services for criminal justice purposes; to the Committee on the Judiciary.

By Mr. ROTH (for himself, Mr. SMITH of New Hampshire, Mr. LEVIN, and Mr. SCHUMER):

S. 1197. A bill to prohibit the importation of products made with dog or cat fur, to prohibit the sale, manufacture, offer for sale, transportation, and distribution of products made with dog or cat fur in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SHELBY (for himself, Mr. BOND, and Mr. LOTT):

S. 1198. A bill to amend chapter 8 of title 5, United States Code, to provide for a report by the General Accounting Office to Congress on agency regulatory actions, and for other purposes; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SMITH of New Hampshire (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, and Mr. HELMS):

S. Res. 113. A resolution to amend the Standing Rules of the Senate to require that the Pledge of Allegiance to the Flag of the United States be recited at the commencement of the daily session of the Senate; to the Committee on Rules and Administration.

By Mr. HATCH (for himself, Mrs. BOXER, Mr. BOND, Mr. SCHUMER, Mr. DEWINE, Mr. BIDEN, Mr. WARNER, Mr. DASCHLE, Mr. CRAPO, Mr. HOLLINGS, Mr. BENNETT, Mr. KERRY, Mr. SMITH of Oregon, Mr. LAUTENBERG, Mr. FITZGERALD, Mrs. MURRAY, Ms. SNOWE, Mr. ROBB, Mr. MACK, Mr. TORRICELLI, Mr. ABRAHAM, Mr. WELLSTONE, Mr. BURNS, Mr. CLELAND, Mrs. HUTCHISON, Mr. DODD, Mr. SPECTER, Mr. DURBIN, Mr. CAMPBELL, Mr. EDWARDS, Mr. FRIST, Mr. INOUYE, Mr. GORTON, Mrs. FEINSTEIN, Mr. LOTT, Mr. REID, Mr. ASHCROFT, Mr. GRAHAM, Mr. COCHRAN, Mr. JOHNSON, Mr. JEFFORDS, Mr. KERREY, Mr. CHAFEE, Ms. MIKULSKI, Mr. GRASSLEY, Mr. BAYH, Mr. CRAIG, Mr. REED, Mr. NICKLES, and Mr. KOHL):

S. Res. 114. A resolution designating June 22, 1999, as ''National Pediatric AIDS Awareness Day''; to the Committee on the Judiciary.

By Mr. ABRAHAM:

S. Con. Res. 38. A concurrent resolution expressing the sense of Congress that the Bureau of the Census should include in the 2000 decennial census all citizens of the United States residing abroad; to the Committee on Governmental Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. CLELAND, and Mr. GREGG):

S. 1189. A bill to allow Federal securities enforcement actions to be predicated on State securities enforcement actions, to prevent migration of rogue securities brokers between and among financial services industries, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MICROCAP FRAUD PREVENTION ACT OF 1999

Ms. COLLINS. Mr. President, today I am introducing the Microcap Fraud Prevention Act of 1999 which will equip Federal law enforcement authorities with new tools to prosecute the fight against microcap securities fraud that costs unwary investors an estimated $6 billion annually.

While cold-calling families at dinnertime and high-pressure sales remain a favorite tactic of microcap con artists, the Internet is providing a new and inviting frontier for the commission of microcap frauds. I find it particularly disturbing that despite the best efforts of regulatory authorities, microcap scam artists often commit repeat offenses. Similarly, under current law, persons barred from other segments of the financial industry, such as banking or insurance, can easily bring their deceptive practices into our securities markets.

I am very pleased to have the cosponsorship of two of my distinguished colleagues in introducing this important legislation. Senator CLELAND and Senator GREGG are united with me in a commitment to ensure that security regulators have the necessary authority to crack down on securities fraud. Senator CLELAND has a longstanding interest in protecting investors from securities scams. Senator GREGG also has been a leader in this arena in his position as the chairman of the subcommittee with jurisdiction over the SEC's budgets.

In drafting this legislation, I was also pleased to have the invaluable assistance of the Securities and Exchange Commission and the North American Securities Administrators Association which represents State securities regulators. In fact, Richard H. Walker, the SEC's Director of Enforcement, and Peter C. Hildreth, the President of NASAA, have submitted letters endorsing my legislation. I ask unanimous consent that these letters be printed in the RECORD following my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Ms. COLLINS. Mr. President, the Collins-Cleland-Gregg legislation is the product of hearings of the Permanent Subcommittee on Investigations which I chair. We first started looking at this issue in 1997 and held our first hearing in September of that year. Those hearings revealed that microcap securities fraud is pervasive, so much so that regulators estimated that it cost investors $6 billion in losses annually, according to an article in the Wall Street Journal.

The damage from these microcap scams, however, is not confined to investor losses. They also damage the reputation of legitimate small companies and limit their ability to raise capital through the securities markets. Ironically, the strong performance of the securities markets over the past several years has provided an ideal breeding ground for these microcap scams as more and more Americans invest in stocks. In fact, according to the SEC, in 1980, only 1 in 18 individual Americans participated in the securities markets. Today, 1 in 3 Americans participate in the securities markets. There has been a tremendous growth in more and more American households investing in equities.

In a typical microcap fraud, an unscrupulous broker, often acting through an intermediary, purchases large blocks of shares in a small company with dubious business and financial prospects. The company stock may be nearly worthless, but the brokers repeatedly cold call customers, promise glowing returns and drive up the stock through high-pressure sales tactics. Inevitably, after the manipulators sell their shares at a profit, the artificially inflated price plummets, leaving thousands of unsophisticated investors with worthless stock and heavy losses. The manipulators then count their ill-gotten gains and move on to their next target.

The subcommittee's investigation demonstrated that the rapid growth of the Internet has also provided a new frontier for the commission of microcap securities frauds. At hearings held by the subcommittee last March, expert witnesses testified that while the Internet provides many, many benefits to online investors, such as lower trading costs and a wealth of investment information, the medium is inviting to con men as well.

Specifically, the Internet makes it easier and cheaper for microcap scam artists to contact potential victims and to perpetrate pump-and-dump schemes or related securities frauds. Rather than having to cold call potential victims one at a time, con men with home computers and Internet access can reach millions of potential investors with the click of a mouse. At a very low cost, these cybercrooks can deceive many more victims using professionally designed web sites, online financial newsletters or bulk e-mail. SEC officials testified that the agency now receives hundreds of e-mail complaints per day, an estimated 70 percent of which involve potential Internet securities frauds.

For example, a constituent of mine from Ellsworth, ME, who appeared at the subcommittee's hearings, testified that he lost more than $20,000 in a sophisticated Internet securities scam. My constituent has an engineering degree, and he has been investing for nearly 10 years. This demonstrates the potential risk that Internet fraud poses to even experienced investors. Although the SEC has brought charges against the alleged perpetrators of this scam, it is, unfortunately, very unlikely that my constituent will ever be able to recover his losses.

Whether they use cold calls, the Internet, or both, microcap scam artists rarely strike only once. The subcommittee's investigations have found that when regulators close down one microcap scam, often after very lengthy proceedings, it is very common

for the perpetrators to pop up in connection with yet another securities fraud.

Moreover, individuals who have committed consumer frauds in other financial services industries, such as insurance or banking, frequently move on to work in the securities industry. Our regulatory system must be able to prevent these individuals who have violated the law from migrating freely from one financial sector to another.

I commend the actions of the Securities and Exchange Commission and the State securities regulators in aggressively fighting microcap securities fraud, but they are simply overwhelmed with the magnitude of the problem.

