

It boggles the mind to think that someone could make such a mistake. It is my hope that the matter will be thoroughly investigated and that a proper explanation will be made.

It was a mistake for which both the President and the Secretary of State have apologized to People's Republic of China. I add my apology to theirs. There is no minimizing this unfortunate accident. But I also must say to the Chinese that it would be a mistake to inflame the situation, and to fail to adequately protect our embassies and our consulates in China.

The Government there has apparently organized busloads of students to travel to the Embassy in Beijing. By the way, I was there not long ago. This is one of the least protected embassies in our system. It is very old, and it is not satisfactory from a safety standpoint.

While public security officials in Beijing apparently prevent their citizens from storming the Embassy, they do nothing to prevent the throwing of stones and Molotov cocktails, and people have damaged the Embassy.

Our consulate in Chungdu was partially destroyed by fire. The Government has allowed citizens to effectively hold the Ambassador hostage in our Embassy for the past 3 days. The Chinese press has failed to mention, purposefully I suspect, that we and NATO have apologized for the bombing, nor has the media noted that the bombing was accidental rather than premeditated.

We have had and continue to have a strategic relationship with the People's Republic of China. Certainly we have not agreed on many things. Certainly we have been critical of many things. On the other hand, that relationship has grown over the last several years. China has changed substantially. We have a great number of things going on between our countries. Almost everyone would agree that, assuming we could get over the main obstacles, a relationship between that large country with 1.2 billion people and our country is something that is jointly advantageous. We have an economic relationship. We are working on and I think have been coming rather close to, an agreement on the World Trade Organization, which I favor. I think we would be much better off dealing with China within the WTO rather than having to do it unilaterally. If we are going to be in the world community, then these are things which I think are particularly important.

I suspect that some Chinese are using this incident as a way of responding to some of the criticisms of them and their practices that we have had over time. We have had it on espionage; we have had it on human rights, and properly so, I suspect. But they are using this, in my view, as a means of responding to some of the criticisms we have had.

I think it would be a mistake if we let this unfortunate incident interfere

with the opportunity to have a stronger relationship. I think it would be a mistake if we let this be an opportunity for Milosevic to begin to do something with his image and come out with a better deal than he deserves. I hope that doesn't happen. We both have—a great deal at risk.

Mr. President, I hope, despite all the problems, that we can solve this. I think it would be wrong for either side to use this bombing and subsequent reaction of Chinese citizens to poison the bilateral relationship which we have an opportunity to develop in the future. As we know, there is a great deal at stake in all of our relationships throughout the world.

Mr. President, I thank you for the time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Foreign Relations.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated on Thursday, May 6, 1999:

EC-2914. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards For Hazardous Air Pollutants for Source Categories: Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry and Other Processes Subject to the Negotiated Regulation for Equipment Leaks: Technical Amendment" (FRL #63303), received on April 21, 1999; to the Committee on Environment and Public Works.

EC-2915. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Colorado; Removal and

Replacement of Transportation Control Measure, Colorado Springs Element, Carbon Monoxide Section of the State Implementation Plan" (FRL #6319-7), received on April 19, 1999; to the Committee on Environment and Public Works.

EC-2916. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Contractor Performance Evaluations" (FRL #6319-3), received on April 19, 1999; to the Committee on Environment and Public Works.

EC-2917. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, a report entitled "Environmental Protection Agency Interim Guidance on Mercury"; to the Committee on Environment and Public Works.

EC-2918. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Sacramento Metropolitan Air Quality Management District (SMAQMD), Mojave Desert Air Quality Management District (MDAQMD), and the Ventura County Air Pollution Control District (VCAPCD) as Revisions to the California State Implementation Plan (SIP)" (FRL #6324-8), received on April 14, 1999; to the Committee on Environment and Public Works.

EC-2919. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of VOC RACT Determinations of Individual Sources" (FRL #6323-6) and "Authorization to Implement Section 111 and 112 Standards; State of Connecticut" (FRL #6325-3), received on April 14, 1999; to the Committee on Environment and Public Works.

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated on Monday, May 10, 1999:

EC-2920. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality State Implementation Plans (SIP); Texas: Motor Vehicle Inspection and Maintenance (I/M) Program" (FRL #6324-2), received on April 12, 1999; to the Committee on Environment and Public Works.

