

fund, for example, competitive transition costs, universal and affordable service under section 216, demand side-management programs, etc.

Section 5. Universal and Affordable Service

Adds a new section 216 at the end of Part II that puts Congress on record that every consumer should have access to electric power at reasonable and affordable rates and that FERC and the states should assure that competition does not result in the loss of service to rural, residential, or low-income customers. Requires states that adopt retail competition to consider adopting measures to assure universal and affordable service and to report to FERC on the measures adopted. Funds to cover the cost of such measures may be assessed under new section 215(d).

Section 6. National Electric Reliability Standards

Adds a new section 217 at the end of Part II to establish national electric reliability standards under FERC jurisdiction. Competition is bringing many new players to the interstate transmission grid. Such competition will place new and conflicting requirements on NERC's existing voluntary system, which lacks enforcement powers. There is a clear and legitimate federal role in ensuring system reliability. This section is consistent with the draft recommendations of the Secretary of Energy Advisory Board Task Force on Electric-System Reliability.

New subsection (a) authorizes FERC to establish and enforce national electric reliability standards to ensure the reliability of the electric transmission system.

New subsection (b) authorizes FERC to designate an appropriate number of regional reliability councils composed of electric utilities and transmitting utilities, and one national electric reliability council composed of the regional councils. The mission of the councils is to promote the reliability of the electric transmission system. FERC shall not designate a regional council unless the commission determines the council permits open access to membership from all electric utilities (IOUs, NUGs, power marketers, municipal utilities or TVA) and transmitting utilities in the region, provides fair representation in the selection of its directors and management, and adopts and enforces appropriate standards of operation.

New subsection (c) authorizes FERC to incorporate standards of operation adopted by the councils into the standards adopted under subsection (a).

New subsection (d) authorizes FERC, by rule or order, to require any public utility (electric utility plus the PMAs) or any transmitting utility to comply with the standards.

Section 7. Siting New Interstate Transmission Facilities

Adds a new section 218 at the end of Part II to authorize FERC to work with the states on siting new interstate transmission facilities. An integrated and well planned national transmission grid is a critical element in the development of open and fair competition, maintaining system reliability, reducing market power, and mitigating stranded costs. This section does not preempt the states' exclusive authority over siting of transmission lines.

New subsection (a) gives FERC authority, after notice and opportunity for hearing, to order a transmitting utility to extend, enlarge or improve its facilities for the interstate transmission of electric energy.

New subsection (b) defines when FERC may commence a proceeding under subsection (a).

New subsection (c) requires FERC to comply with the National Environmental Policy

Act of 1969 and all other applicable state and federal laws.

New subsection (d) requires FERC to refer the matter to a joint board appointed under subsection (a) of section 209 for advice on the need for, design of, and location of the proposed extension or improvement. The Commission shall consider the advice and recommendations of the board before ordering such extension or improvement.

New subsection (e) limits FERC's authority to compel a transmitting utility to extend or improve its interstate transmission facilities if it would impair the utility's ability to serve its existing customers.

Section 8. Regional Independent System Operators

Adds a new section 219 at the end of Part II to allow for the establishment of regional independent system operators. Formation of ISOs could be a valuable tool in limiting market power and maintaining reliability. FERC in order 888 strongly encouraged the formation of ISOs, but did not address the issue of its authority to compel participation. This section authorizes FERC to require participation in an ISO to assure non-discriminatory access to the transmission grid for all parties. ISOs could also play a role in siting of new transmission lines under Section 7.

New subsection (a) authorizes the commission to order the formation of a regional independent transmission system and to compel utilities in the region to participate. The FERC may order the formation of an ISO if such action is necessary or desirable in the public interest to ensure the fair and non-discriminatory access to transmission services.

New subsection (b) authorizes FERC to appoint a regional oversight board to oversee the operation of the regional transmission system. The board shall have fair representation of all utilities, consumers, and state regulators in the region.

New subsection (c) authorizes the oversight board to appoint an independent system operator to operate the regional transmission system. The operator may not own generating facilities, sell electric energy, or be subject to the control, or have a financial interest in, any utility in the region served by the independent system operator.

New subsection (d) authorizes FERC to establish rules necessary to implement this section.

Section 9. Enforcement

(a) Extends the exemption from general penalties (section 316) to sections 217, 218, and 219.

(b) Extends the enforcement provisions for violations and civil penalties in section 316A to sections 217, 218, and 219.

