committee. She has been unfairly maligned and her family and law partners made to suffer for far too long without cause or justification. Some have chosen to use her nomination as a vehicle for partisan political, narrow ideological, and conservative fund raising purposes. She deserved better treatment. The people of California deserved to have this nominee confirmed and in place hearing cases long ago. The wait can never be rectified or justified.

I hope that the Republican leadership will not require any of the other nominees currently pending on the calendar to remain hostage to their inaction. Ann Aiken was finally reported favorably by the Judiciary Committee earlier this month. Her nomination was first received in November 1995, 2 years ago. She had an earlier hearing in September 1996 and another last month. This is a judicial emergency vacancy that should be filled without further delay.

G. Patrick Murphy would be a much-needed addition to the District Court for the Southern District of Illinois. He