EC-2921. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Withdrawal of Final Rule" (FRL #6323-5), received on April 9, 1999; to the Committee on Environment and Public Works.

EC-2922. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental

Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Colorado; Removal and Replacement of Transportation Control Measure, Colorado Springs Element, Carbon Monoxide Section of the State Implementation Plan" (FRL #6319-7), received on April 2, 1999; to the Committee on Environment and Public Works.

EC-2923. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of State Operating Permit Rule Revision: New Jersey" (FRL #6333-8), received on April 27, 1999; to the Committee on Environment and Public Works.

EC-2924. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled "Land Disposal Restrictions Phase IV: Treatment Standards for Wood Preserving Wastes, Final Rule; and Land Disposal Restrictions Phase IV: Treatment for Metal Wastes, Final Rule; and Zinc Micronutrient Fertilizers, Final Rule; and Carbamate Treatment Standards, Final Rule; and K088 Treatment Standards, Final Rule" (FRL #6335-7 and "Uniform National Discharge Standards for Vessels of the Armed Forces" (FRL #6335-5), received on April 29, 1999; to the Committee on Environment and Public Works.

EC-2925. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled "Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances" (FRL #6332-3) and "Revised Allotment Formulas for Interstate Monies Appropriated under Section 106 of the Clean Water Act" (FRL #6332-1), received on April 26, 1999; to the Committee on Environment and Public Works.

EC-2926. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of three rules entitled "Approval and Promulgation of Implementation Plans for Arizona and California; General Conformity Rules" (FRL #6233-1), "National Emission Standards for Hazardous Air Pollutants Phosphoric Acid Manufacturing and Phosphate Fertilizer Production" (FRL #6329-5) and "Notice of Availability of Grants and Selection Criteria for PrintSTEP Pilots (FRL #6066-8), received on April 16, 1999; to the Committee on Environment and Public Works.

EC-2927. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of five rules entitled "Approval and Promulgation of Air Quality Implementation Plans: State of Delaware; Withdrawal of Final Rule for Transportation Conformity" (FRL #6325-2), "Approval and Promulgation of Implementation Plans Tennessee: Approval of Revisions to the Memphis Ozone Maintenance Plan" (FRL #6326-9), "Approval and Promulgation of Implementation Plans; New Jersey 15 Percent Rate of Progress Plans, Recalculation of 9 Percent Rate of Progress Plans and 1999 Transportation Conformity Budget Revisions" (FRL

#6328-8), "Approval and Promulgation of Maintenance Plan Revisions; Ohio" (FRL #6328-6) and "Recission of the Conditional Section 182(f) Exemption to the Nitrogen Oxides (NOx) Control Requirements for the Dallas/Fort Worth Ozone Nonattainment Area; Texas" (FRL #6329-2), received on April 15, 1999; to the Committee on Environment and Public Works.

EC-2928. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of five rules entitled "Approval and Promulgation of Air Quality Implementation Plans: Virginia; Reasonably Available Control Technology for Major Sources for Nitrogen Oxides" (FRL #6318-5), "Approval of the Clean Air Act Section 112(1), Delegation of Authority to Puget Sound Air Pollution Control Agency in Washington, Amendment" (FRL #6326-2), "Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Kentucky" (FRL #6326-1), "Hazardous Air Pollutants: Amendment to Regulations Governing Equivalent Emission Limitations by Permit" (FRL #6326-4) and "Revisions To Reference Method for the Determination of Fine Particulate Matter as PM_{2.5} in the Atmosphere" (FRL #6326-5), received on April 13, 1999; to the Committee on Environment and Public Works.

EC-2929. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, United States Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled "Incorporate Solicitation Notice for Agency Protests" (FRL #6070-6) and "Texas; Final Full Program Adequacy Determination of State Municipal Waste Program" (FRL #6319-5), received on March 31, 1999; to the Committee on Environment and Public Works.

EC-2930. A communication from the Acting Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, United States Environmental Protection Agency, transmitting a report relative to the 1996 Toxics Release Inventory Public Data Release; to the Committee on Environment and Public Works.

EC-2931. A communication from the Administrator, United States Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Wastes from the Combustion of Fossil Fuels"; to the Committee on Environment and Public Works.

EC-2932. A communication from the Assistant Secretary of the Army (Civil Works), transmitting a draft of proposed legislation entitled "Harbor Services Fund Act of 1999"; to the Committee on Environment and Public Works.

EC-2933. A communication from the Deputy Administrator, U.S. General Services Administration, transmitting, pursuant to law, a report entitled "Report of Building Project Survey for American Samoa"; to the Committee on Environment and Public Works.

EC-2934. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the report of a rule entitled "Danger Zone, Chesapeake Bay, Point Lookout to Cedar Point, Maryland," received April 1, 1999; to the Committee on Environment and Public Works.

EC-2935. A communication from the Deputy Administrator, U.S. General Services Administration, transmitting, pursuant to law, a report relative to the Federal Campus, Oklahoma City, Oklahoma; to the Committee on Environment and Public Works.

EC-2936. A communication from the Director, Office of Congressional Affairs, Office of Nuclear Reactor Regulation, U.S. Nuclear

Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Codes and Standards: IEEE National Consensus Standard" (RIN3150-AF96), received April 22, 1999; to the Committee on Environment and Public Works.

EC-2937. A communication from the Director, Office of Congressional Affairs, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Final Rule-Requirements for Initial Operator Licensing Examinations" (RIN3150-AF62), received April 26, 1999; to the Committee on Environment and Public Works.

EC-2938. A communication from the Director, Office of Congressional Affairs, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Frequency of Reviews and Audits for Emergency Preparedness Programs, Safeguards Contingency Plans, and Security Programs for Nuclear Power Reactors" (RIN3150-AF63), received April 6, 1999; to the Committee on Environment and Public Works.

EC-2939. A communication from the Director, Office of Congressional Affairs, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Conformance to National Policies for Access to and Protection of Classified Information" (RIN3150-AF97), received April 6, 1999; to the Committee on Environment and Public Works.

EC-2940. A communication from the Director, Office of Congressional Affairs, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Radiological Criteria for License Termination of Uranium Recovery Facilities" (RIN3150-AD65), received April 12, 1999; to the Committee on Environment and Public Works.

EC-2941. A communication from the Director, Office of Protected Resources, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Threatened Status for Three Chinook Salmon Evolutionarily Significant Units (ESUs) in Washington and Oregon, and Endangered Status for One Chinook Salmon ESU in Washington" (AM54), received April 1, 1999; to the Committee on Environment and Public Works.

EC-2942. A communication from the Director, Office of Protected Resources, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Threatened Status for Two ESUs of Chum in Washington and Oregon" (AK53), received April 1, 1999; to the Committee on Environment and Public Works.

EC-2943. A communication from the Director, Office of Protected Resources, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Threatened Status for Two ESUs of Steelhead in Washington and Oregon" (AK54), received April 1, 1999; to the Committee on Environment and Public Works.

EC-2944. A communication from the Director, Office of Protected Resources, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Threatened Status for Ozette Lake Sockeye Salmon in Washington" (AK52), received April 1, 1999; to the Committee on Environment and Public Works.

EC-2945. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law,

the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Emergency Rule to List the Sierra Nevada Distinct Population Segment of the California Bighorn Sheep as Endangered" (RIN1018-AF59), received April 19, 1999; to the Committee on Environment and Public Works.

EC-2946. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Jarbidge River Population Segment of Bull Trout with a Special Rule" (RIN1018-AB94), received April 19, 1999; to the Committee on Environment and Public Works.

EC-2947. A communication from the Assistant Secretary, for Fish and Wildlife and Parks, Office of Law Enforcement, U.S. Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Importation, Exportation, and Transportation of Wildlife (User Fee Exemptions for Qualified fur trappers)" (RIN1018-AE08), received April 22, 1999; to the Committee on Environment and Public Works.

EC-2948. A communication from the Nuclear Regulatory Commission, transmitting, pursuant to law, the report on the denial of safeguards information for the period January 1, 1999 to March 31, 1999; to the Committee on Environment and Public Works.

EC-2949. A communication from the Acting Assistant Secretary for Environmental Management, Department of Energy, transmitting, pursuant to law, a report entitled "Remediation Plans for the Radioactive Waste Management Complex at the Idaho National Engineering and Environmental Laboratory", dated April, 1999; to the Committee on Armed Services.