Section 10. Amendment to PURPA

Adds new subsection (m) at the end of section 210 of PURPA to protect wholesale contracts entered into in accordance with federal legislation. States may not bar a regulated utility from recovering the cost of any PURPA contracts. Such costs may be recovered, for example, through rates, charges assessed under section 215(d), exit fees, etc.

ADDITIONAL COSPONSORS

S. 89

At the request of Ms. SNOWE, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 89, a bill to prohibit discrimination against individuals and their family members on the basis of genetic information, or a request for genetic services.

S. 358

At the request of Mr. DEWINE, the names of the Senator from New Jersey [Mr. LAUTENBERG] and the Senator from North Carolina [Mr. FAIRCLOTH] were added as cosponsors of S. 358, a bill to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes.

S. 412

At the request of Mr. LAUTENBERG, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Hawaii [Mr. AKAKA], and the Senator from Utah [Mr. HATCH] were added as cosponsors of S. 412, a bill to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals.

S. 621

At the request of Mr. D'AMATO, the name of the Senator from Wyoming [Mr. THOMAS] was added as a cosponsor of S. 621, a bill to repeal the Public Utility Holding Company Act of 1935, to enact the Public Utility Holding Company Act of 1997, and for other purposes.

S. 657

At the request of Mr. DASCHLE, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of S. 657, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with veterans' disability compensation.

S. 803

At the request of Mr. THURMOND, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 803, a bill to permit the transportation of passengers between United States ports by certain foreign-flag vessels and to encourage United States-flag vessels to participate in such transportation.

S. 1096

At the request of Mr. GRASSLEY, the names of the Senator from Ohio [Mr. DEWINE], the Senator from Wyoming [Mr. ENZI], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Kansas [Mr. ROBERTS], and the Senator from Wyoming [Mr. THOMAS] were added as cosponsors of S. 1096, a bill to restructure the Internal Revenue Service, and for other purposes.

S. 1133

At the request of Mr. COVERDELL, the name of the Senator from Wyoming [Mr. THOMAS] was added as a cosponsor of S. 1133, a bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses and to increase the maximum annual amount of contributions to such accounts.

S. 1180

At the request of Mr. KEMPTHORNE, the name of the Senator from Alaska

[Mr. MURKOWSKI] was added as a cosponsor of S. 1180, a bill to reauthorize the Endangered Species Act.

S. 1215

At the request of Mr. ASHCROFT, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 1215, a bill to prohibit spending Federal education funds on national testing.

S. 1226

At the request of Mr. ABRAHAM, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 1226, a bill to dismantle the Department of Commerce.

At the request of Mr. NICKLES, his name was withdrawn as a cosponsor of S. 1226, *supra*.

S. 1260

At the request of Mr. GRAMM, the names of the Senator from Utah [Mr. BENNETT] and the Senator from Minnesota [Mr. GRAMS] were added as cosponsors of S. 1260, a bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes.

S. 1264

At the request of Mr. HARKIN, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 1264, a bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to provide for improved public health and food safety through enhanced enforcement.

SENATE CONCURRENT RESOLUTION 52

At the request of Mr. HOLLINGS, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of Senate Concurrent Resolution 52, a concurrent resolution relating to maintaining the current standard behind the "Made in USA" label, in order to protect consumers and jobs in the United States.

SENATE RESOLUTION 96

At the request of Mr. CRAIG, the names of the Senator from Tennessee [Mr. FRIST], the Senator from Nebraska [Mr. HAGEL], the Senator from New Hampshire [Mr. SMITH], the Senator from Colorado [Mr. ALLARD], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Arkansas [Mr. BUMBERS], the Senator from Hawaii [Mr. AKAKA], the Senator from Illinois [Mr. DURBIN], the Senator from Maryland [Ms. MIKULSKI], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from North Dakota [Mr. CONRAD], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KERRY], the Senator from Michigan [Mr. LEVIN], the Senator from New York [Mr. MOYNIHAN], and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of Senate Resolution 96, a resolution proclaiming the week of March 15 through March 21, 1998, as "National Safe Place Week."

SENATE RESOLUTION 124

At the request of Mr. ROTH, the name of the Senator from Alaska [Mr. STE-

VENS] was added as a cosponsor of Senate Resolution 124, a resolution to state the sense of the Senate that members of the Khmer Rouge who participated in the Cambodian genocide should be brought to justice before an international tribunal for crimes against humanity.