The SEC has established a special unit to monitor the Internet for potential microcap or similar stock securities scams and has initiated 83 enforcement actions against approximately 250 individuals and companies who have allegedly committed Internet securities frauds.

Similarly, in July of 1998, the State securities regulators, represented by NASAA, announced that the State securities regulators had filed 100 enforcement actions in a ''sweep'' against illegal boiler room operations. Approximately 64 of these enforcement actions involved brokers peddling microcap stocks. Despite these commendable efforts, however, the SEC and State regulators face significant challenges just to keep up with the explosive growth of microcap securities fraud, particularly on the Internet.

The legislation that I am introducing today is designed to bolster the SEC's ability to protect investors from ever-increasing microcap frauds while ensuring that legitimate small companies can continue to raise capital through securities offerings. To accomplish these objectives, the bill will streamline the microcap fraud investigative process and provide the SEC with the tools it needs to suspend or ban rogue brokers, particularly those who have a history of committing fraudulent offenses.

Specifically, our legislation will do the following:

First, it will allow the SEC to bring enforcement actions against securities fraud violators on the basis of enforcement actions brought by State securities regulators. Currently, State regulators can rely on SEC-initiated enforcement actions, but the SEC does not have reciprocal authority. Consequently, the SEC must often conduct duplicative investigations before the agency can bring enforcement actions against microcap securities frauds first identified at the State level but which operate on a nationwide basis. With the new authority proposed by our legislation, the SEC and the State regulators will be able to maximize the impact of their limited enforcement resources.

Second, our legislation would permit the SEC to keep out of the securities business unscrupulous individuals from other sectors of the financial services industry. As I stated previously, persons with histories of violations too often roam freely throughout the financial services industry and commit new frauds. The bill would allow the SEC to prevent individuals who have ripped off consumers in insurance or banking scams from similarly defrauding America's small investors.

Third, our legislation will broaden the current penny stock bar to include fraudulent violations in the microcap markets. Under current law, the SEC can suspend or bar individuals who commit serious penny stock frauds involving stocks that cost less than $5. You may be surprised to learn, however, that the law permits such violators to participate in micro-cap securities offerings, because even though the total capitalization of these companies is small, each of their shares costs more than $5. Our bill will close this loophole by allowing the SEC to suspend or bar individuals who have committed serious penny stock fraud from participating in both the penny stock and micro-cap securities markets either as registered brokers or in related positions, such as promoters.

Fourth, our proposal will expand the statutory officer and director bar to include all publicly traded companies. Current law applies only to companies that report to the SEC, leaving the door open for violators to serve as officers or directors of all other companies. Our proposal would extend the bar to include all publicly traded businesses, including ''Pink Sheet'' or Over The Counter (''OTC'') Bulletin Board companies, which are often the vehicles for micro-cap fraud schemes.

Finally, our bill will strengthen the SEC's ability to take enforcement actions against repeat violators. Currently, the SEC must request that the Justice Department initiate criminal contempt proceedings against individuals who violate SEC orders or court injunctions, which can be a very burdensome and timely process. Our legislation would allow the SEC to seek immediate civil penalties for repeat violators without the need to file criminal contempt proceedings.

Our Nation is blessed with the strongest and safest security markets in the world. This is a tribute to both the industry and its regulators. Unfortunately, as our markets bring benefits to more and more Americans, they also attract those who would exploit unsuspecting investors through manipulative practices.

By virtue of their small size and relative obscurity, microcap securities are the most susceptible to manipulation. By giving the SEC the tools it needs to combat this fraud, this legislation will benefit not only individual investors, but also the vast majority of legitimate small businesses who contribute so much to our Nation's growth and prosperity.

I urge my colleagues to join in supporting the Microcap Fraud Prevention Act of 1999.

I ask unanimous consent that a section-by-section analysis of the legislation be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 2.)

Ms. COLLINS. Thank you, Mr. President.

EXHIBIT NO. 1

SECURITIES AND EXCHANGE COMMISSION,
Washington, DC, May 24, 1999.

Hon. SUSAN M. COLLINS,
Chairman, Permanent Subcommittee on Investigations, Committee on Governmental Affairs, U.S. Senate, Washington, DC.

DEAR CHAIRMAN COLLINS: I commend both you and your Subcommittee for addressing the important issue of fraud in the market for microcap securities. As I said in my March 23, 1999 testimony before your Subcommittee, fighting fraud in this market has been one of the Commission's more significant challenges this decade. The hearings you held help to focus the issues and educate investors, and the principles in the bill you plan to introduce will help leverage the Commission's resources to combat microcap fraud.

As you know, Chairman Levitt testified on microcap fraud before your Subcommittee in September 1997. He noted then that with our resources remaining relatively constant, we must ''rely increasingly on innovative and efficient ways of minimizing fraud and of maximizing the deterrence achievable with the Commission's limited resources.'' In my own view, the concepts underlying ''The Microcap Fraud Prevention Act of 1999'' would be of great assistance to us in this regard. Most importantly, the bill would give us valuable new tools to close off participation in the microcap market by those who would prey on innocent investors.

In recent years, the Commission has made significant inroads in the fight against microcap fraud. I appreciate your efforts to address this serious problem through hearings and legislation that support our enforcement efforts. I believe your bill would significantly advance the cause and help make our markets safer for investors. My staff and I look forward to continuing to work with you and your Subcommittee on this legislation.

Very truly yours,

RICHARD H. WALKER,
Director,
Division of Enforcement.

NORTH AMERICAN SECURITIES,
ADMINISTRATORS ASSOCIATION, INC.,
Washington, DC, May 17, 1999.

Hon. SUSAN M. COLLINS,
U.S. Senate,
Washington, DC.

DEAR CHAIRMAN COLLINS: On behalf of the membership of North American Securities Administrators Association, Inc. (''NASAA'')[1], I commend you for recognizing and confronting the problem of fraud in the microcap securities market. At your invitation NASAA testified before you and the members of the Permanent Subcommittee on Investigations, and took part in your fact-finding mission. We appreciate your efforts to protect the investing public from frauds and for introducing legislation to enhance enforcement efforts in this area.

As you know, several years ago, state securities administrators recognized the problem of fraud in the microcap market. Since then the states have led enforcement efforts and filed numerous actions against microcap firms. There are systematic problems in this area, but they can be addressed effectively if state and federal regulators and policymakers work together on meaningful solutions.

NASAA wholeheartedly supports the intent of The Microcap Fraud Prevention Act of 1999. It would be an important step in combating abuses in the microcap market and maintaining continued public confidence in our markets.

I pledge the support of NASAA's membership to continue to work with you to secure passage of this important legislation.

Sincerely,

PETER C. HILDRETH,
New Hampshire Securities Director,
NASAA President.

EXHIBIT NO. 2

S. 1189, MICROCAP FRAUD PREVENTION ACT OF 1999—SECTION-BY-SECTION SUMMARY

SEC. 1. SHORT TITLE: ''MICROCAP FRAUD PREVENTION ACT OF 1999''

Explanation: The purpose of the bill is to protect investors against fraud in the microcap securities market, and for other purposes.

SEC. 2. AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934

This section amends the Securities Exchange Act of 1934 to grant the SEC authority to take actions against registered persons who have violated the law. It allows SEC enforcement actions to be predicated on state enforcement actions and take steps to prevent the entry into the securities industry of individuals who have committed fraud in other sectors of the financial services industry.

Explanation: Currently, state securities laws do not allow state regulators to obtain civil relief having nation-wide effect. Rather, state regulators only have jurisdiction to prohibit defendants from doing business in their state. Wrongdoers are thus free to perpetrate fraud in any other state where they have not been separately barred. This section amends Exchange Act section 15(b)(4)(G) to allow the SEC to bring a follow-up administrative proceeding to suspend or bar regulated persons who either (1) have been barred by a state securities administrator from operating within that state or (2) is subject to a final order for fraudulent, manipulative, or deceitful conduct.

The SEC would not have the authority to follow-up on ex parte temporary restraining orders. Such orders are imposed immediately by state regulators and do not provide alleged violators with a chance to present a defense until after the order has already been entered. The SEC would have the ability to act on these state actions if, after adjudication, the defendant were ultimately found to have committed a violation or reached a settlement agreement.

Currently, the Securities Exchange Act does not permit the SEC to take administrative actions to bar or suspend from the securities industry individuals who have committed serious violations—i.e. fraud—in other financial industries, such as the insurance or banking sectors. This section amends Exchange Act 15(b)(4)(G) to authorize the SEC (1) to take administrative action seeking bars or suspensions against a broker-dealer or associated person based on orders issued by federal regulators of other financial services industries and (2) to allow the SEC to take follow-up actions when a foreign financial regulatory authority has previously found violations in other financial sectors. To ensure parity and close off any remaining loopholes, corresponding changes have also been made to Exchange Act sections 15B(c), 15C(c), and 17A(c) to extend this provision to those who seek to associate with municipal securities dealers, government securities dealers, and transfer agents.

SEC. 3. AMENDMENTS TO THE INVESTMENT ADVISERS ACT OF 1940

This section amends Investment Advisers Act section 203 to allow the SEC to bring a follow-up administrative proceeding to suspend or bar investment advisors who are subject to certain federal, state, or foreign orders. This sections also amends section 203(f) of the act to permit the SEC to bar a person associated with an investment adviser on the basis of a felony conviction.

Explanation: This section makes the same changes to the Investment Adviser Act that Section 2 of the bill makes to the Exchange Act. Both allow SEC enforcement actions to be predicated on certain federal, state, or foreign enforcement actions against individuals found to have committed fraudulent or similar acts in the financial services sector.

SEC. 4. AMENDMENTS TO THE INVESTMENT COMPANY ACT OF 1940

This section amends Investment Company Act section 9(b)(4) to allow the SEC to bring a follow-up administrative proceeding to suspend or bar individuals covered by the Investment Company Act who are subject to certain federal, state, or foreign orders.

Explanation: This section makes the same changes to the Investment Company Act that Section 2 of the bill makes to the Exchange Act. Both allow SEC enforcement actions to be predicated on certain federal, state, or foreign enforcement actions against individuals found to have committed fraudulent or similar acts in the financial services sector.

SEC. 5. CONFORMING AMENDMENTS

This section amends various provisions of the Securities Exchange Act of 1934 to authorize the SEC to take administrative actions against individuals—based on the findings of certain federal, state, or foreign enforcement actions—who seek to associate with municipal securities dealers, government securities brokers and dealers, and clearing agencies. The section also amends the Securities Exchange Act of 1934, so that actions by state securities commissions and other regulators can trigger a statutory disqualification. This section will focus statutory disqualifications on serious violations of state law, particularly fraud and similar offenses.

Explanation: This section seeks to prevent individuals who have committed fraud in other financial services sectors from entering the securities industry. The section also expands the definition of violations that trigger automatic statutory bars from the securities industry.

SEC. 6. BROADENING OF PENNY STOCK BAR

This section amends Exchange Act section 15(b)(6) to expand the penny stock bar to cover a broader category of offerings.

Expanation: This section would extend the penny stock bar to all offerings other than those involving securities traded on the NYSE, AMEX, NASDAQ, NMS, or investment company securities. While there is no formal definition of ''micro-cap'' security, this statutory amendment would cover what are generally referred to as ''micro-cap'' securities.

SEC. 7. COURT AUTHORITY TO PROHIBIT OFFERINGS OF NON-COVERED SECURITIES

This section amends Exchange Act section 21(d)(5) to provide federal court judges the authority to impose the remedy outlined in Section 9 of the bill.

Explanation: This section would allow the SEC to obtain all necessary relief more efficiently and expeditiously by requesting, in appropriate cases, a district court to issue a penny stock bar order. This authority would be provided as an alternative to the SEC's current ability to seek such orders only through administrative proceedings.

SEC. 8. BROADENING OF OFFICER AND DIRECTOR BAR

This section amends Exchange Act section 21(d)(2) in order to broaden the scope of the officer and director bar.

Explanation: Current law allows persons barred from serving as an officer or director of companies that report to the SEC to serve as officers or directors of other companies. This section removes the limitation to SEC reporting companies, and instead covers all publicly traded companies—those registered pursuant to Exchange Act section 12, those required to file reports pursuant to Exchange Act section 15(d), and those whose securities are ''quoted in any quotation medium.''

SEC. 9. VIOLATIONS OF COURT ORDERED BARS

This section adds section 21(i) to the Exchange Act to give the SEC a more direct remedy against recidivist violators of prior bar orders.

Explanation: This section makes it a stand-alone violation of the securities laws for a person to engage in conduct that violated a prior order barring him from acting as an officer, director or promoter. It allows the SEC to take direct enforcement action (seeking per-day money penalties, among other remedies) against a recidivist without the need for criminal authorities to bring a contempt proceeding.

By Mr. DORGAN (for himself, Mr. WELLSTONE, Ms. SNOWE, and Mr. JOHNSON):

S. 1191. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for facilitating the importation into the United States of certain drugs that have been approved by the Food and Drug Administration, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

INTERNATIONAL PRESCRIPTION DRUG PARITY ACT

Mr. DORGAN. Mr. President, I rise to introduce a piece of legislation on behalf of myself, Mr. WELLSTONE, Ms. SNOWE, and Mr. JOHNSON. These three Senators, and I hope others as well, have joined me in introducing this bill, the International Prescription Drug Parity Act, today.

This piece of legislation deals with the question of prescription drugs. By consent of the Chair, I would like to show on the floor of the Senate today examples of the issue that is addressed by this piece of legislation.

With your consent, I will show two bottles of the drug Claritin, a medication most people are familiar with. Claritin is a popular anti-allergy drug. These two bottles contain the same pills, produced by the same company, in the same strength, in the same quantity. One difference: a big difference in price. This bottle is purchased in the United States—in North Dakota, to be exact. This bottle of 10

milligram, 100 tablets cost North Dakotans $218, wholesale price. This bottle—same drug, same company, same strength, same quantity—was purchased in Canada. They didn't pay $218 in Canada; they paid $61. Why the difference for the same drug, same dosage, same quantity, same company? In Canada, it costs $61; U.S. consumers pay $218.

Here is another example—and I have a lot of examples. But with the consent of the Chair, I will only use two today.

This is Cipro, a prescription drug to treat infections. Both bottles are made by the same company. We have the same number of pills, 500 milligram, 100 tablets—same drug, same company, same pill. In North Dakota, the wholesale price for this bottle is $399; in Canada, it is $171. The North Dakotan pays—or the U.S. consumer pays because this is true all over our country—$399, or 233 percent more than for the same drug in Canada. The question is, Why? The question is, With a global economy, why would a pharmacist simply not drive up to Canada and buy the same drugs and offer them for a lower price to their customers? The answer to that is, there is a law that restricts the importation of drugs into this country, except by the manufacturers of the drug themselves. That is kind of a sweetheart law, it seems to me. We want to change that.

If the manufacturer that produces these pills has been inspected by the Food and Drug Administration and the same drugs are marketed everywhere, why on Earth, in a global economy, cannot our consumers access a lesser price? Incidentally, this pricing inequity does not just exist with Canada; it is the same with Mexico, Germany, France, Italy, England, Germany—you name it. It is true around the world. We pay a much higher price for most prescription drugs than consumers anywhere else in the world. The United States is the consumer that pays a much higher price for the same pill, in the same bottle, produced by the same manufacturer.

With our bill we say, let's decide that what is good for the goose is good for the gander. If the pharmaceutical companies can access the raw materials which they use to produce their medicine from all around the world and produce a pill and put it in a bottle, it seems to me that the customer here in the United States ought to also benefit from free trade, as long as the drug is FDA approved and comes from a plant that is inspected by the FDA.

The drug industry will say that safety is an issue. It is no issue with respect to my bill. Safety is not an issue here at all. I am saying—and my colleagues are as well—if medicine approved by the FDA and produced in a plant inspected by the FDA is to be marketed around the world, but the American is to pay the highest price—in some cases by multiples of four and five —let us use the global economy to let U.S. pharmacists and prescription drug distributors access that medicine wherever it exists at a lower price, and pass along those savings to American consumers.

Back in 1991, the General Accounting Office studied 121 drugs and found that, on average, prescription drugs in the United States are priced 34 percent higher than the exact same products in Canada. I just did a comparison of the retail prices on both sides of the border of 12 of the most prescribed drugs, and discovered that, on average, U.S. prices exceeded the Canadian prices by 205 percent.

I mentioned before that Claritin costs the American consumer 358 percent more. We American consumers pay 358 percent more than the consumer does north of the border. And incidentally, the Canadian prices have been adjusted to U.S. dollars. Does this make sense? Of course not. Studies show that the same drug that costs $1 in our country costs 71 cents in Germany, 65 cents in the United Kingdom, 57 cents in France, and 51 cents in Italy. All we are saying is that if this global economy is good for companies that produce the drugs, it ought to be good for the consumer.

In 1997, the top 10 pharmaceutical companies had an average profit margin of 28 percent. The Wall Street Journal reported that profit margins in the drug industry are the ''envy of the corporate world.'' The manufacturers produce wonderful medicines, and I am all for it. But I want them at an affordable price for the American consumer. I am flat sick and tired of the American consumer being the consumer of last resort who pays a much higher price than anybody else in the world for the same drug, in the same bottle, produced by the same company. It doesn't make sense.

Mr. President, how much time have I consumed?

The PRESIDING OFFICER. The Senator has consumed 7 minutes.

Mr. DORGAN. Let me go for another minute, and then I will yield to my colleague from Minnesota, who will have 7 minutes remaining on the 15 minutes.

As I have indicated, Senator JOHNSON from South Dakota and Senator SNOWE from Maine are also cosponsors. We expect other cosponsors to join us. Frankly, the reason we have introduced this legislation is that there is an unfair pricing practice that exists with respect to prescription drugs in this country. It is fundamentally unfair for a pharmaceutical manufacturer to say that we will produce a drug, and, by the way, when we decide to sell it we will sell it all around the world, but we will choose to sell it to the American consumer at a much higher price than any other customer in the world.

That is unfair to the American consumer.

What prevents the local corner pharmacist from going elsewhere to buy these prescription drugs in France or in Canada or elsewhere? A law that says you can't import a drug into this country unless it is imported by the manufacturer. What a ridiculous piece of legislation that was passed over a decade ago.

If this global economy works, let's make it work for the consumers and not just for the big companies.

Our legislation only pertains to this circumstance: If the drug has been approved by the FDA and the facility where that drug is bought are inspected by the FDA, then those drugs have a right to come into this country not just by the manufacturer but by local pharmacists and distributors who want to access that drug at a less expensive price in other parts of the world and pass along the savings to American consumers. That makes good sense to me.

I have a lot more to say, but I will say it at a later time. I yield my remaining time to my colleague, Senator WELLSTONE from Minnesota, who is joined by Senator JOHNSON of South Dakota and Senator SNOWE of Maine as cosponsors of this legislation.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, let me first of all say to my colleague from North Dakota that I am really pleased to join him in this effort, along with Senator SNOWE and Senator JOHNSON.

The International Prescription Drug Parity Act makes prescription drugs more affordable for millions of Americans by applying the principles of free trade and competition.

I want to give special thanks to a wonderful grassroots citizen organization from Minnesota called the Minnesota Senior Federation. If we had organizations such as this all around the country, we would have such effective citizen politics, and I guarantee we would be passing legislation that would make an enormous positive difference in the lives of the people in our country.

This legislation provides relief from price gouging of American consumers by our own pharmaceutical industry. Those who really pay the price are those who are chronically ill. Many of those who are clinically ill are the elderly. It is not uncommon anywhere in our country to run across an elderly couple or single individual who is paying up to 30, 40, or 50 percent of their monthly budget just for prescription drug costs.

In my State of Minnesota, only 35 percent of senior citizens have any prescription drug cost coverage at all.

This legislation is very simple. I say to Senator DORGAN that what I liked the best about this legislation, and the reason I think it will command widespread support, is its eloquent simplicity.

We are just saying that if you have drugs which are FDA approved and manufactured in our country, and now they are in Canada, for example, and cost half of what they cost senior citizens to pay for that drug in our own country, it shouldn't just be the pharmaceutical companies that can bring

those drugs back in. You ought to enable pharmacists or distributors to go to Canada and purchase these drugs which have been FDA approved, and then bring them back to our country and sell these drugs at a discount rate for our citizens in our country.

This is the best of competition. This is the best of what we mean by free trade.

I want to be clear. This legislation will amend the Food, Drug and Cosmetic Act. The FDA Commissioner was in Minnesota 2 weeks ago and senior citizens were pressing her on this question. She was cautious. But what she was saying was that we would need some legislation; we would need some change to be able to do what Senator DORGAN is talking about. We would amend this piece of legislation to allow American pharmacists and distributors to import prescription drugs into the United States as long as these drugs meet strict FDA standards. That is it. The FDA isn't directly involved, but the FDA is critically involved in the sense that these drugs have to meet all the FDA standards.

This piece of legislation is simple. It is straightforward. It is very proconsumer, very pro-senior citizen, very procompetition, very pro-free trade. As I think about the gatherings that I go to in my State—I bet this applies to New Jersey, I see Senator TORRICELLI here, and Senator REED of Rhode Island—anywhere in the country. You can't go to a community meeting, and you can't go in into a cafe and meet with people without having people talk about the price of prescription drugs. It is just prohibitively expensive. This piece of legislation will make an enormous difference.

It could be that there is some opposition to this piece of legislation. I can see some vested economic interests who may figure out reasons to be opposed to it, but I will say that this piece of legislation would go a long way in dealing with the problem of price gouging right now and making sure that these prescription drugs that can be so important to the health of senior citizens, the people in the disabilities community and other citizens as well that they will be able to purchase these drugs, and they will be able to afford these drugs, which can make an enormous difference in improving the quality of their health.

I introduce this legislation, along with Senator DORGAN, and we are joined by Senator JOHNSON and Senator SNOWE. I believe we will have strong bipartisan support for this bill.

Mr. President, how much time do we have left?

The PRESIDING OFFICER. The Senators have a total of 9 minutes 54 seconds.

Mr. DORGAN. Mr. President, if I might just make a comment to the Senator from Minnesota, all of us have the experience of going around our States and talking to especially senior citizens, who take a substantial amount of prescription drugs—many of them wonderful, lifesaving drugs but at a substantial cost. Many of them have no health insurance coverage for these costs.

Let me say at the outset, lest anyone think I don't appreciate what goes on, that the research done at the Federal level and the research done by the pharmaceutical companies have produced lifesaving, remarkable medicines. I commend all of those folks for that, including these companies. I am only debating the price issue here.

I ran into a woman one day. She was in her eighties. She had heart disease, diabetes, and was living on somewhere around $400 a month of total income. She said to me: Mr. Senator, I can't afford to take the drugs the doctor says I must take for my heart difficulties and for my diabetes. What I do is buy the drugs, and then I cut the pills in half and take half of the dose so it lasts twice as long. It is the only way. Even then I can hardly afford to pay for food.

That is what the problem is here. The problem is that these pharmaceutical drugs are overpriced relative to what every other consumer in the rest of the world is paying for them. I am talking of other consumers in France, in Germany, Italy, England, Canada, and Mexico—you name it. That doesn't make any sense to me. Why should our senior citizens—all consumers for that matter—be paying 300-percent more for the same drug in virtually the same bottle produced by the same company inspected by the FDA than a consumer 20 miles north in Canada is paying?

I just came from a meeting near the border of North Dakota and Canada. I was talking to people, again, about that disparity. The Senator from Minnesota has exactly the same situation.

The pharmacists at the corner drugstore are saying: Why can't I go up there and buy some of these medications? I know that it is the same pill which comes from the same plant.

The reason is the law prevents him from bringing it back, and we want to change that.

Mr. WELLSTONE. Mr. President, I say to my colleagues, when we talk about citizens becoming frustrated and sometimes angry, either two things are going on.

First of all, you can find people to talk to everywhere, especially senior citizens who are paying 30, 40, or 50 percent of their monthly budget just for these costs. They cut the pill in half and take only half of what they need, or they cut down on food. It is drugs versus food, or versus something else. They should not be faced with those choices.

But what adds insult to injury is to then know that the same drug manufactured quite often in the same place with the same FDA approval purchased in Canada costs half the price.

We are simply saying let our pharmacists and let our distributors in our country be able to purchase those prescription drugs in Canada and bring them back and sell them at a discount to our consumers. That is what this legislation says.

If you want to talk about a piece of legislation that speaks to the interests and circumstances of people's lives, I think this legislation will make an enormous difference.

I am prepared to fight very hard to make sure that we pass this legislation.

By Mrs. FEINSTEIN (for herself, Mr. REID, Mrs. BOXER, and Mr. BRYAN):

S. 1192. A bill to designate national forest land managed by the Forest Service in the Lake Tahoe Basin as the ''Lake Tahoe National Scenic Forest and Recreation Area,'' and to promote environmental restoration around the Lake Tahoe Basin; to the Committee on Energy and Natural Resources.

THE LAKE TAHOE RESTORATION ACT

Mrs. FEINSTEIN. Mr. President, I want to begin by thanking Senator HARRY REID who has worked so hard with me on the Lake Tahoe Restoration Act. I would also like to thank my friends and colleagues Senator BARBARA BOXER and Senator DICK BRYAN for cosponsoring this important legislation.

This legislation really comes directly out of the Tahoe Summit. I am one that spent her childhood at lake Tahoe, but I had not been back for a number of years. When I went there for the Tahoe Summit in 1997 with the President, I saw things I had never seen before at Lake Tahoe.

I saw the penetration of MTBE in the water. I saw the gasoline spread over the water surface. I saw that in fact 30 percent of the South Lake Tahoe water supply has been eliminated by MTBE. I saw 25 percent of the magnificent forest that surrounds the lake dead or dying. I saw land erosion problems on a major level that were bringing all kinds of sediment into the lake and which had effectively cut its clarity by thirty feet since the last time I had visited. And then I learned that the experts believe that in ten years the clouding of the amazing crystal water clarity would be impossible to reverse and in thirty years it would be lost forever.

For me, that was a call to action, and today I am proud to introduce the Lake Tahoe Restoration Act. This legislation will designate federal lands in the Lake Tahoe Basin as a National Scenic Forest and Recreation area and will authorize $300 million of Federal monies on a matching basis over ten years for environmental restoration projects to preserve the region's water quality and forest health.

Lake Tahoe is the crown jewel of the Sierra Nevada and its clear, blue water is simply remarkable. Some people may not know that Lake Tahoe contributes $1.6 billion dollars every year

to the economy from tourism alone. However, one in every seven trees in the forest surrounding Emerald Bay is either dead or dying. Insect infestations and drought have killed over 25 percent of the trees in the forests surrounding Lake Tahoe, creating a severe risk of wildfire.

The Tahoe Regional Planning Agency estimates that restoring the lake and its surrounding forests will cost $900 million dollars over the next ten years. This is not a cursory evaluation but a careful evaluation made by this agency over several years.

Local governments and businesses in Lake Tahoe have agreed to raise $300 million locally in the next ten years for this effort. The Tahoe Transportation and Water Quality Coalition, a coalition of 18 businesses and environmental groups, including Placer County, El Dorado County, the City of South Lake Tahoe, Douglass County in Nevada and Washoe County in Nevada have all agreed. This is an extraordinary commitment for a region with only 50,000 year round residents.

The Governors of California and Nevada have pledged to provide another $300 million, but only if the Federal government will step up and provide $300 million of its own because we must remember that 77 percent of the forest is owned by the Federal Government.

President Clinton took an important first step in 1997 when he held an environmental summit at Lake Tahoe and promised $50 million over two years for restoration activities around the lake. These commitments included: $4.5 million to reduce fire risk at the lake; $3.5 million for public transportation; $4 million for acquisition of environmentally sensitive land; $1.3 million dollars to decommission old, unused logging roads that are a major source of sediment into Lake Tahoe; $7.5 million to replace an aging waste water pipeline that threatens to leak sewage into the lake; and $3 million for scientific research.

Unfortunately, the President's commitments lasted for only two years, so important areas like land acquisition and road decommissioning were not funded at the levels the President tried to accomplish. So what is needed is a more sustained, long-term effort, and one that will meet the federal government's $300 million dollar responsibility to save the environment at Lake Tahoe.

The Lake Tahoe Restoration Act will build upon the President's commitment to Lake Tahoe and authorize full funding for a new environmental restoration program at the lake.

The bill designates U.S. Forest Service lands in the Lake Tahoe basin as the Lake Tahoe National Scenic Forest and Recreation Area. This designation, which is unique to Lake Tahoe, is strongly supported by local business, environmental, and community leaders. The designation will recognize Lake Tahoe as a priceless scenic and recreational resource.

The legislation explicitly says that nothing in the bill gives the U.S. Forest Service regulatory authority over private or non-federal land. The bill also requires the Forest Service to develop an annual priority list of environmental restoration projects and authorizes $200 million over ten years to the forest service to implement these projects on federal lands. The list must include projects that will improve water quality, forest health, soil conservation, air quality, and fish and wildlife habitat around the lake.

In developing the environmental restoration priority list, the Forest Service must rely on the best available science, and consider projects that local governments, businesses, and environmental groups have targeted as top priorities. The Forest Service also must consult with local community leaders.

The bill requires the Forest Service to give special attention on its priority list to four key activities: acquisition of environmentally sensitive land from willing sellers, erosion and sediment control, fire risk reduction, and traffic and parking management, including promotion of public transportation.

The Lake Tahoe Restoration Act also requires that $100 million of the $300 million over ten years be in payments to local governments for erosion control activities on non-federal lands. These payments will help local governments conduct soil conservation and erosion mitigation projects, restore wetlands and stream environmental zones, and plant native vegetation to filter out sediment and debris.

I have been working on the Lake Tahoe Restoration Act for over a year, in conjunction with Senator REID and over a dozen community groups at Lake Tahoe. The Lake Tahoe Transportation and Water Quality Coalition, a local consensus group of 18 businesses and environmental groups, has worked extremely hard on this bill, and I am grateful for their input and support.

Thanks in large part to their work, the bill has strong, bi-partisan support from nearly every major group in the Tahoe Basin. The bill is supported by the League to Save Lake Tahoe, the South Lake Tahoe Chamber of Commerce, and the Lake Tahoe Gaming Alliance, to name just a few. Major environmental groups also support the bill, including the Sierra Club, Wilderness Society, and California League of Conservation Voters.

The bottom line is that time is running out for Lake Tahoe. We have ten years to do something major or the water quality deterioration is irreversible.

We have a limited period of time, or the 25 percent of the dead and dying trees and the combustible masses that it produced are sure to catch fire, and a major forest fire will result.

Mr. President, this crown jewel deserves the attention, and the fact that the federal government owns 77 percent of that troubled area makes the responsibility all so clear.

I am hopeful that the United States Senate will move quickly to consider the Lake Tahoe Restoration Act. I urge my colleagues in the Senate to join me in preserving this national treasure for generations to come.

By Mr. LAUTENBERG:

S. 1193. A bill to improve the safety of animals transported on aircraft, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE SAFE AIR TRAVEL FOR ANIMALS ACT

Mr. LAUTENBERG. Mr. President, I have a piece of legislation which I rise to introduce. This legislation is designed to protect a segment of our population that can't protect itself. I am talking about pets—dogs, cats, and others that travel by air. I want to put this into perspective. Over 70 million households in America have pets—70 million. So it affects a significant portion of our population. Pets become family members and they become a source of significant affection and attachment. In some cases, they are the vision for those who are sightless. They establish precious relationships.

Over the last 5 years, there have been over 2,500 documented instances of dogs and cats experiencing severe injury in air travel, and 108 cats and dogs have died just as a result of exposure to excessive temperatures.

Pets aren't baggage. They are part of a family, in many instances, and they ought to be treated that way when they accompany their masters when they fly. Over 500,000 pets a year are transported by air across this country. News reports have detailed stories of pets being left out on hot days, sitting on tarmacs while flights were delayed, or stuffed into cargo holds with little or no airflow, causing them to injure themselves in the desperation to escape this entrapment and very difficult environment.

Some pets have actually had heavy baggage placed directly on top of their carriers. It is unacceptable. We can and must prevent these inhumane practices.

So today I am introducing The Safe Air Travel for Animals Act. This bill responds to the tragic stories we have heard involving the death or injury of many beloved pets while traveling by airplane.

The legislation has three goals. First, it ensures that airlines are held accountable for mistreatment of our pets, to ensure that animals are not treated like a set of golf clubs or other baggage. This legislation will put airlines on a tight leash.

Second, the bill provides consumers with the right to know if an airline has a record of mistreatment or accidents with pets.

Third, the bill addresses the problems of the aircraft themselves, making sure that the cargo hold is as safe as it possibly can be for animal travel.

Airlines need to be held accountable for the harm they permit to happen to

our pets. Right now, airlines are only liable to owners for up to $1,250 for losing, injuring, or killing a pet.

That is no different from what they would be liable for if they lost your suitcase. Under my bill, that limit for liability will be double.

Now, anyone who owns a pet knows how expensive veterinary bills can be. If an animal is injured or dies as a result of flying, my bill would require the airlines to pay for the costs of veterinary care.

Mr. President, my bill also provides consumers with the right to know about the conditions they face when they transport their animals by plane. My bill requires airlines to immediately report any incidents involving loss, injury or death of animals.

Most importantly, the bill puts this information into the hands of the flying public. Pet owners should know which airlines are doing a good job, and which need to do better. Just as consumers favor airlines with solid, on-time records, they will also favor the airlines that have a good safety record with our pets. And, an airline that does a good job will want this information in the hands of consumers.

Finally, the bill addresses the problem of the aircraft themselves. The airline industry is undergoing a retrofitting process, as required by the FAA, of all ''class D'' cargo holds, to prevent fires.

These are special holds that have the facility to turn off the oxygen in the event of smoke or fire. But that also means that that is an execution for the pets that are in those holds.

I believe that the industry should use this opportunity to see what improvements can be made to allow for better oxygen flow and temperature control to protect our pets.

Mr. President, we must do more to prevent unnecessary deaths caused by lack of oxygen flow or exposure to heat.

With this bill, travelers will feel more secure about using air travel to transport their pets.

I hope that my colleagues will join me in support of this legislation.

By Mr. COVERDELL:

S. 1196. A bill to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes; to the Committee on the Judiciary.

THE NATIONAL FORENSIC SCIENCE IMPROVEMENT ACT

Mr. COVERDELL. Mr. President, today I introduce the National Forensic Science Improvement Act, a bill designed to address the growing backlog in our nation's crime labs. Across the country, state and local crime labs, Medical Examiners' and Coroners' offices face alarming shortages in forensic science resources. While other areas of our criminal justice system such as the courts and prison systems have benefitted from federal assistance, the highly technical and expensive forensic sciences have received little attention. Mr. President, my bill will help correct this problem.

There are 600 qualified state and local crime laboratories in the United States which deliver 90% of the total forensic science services in this country. In a 1996 national survey of 299 crime labs it was found that 8 out of 10 labs have experienced a growth in the caseload which exceeds the growth in budget and/or staff. Mr. President, I need go no further to demonstrate that this is a national problem. Without the swift processing of evidence our criminal justice system cannot operate as it is intended. I believe it is time to take a step to address specifically the problems our crime labs face.

The National Forensic Science Improvement Act has been endorsed by organizations such as the National Governors Association, the National Association of Attorneys General, the Association of State Criminal Investigative Agencies and the International Association of Chiefs of Police who see it as a flexible approach to a problem that indeed has far-ranging consequences. Mr. President, it is my belief that Congress must work to ensure justice in this country is neither delayed nor denied. Right now across the country backlogs in crime labs are denying the swift administration of justice and with this bill we have a ready solution.

In crafting this bill I have worked closely with the Georgia Bureau of Investigation which is suffering heavily under a growing caseload. At its headquarters in Decatur, GA the GBI has a number of cataloging systems that are not yet computerized. Further, they lack the funding to create computer networks that would connect not only their forensic equipment with internal computers, but would also allow them to share information with crime labs across the country. While the Governor has taken steps to provide the GBI with more funding for forensic sciences, it remains clear that federal assistance is needed.

Last year the Senate passed the Crime Identification Technology Act. This important measure, which I supported, was a good step towards improving the technology employed by law enforcement across the country. I believe my bill is the next logical step in this body's effort to improve the manner in which justice is administered in this country.

By Mr. ROTH (for himself, Mr. SMITH of New Hampshire, Mr. LEVIN, and Mr. SCHUMER):

S. 1197. A bill to prohibit the importation of products made with dog or cat fur, to prohibit the sale, manufacture, offer for sale, transportation, and distribution of products made with dog or cat fur in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

DOG AND CAT PROTECTION ACT OF 1999

Mr. ROTH. Mr. President, I rise today to introduce legislation that runs to the heart of who we are and what we hold dear and meaningful in our lives.

There is a special relationship between men, women, children, and their family pets—particularly their dogs and cats.

I have been profoundly affected in my life because of the animals that transcended emotional boundaries to become true and meaningful friends—even a part of the family. I can name every dog I've owned since I was a boy.

I can tell you their qualities, their peculiarities, their preferences and dislikes. Even now, my wife Jane and I—our children and grandchildren—are surrounded by the most loyal St. Bernards in the world. They—as all the pets we've had—speak volumes about strong and lasting friendship.

You can understand, given this background, that I am outraged to learn that there are clothing articles imported into America that are made from the fur of these precious animals.

I'm outraged to learn that dog and cat fur is being used in a wide variety of products, including fur coats and jackets.

I'm outraged to learn from the Humane Society of the United States that more than two million dogs and cats are killed annually as part of the fur trade, and that many retailers in the U.S. who sell these items are doing so unaware of their content.

To respond to this growing problem, I'm introducing legislation today, the Dog and Cat Protection Act of 1999, to prohibit the domestic sale, manufacture, transportation, and distribution of products made with cat or dog fur.

My legislation requires all fur products to be labelled, closing a loophole in the current law, and it will ban deceptive or misleading labelling of these products so consumers and retailers can buy with confidence, knowing that they are not supporting this tragic process.

With this legislation, our message will be clear: No matter where in the world this merchandise is made, there will be no legitimate market for it here—not in the United States.

This is important legislation. It will provide uniformity of regulations and prevent conflicts between states. It will give the Justice Department the ability to enforce the law and prosecute those who may try to get around it.

And the U.S. Customs Service would be able to function as the first line of defense. I appreciate the work being done by the Humane Society of the United States and many other important organizations to heighten our awareness of these kinds of issues.

And I look forward to working with my colleagues to see this legislation enacted into law. Thank you, 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. 1197

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 ''Dog and Cat Protection Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) An estimated 2,000,000 dogs and cats are slaughtered and sold annually as part of the international fur trade. Internationally, dog and cat fur is used in a wide variety of products, including fur coats and jackets, fur-trimmed garments, hats, gloves, decorative accessories, stuffed animals, and other toys.

(2) As demonstrated by forensic tests, dog and cat fur products are being imported into the United States, in some cases with deceptive labeling to conceal the use of dog or cat fur.

(3) Dog and cat fur, when dyed, is not easily distinguishable to persons who are not experts from other furs such as fox, rabbit, coyote, wolf, and mink. Dog and cat fur is generally less expensive than other types of fur and may be used as a substitute for more expensive types of furs.

(4) Foreign fur producers use dogs and cats bred for their fur, and also use strays and stolen pets.

(5) The methods of housing, transporting, and slaughtering dogs and cats for fur production are generally unregulated and inhumane.

(b) PURPOSES.—The purposes of this Act are—

(1) to prohibit the sale, manufacture, offer for sale, transportation, and distribution in the United States of dog and cat fur products;

(2) to require accurate labeling of fur species so that consumers in the United States can make informed choices; and

(3) to prohibit the trade in, both imports and exports of, dog and cat fur products, to ensure that the United States market does not encourage the slaughter of dogs or cats for their fur, and to ensure that the purposes of this Act are not undermined.

SEC. 3. DEFINITIONS.

In this Act:

(1) DOG FUR.—The term ''dog fur'' means the pelt or skin of any animal of the species *canis familiaris*.

(2) CAT FUR.—The term ''cat fur'' means the pelt or skin of any animal of the species *felis catus*.

(3) UNITED STATES.—The term ''United States'' means the customs territory of the United States, as defined in general note 2 of the Harmonized Tariff Schedule of the United States.

(4) COMMERCE.—The term ''commerce'' means transportation for sale, trade, or use between any State, territory, or possession of the United States, or the District of Columbia, and any place outside thereof.

(5) DOG OR CAT FUR PRODUCT.—The term ''dog or cat fur product'' means any item of merchandise which consists, or is composed in whole or in part, of any dog fur, cat fur, or both.

(6) PERSON.—The term ''person'' includes any individual, partnership, corporation, association, organization, business trust, government entity, or other entity.

(7) INTERESTED PARTY.—The term ''interested party'' means any person having a contractual, financial, humane, or other interest.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(9) DULY AUTHORIZED OFFICER.—The term ''duly authorized officer'' means any United States Customs officer, any agent of the Federal Bureau of Investigation, or any agent or other person authorized by law or designated by the Secretary to enforce the provisions of this Act.

SEC. 4. PROHIBITIONS.

(a) PROHIBITION ON MANUFACTURE, SALE, AND OTHER ACTIVITIES.—No person in the United States or subject to the jurisdiction of the United States may introduce into commerce, manufacture for introduction into commerce, sell, trade, or advertise in commerce, offer to sell, or transport or distribute in commerce, any dog or cat fur product.

(b) IMPORTS AND EXPORTS.—No dog or cat fur product may be imported into, or exported from, the United States.

SEC. 5. LABELING.

Section 2(d) of the Fur Products Labeling Act (15 U.S.C. 69(d)) is amended by striking ''; except that such term shall not include such articles as the Commission shall exempt by reason of the relatively small quantity or value of the fur or used fur contained therein''.

SEC. 6. ENFORCEMENT.

(a) IN GENERAL.—The Secretary, either independently or in cooperation with the States, political subdivisions thereof, and interested parties, is authorized to carry out operations and measures to eradicate and prevent the activities prohibited by section 4.

(b) INSPECTIONS.—A duly authorized officer may, upon his own initiative or upon the request of any interested party, detain for inspection and inspect any product, package, crate, or other container, including its contents, and all accompanying documents to determine compliance with this Act.

(c) SEIZURES AND ARRESTS.—If a duly authorized officer has reasonable cause to believe that there has been a violation of this Act or any regulation issued under this Act, such officer may search and seize, with or without a warrant, the item suspected of being the subject of the violation, and may arrest the owner of the item. An item so seized shall be held by any person authorized by the Secretary pending disposition of civil or criminal proceedings.

(d) BURDEN OF PROOF.—The burden of proof shall lie with the owner to establish that the item seized is not a dog or cat fur product subject to forfeiture and civil penalty under section 7.

(e) ACTION BY U.S. ATTORNEY.—Upon presentation by a duly authorized officer or any interested party of credible evidence that a violation of this Act or any regulation issued under this Act has occurred, the United States Attorney with jurisdiction over the suspected violation shall investigate the matter and shall take appropriate action under this Act.

(f) CITIZEN SUITS.—Any person may commence a civil suit to compel the Secretary to implement and enforce this Act, or to enjoin any person from taking action in violation of any provision of this Act or any regulation issued under this Act.

(g) REWARD.—The Secretary may pay a reward to any person who furnishes information which leads to an arrest, criminal conviction, civil penalty assessment, or forfeiture of property for any violation of this Act or any regulation issued under this Act.

(h) REGULATIONS.—

(1) IN GENERAL.—The Secretary shall issue final regulations, after notice and opportunity for public comment, to implement this Act within 180 days after the date of enactment of this Act.

(2) FEES.—The Secretary may charge reasonable fees for expenses to the Government connected with permits or certificates authorized by this Act, including expenses for—

(A) processing applications;

(B) reasonable inspections; and

(C) the transfer, handling, or storage of evidentiary items seized and forfeited under this Act.

All fees collected pursuant to this paragraph shall be deposited in the Treasury in an account specifically designated for enforcement of this Act and available only for that purpose.

SEC. 7. PENALTIES.

(a) CIVIL PENALTY.—Any person who violates any provision of this Act or any regulation issued under this Act may be assessed a civil penalty of not more than $25,000 for each violation.

(b) CRIMINAL PENALTY.—Any person who knowingly violates any provision of this Act or any regulation issued under this Act shall, upon conviction for each violation, be imprisoned for not more than 1 year, fined in accordance with title 18, United States Code, or both.

(c) FORFEITURE.—Any dog or cat fur product that is the subject of a violation of this Act or any regulation issued under this Act shall be subject to seizure and forfeiture to the same extent as any merchandise imported in violation of the customs laws.

(d) INJUNCTION.—Any person who violates any provision of this Act or any regulation issued under this Act may be enjoined from further sales of any fur products.

(e) APPLICABILITY.—The penalties in this section apply to violations occurring on or after the date of enactment of this Act.

By Mr. SHELBY (for himself, Mr. BOND, and Mr. LOTT):

S. 1198. A bill to amend chapter 8 of title 5, United States Code, to provide for a report by the General Accounting Office to Congress on agency regulatory actions, and for other purposes; to the Committee on Governmental Affairs.

CONGRESSIONAL ACCOUNTABILITY FOR REGULATORY INFORMATION ACT OF 1999

Mr. SHELBY. 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. 1198

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 ''Congressional Accountability for Regulatory Information Act of 1999''.

SEC. 2. FINDINGS.

Congress finds that—

(1) many Federal regulations have improved the quality of life of the American public, however, uncontrolled increases in regulatory costs and lost opportunities for better regulation cannot be continued;

(2) the legislative branch has a responsibility to ensure that laws passed by Congress are properly implemented by the executive branch; and

(3) in order for the legislative branch to fulfill its responsibilities to ensure that laws passed by Congress are implemented in an efficient, effective, and fair manner, the Congress requires accurate and reliable information on which to base decisions.

SEC. 3. REPORTS ON REGULATORY ACTIONS BY THE GENERAL ACCOUNTING OFFICE.

(a) IN GENERAL.—Section 801(a)(2) of title 5, United States Code, is amended by striking

subparagraph (B) and inserting the following:

''(B)(i) After an agency publishes a regulatory action, a committee of either House of Congress with legislative or oversight jurisdiction relating to the action may request the Comptroller General to review the action under clause (ii).

''(ii) Of requests made under clause (i), the Comptroller General shall provide a report on each regulatory action selected under clause (iv) to the committee which requested the report (and the committee of jurisdiction in the other House of Congress) not later than 180 calendar days after the committee request is received. The report shall include an independent analysis of the regulatory action by the Comptroller General using any relevant data or analyses available to or generated by the General Accounting Office.

''(iii) The independent analysis of the regulatory action by the Comptroller General under clause (ii) shall include—

''(I) an analysis by the Comptroller General of the potential benefits of the regulatory action, including any beneficial effects that cannot be quantified in monetary terms and the identification of those likely to receive the benefits;

''(II) an analysis by the Comptroller General of the potential costs of the regulatory action, including any adverse effects that cannot be quantified in monetary terms and the identification of those likely to bear the costs;

''(III) an analysis by the Comptroller General of any alternative regulatory approaches, which have been identified, that could achieve the same goal in a more cost-effective manner or that could provide greater net benefits, and, if applicable, a brief explanation of any statutory reasons why such alternatives could not be adopted;

''(IV) an analysis of the extent to which the regulatory action would affect State or local governments; and

''(V) a summary of how the results of the Comptroller General's analysis differ, if at all, from the results of the analyses of the agency in promulgating the regulatory action.

''(iv) In consultation with the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, the Comptroller General shall develop procedures for determining the priority and number of those requests for review under clause (i) that will be reported under clause (ii).

''(C) Federal agencies shall cooperate with the Comptroller General by promptly providing the Comptroller General with such records and information as the Comptroller General determines necessary to carry out this section.''.

(b) DEFINITIONS.—Section 804 of title 5, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (5), respectively;

(2) by inserting after paragraph (1) the following:

''(2) The term 'independent analysis' means a substantive review of the agency's underlying assessments and assumptions used in developing the regulatory action and any additional analysis the Comptroller General determines to be necessary.''; and

(3) by inserting after paragraph (3) (as redesignated by paragraph (1) of this subsection) the following:

''(4) The term 'regulatory action' means—

''(A) notice of proposed rule making;

''(B) final rule making, including interim final rule making; or

''(C) a rule.''.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the General Accounting Office to carry out chapter 8 of title 5, United States Code, $5,200,000 for each of fiscal years 2000 through 2003.

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 180 days after the date of enactment of this Act.

ADDITIONAL COSPONSORS

S. 335

At the request of Ms. COLLINS, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 335, a bill to amend chapter 30 of title 39, United States Code, to provide for the nonmailability of certain deceptive matter relating to games of chance, administrative procedures, orders, and civil penalties relating to such matter, and for other purposes.

S. 343

At the request of Mr. BOND, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 343, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

S. 424

At the request of Mr. COVERDELL, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 424, a bill to preserve and protect the free choice of individuals and employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 446

At the request of Mrs. BOXER, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 446, a bill to provide for the permanent protection of the resources of the United States in the year 2000 and beyond.

S. 512

At the request of Mr. GORTON, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 512, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism.

S. 514

At the request of Mr. COCHRAN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 514, a bill to improve the National Writing Project.

S. 566

At the request of Mr. LUGAR, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 566, a bill to amend the Agricultural Trade Act of 1978 to exempt agricultural commodities, livestock, and value-added products from unilateral economic sanctions, to prepare for future bilateral and multilateral trade negotiations affecting United States agriculture, and for other purposes.

S. 676

At the request of Mr. CAMPBELL, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 676, a bill to locate and secure the return of Zachary Baumel, a citizen of the United States, and other Israeli soldiers missing in action.

S. 680

At the request of Mr. HATCH, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 680, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, and for other purposes.

S. 737

At the request of Mr. CHAFEE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 737, a bill to amend title XIX of the Social Security Act to provide States with options for providing family planning services and supplies to women eligible for medical assistance under the medicaid program.

S. 820

At the request of Mr. MACK, his name was added as a cosponsor of S. 820, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

S. 914

At the request of Mr. SMITH, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 914, a bill to amend the Federal Water Pollution Control Act to require that discharges from combined storm and sanitary sewers conform to the Combined Sewer Overflow Control Policy of the Environmental Protection Agency, and for other purposes.

S. 918

At the request of Mr. KERRY, the names of the Senator from Utah (Mr. HATCH) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 918, a bill to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small business, and for other purposes.

S. 1034

At the request of Mr. AKAKA, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1034, a bill to amend title XVIII of the Social Security Act to increase the amount of payment under the medicare program for pap smear laboratory tests.

S. 1070

At the request of Mr. BOND, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1070, a bill to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard, regulation or guideline on ergonomics.

S. 1074

At the request of Mr. TORRICELLI, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from