EC-2950. A communication from the Director, Office of Congressional Affairs, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Elimination of Reporting Requirement and 30-day Hold in Loading Spent Fuel after Preoperational Testing or Independent Spent Fuel or Monitored Retrievable Storage Installations" (RIN3150-AG02), received April 19, 1999; to the Committee on Environment and Public Works.

EC-2951. A communication from the Chief Counsel, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "FinCEN Advisory: Enhanced Scrutiny for Transactions Involving Antigua and Barbuda" (Advisory: Issue 11), received April 21, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-2952. A communication from the Assistant Attorney General for Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Exemption of the System of Records Under the Privacy Act", received April 26, 1999; to the Committee on Governmental Affairs.

EC-2953. A communication from the Director, U.S. Trade and Development Agency, transmitting, pursuant to law, the annual report for fiscal year 1998; to the Committee on Governmental Affairs.

EC-2954. A communication from the Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Transfer of Debts to Treasury for Collection" (RIN1510-AA68), received April 20, 1999; to the Committee on Finance.

EC-2955. A communication from the Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled "Federal Government Participation in the Automated Clearing House" (RIN1510-AA39), received April 7, 1999; to the Committee on Finance.

EC-2956. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, the annual report on "Host Country Development and U.S. Effects" for fiscal year 1998; to the Committee on Foreign Relations.

EC-2957. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, a report relative to Nonproliferation and Disarmament Fund activities; to the Committee on Foreign Relations.

EC-2958. A communication from the Chairman, Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, the annual performance plan for fiscal year 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-2959. A communication from the Attorney General, transmitting, pursuant to law, a report relative to the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

EC-2960. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the Department's hydrogen program; to the Committee on Energy and Natural Resources.

EC-2961. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the violence in Indonesia during the May 1998 riots; to the Committee on Appropriations.

EC-2962. A communication from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Contracting Officer's Technical Representative (COTR) Training," received on April 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2963. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the Cumulative Report on Rescissions and Referrals, dated April 1, 1999; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Energy and Natural Resources, to the Committee on Environment and Public Works and to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DASCHLE:

S. 992. A bill to provide technical amendments related to the Vaccine Injury Compensation Trust Fund; to the Committee on Finance.

By Mr. BIDEN:

S. 993. A bill to prevent juvenile crime, provide for certain punishment of juvenile delinquents, and incapacitate violent juvenile criminals, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHCROFT:

S. 994. A bill entitled the "Juvenile Misuse of Firearms Prevention Act"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MCCAIN (for himself and Mr. SMITH of Oregon):

S. Con. Res. 31. A concurrent resolution celebrating the 50th anniversary of the Geneva Conventions of 1949 and recognizing the humanitarian safeguards these treaties provide in times of armed conflict; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BIDEN:

S. 993. A bill to prevent juvenile crime, provide for certain punishment of juvenile delinquents, and incapacitate violent juvenile criminals, and for other purposes; to the Committee on the Judiciary.

THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1999

Mr. BIDEN. Mr. President, I rise to introduce legislation on a subject that we will be spending a great deal of time talking about on the floor this week—youth violence. At the outset, I would like to make clear that this bill is not a comprehensive one that addresses every aspect of this complex area. Other of my colleagues already have introduced legislation broadly addressing these issues with many good ideas that I support.

My bill today recognizes the need to get tough on juvenile crime and violence. But this bill goes farther. It also recognizes that the best thing the Federal Government can do in dealing with youth crime and violence is to focus on prevention. In other words, it ensures that what we do about juvenile crime and youth violence is a balanced approach. My colleagues and I have heard over and over again from law enforcement, prosecutors, and juvenile judges alike that the best way to deal on the front lines with juveniles who are committing or are at risk of committing crimes is to implement prevention as well as sanctions.

What the Federal Government does best in the area of fighting crime—and the significant drop in crime as a result of the 1994 crime bill is proof of this—is for it to provide local law enforcement, prosecutors, juvenile courts, schools, and community-based organizations funds for them to develop creative, comprehensive strategies on juvenile crime that are tailored for their community. It is important to hold kids accountable when they commit crimes. But it is equally—if not more—important to keep kids out of trouble, to keep kids out of the juvenile justice system in the first place.

Before I get to the specifics of what my bill does, I want to highlight the importance of early prevention in curbing youth violence.

To put the youth violence problem in some context, I would like to begin by outlining the specific—and different—