AMENDMENTS SUBMITTED

THE INTERMODAL
TRANSPORTATION ACT OF 1997

CHAFEE AMENDMENTS NOS. 1310-
1311

Mr. CHAFEE proposed two amendments to the bill (S. 1173) to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes; as follows:

AMENDMENT NO. 1310

On page 195, line 1, strike "The" and insert "Other than for purposes of section 149 of the Internal Revenue Code of 1986, the".

On page 202, strike lines 13 through 15 and insert the following:

(4) DEDICATED REVENUE SOURCES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), project financing shall be repayable in whole or in part by user charges or other dedicated revenue sources.

(B) USE OF PROCEEDS FROM TAX-EXEMPT FINANCING PROHIBITED.—For the purposes of this section and sections 1315 and 1316, the direct or indirect use of proceeds from the issuance by any State or local government of tax-exempt bonds for any portion of any project financing, prepayments, or repayments is prohibited.

On page 210, line 5, insert "taxable" before "project obligations".

AMENDMENT NO. 1311

On page 39, line 15, after "budget" insert the following: "(as specified in the letter from the Director of the Congressional Budget Office to the Chairman of the Senate Committee on Environment and Public Works dated October 6, 1997)".

CHAFEE (AND WARNER)
AMENDMENTS NOS. 1312-1313

Mr. CHAFEE (for himself and Mr. WARNER) proposed two amendments to the bill, S. 1173, *supra*; as follows:

AMENDMENT NO. 1312

On page 250, between lines 18 and 19, insert the following:

"(6) CONTINUING DESIGNATION.—A designation of a metropolitan planning organization under this subsection or any other provision of law shall remain in effect until the metropolitan planning organization is redesignated under paragraph (2).

AMENDMENT NO. 1313

On page 9, line 21, after "139(a)", insert the following: "(as in effect on the day before the date of enactment)".

CHAFEE (AND WARNER)
AMENDMENT NO. 1314

Mr. CHAFEE (for himself and Mr. WARNER) proposed an amendment to amendment No. 1313 proposed by Mr.

CHAFEE to the bill, S. 1173, *supra*; as follows:

At the end of the amendment add the following: "of the Intermodal Surface Transportation Efficiency Act of 1997".

THE BIPARTISAN CAMPAIGN
REFORM ACT OF 1997

MURRAY AMENDMENTS NOS. 1315-
1316

(Order to lie on the table.)

Mrs. MURRAY submitted two amendments intended to be proposed by her to the bill (S. 25) to reform the financing of Federal elections; as follows:

AMENDMENT NO. 1315

At the end of title III, insert the following:
SEC. . DISCLOSURE OF DONOR LISTS FOR CERTAIN TAX-EXEMPT ORGANIZATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following:

"() REQUIRED DISCLOSURE.—An organization described in section 501(c)(4) of the Internal Revenue Code of 1986 that is required to file a report under this Act with respect to independent expenditures shall include in such report the name and address of any donor whose aggregate donations to the organization during the calendar year and the preceding calendar year exceed \$5,000. The organization does not need to disclose donors that have been disclosed in a previous report and have not made any donations since the last disclosure."

AMENDMENT NO. 1316

On page 29, strike lines 9 through 20 and insert the following:

SEC. 304. REPORTING REQUIREMENTS FOR CONTRIBUTIONS IN ANY AMOUNT.

(a) SECTION 302.—Section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "and if the amount of the contribution is in excess of \$50"; and

(ii) by inserting a comma after "making a contribution" and

(B) in paragraph (2)(A), by inserting "and the name and address of the person making the contribution" after "such contribution"; and

(2) in subsection (c)(2), by striking "in excess of \$50".

(b) SECTION 304.—Section 304(b)(93)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(3)(A)) is amended—

(1) by striking "whose contribution" and all that follows through "together"; and

(2) by striking the semicolon at the end and inserting "except that in the case of a person who makes contributions in an aggregate amount of \$200 or less during the calendar year, the identification need include only the name and address of the person;".

THE INTERMODAL
TRANSPORTATION ACT OF 1997

LOTT AMENDMENT NO. 1317

Mr. LOTT proposed an amendment to the instructions to the motion to recommit the bill, S. 1173, *supra*; as follows:

At the end of the instructions add the following: