

of a rule entitled "Azoxystrobin; Pesticide Tolerances for Emergency Exemptions" (FRL # 6086-9), received July 29, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4570. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenbutatin oxide, Glyphosate, Linuron, and Mevinphos; Tolerance Actions" (FRL # 6096-2), received July 29, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4571. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Formaldehyde; Revocations of Exemption from the Requirement of Tolerances" (FRL # 6097-1), received July 29, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4572. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Revised Format of 40 CFR Part 52 for Materials Being Incorporated by Reference for Rhode Island" (FRL # 6411-3), received August 3, 1999; to the Committee on Environment and Public Works.

EC-4573. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities; New York" (FRL # 6414-1), received August 3, 1999; to the Committee on Environment and Public Works.

EC-4574. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Lead; Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; Certification Requirements and Work Practice Standards for Individuals and Firms; Amendment" (FRL # 6097-5), received August 4, 1999; to the Committee on Environment and Public Works.

EC-4575. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "NESHAPS: Final Standards for Hazardous Air Pollutants for Hazardous Waste Combustors" (FRL # 6413-3), received August 4, 1999; to the Committee on Environment and Public Works.

EC-4576. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled "Small Equity Compliance Guide-National Volatile Organic Compound Emission Standards for Agricultural Coatings"; to the Committee on Environment and Public Works.

EC-4577. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled "A Guide to Preparing Superfund Proposed Plans, Records of Decision, and Other Remedy Selection Decision Documents"; to the Committee on Environment and Public Works.

EC-4578. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; 15 Percent Plan for the Metropolitan Washington, DC Ozone Non-attainment Area" (FRL # 6412-5), received July 29, 1999; to the Committee on Environment and Public Works.

EC-4579. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Authorization of State Hazardous Waste Management Program Revision" (FRL # 6410-1), received July 28, 1999; to the Committee on Environment and Public Works.

EC-4580. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New Jersey: Authorization of State Hazardous Waste Management Program" (FRL # 6411-2), received July 28, 1999; to the Committee on Environment and Public Works.

EC-4581. A communication from the Director, Office of Congressional Affairs, Division of Fuel Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision to 10 CFR Part 70, Domestic Licensing of Special Nuclear Material" (RIN3150-AF22), received July 29, 1999; to the Committee on Environment and Public Works.

EC-4582. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "10 CFR Part 31-Final Rule to Amend 10 CFR 31.5, 'Requirements for Those Who Possess Certain Industrial Devices Containing By-product Material to Provide Requested Information'" (RIN3150-AG06), received August 2, 1999; to the Committee on Environment and Public Works.

EC-4583. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "10 CFR Part 31-Final Rule to Amend 10 CFR 31.5, 'General Statement of Policy and Procedures for NRC Enforcement Actions, NUREG-1600 Rev. 1'", received August 2, 1999; to the Committee on Environment and Public Works.

EC-4584. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report relative to nondisclosure of Safeguards Information for the calendar quarter April 1 to June 30, 1999; to the Committee on Environment and Public Works.

EC-4585. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation relative to the safety of motor carrier operations; to the Committee on Commerce, Science, and Transportation.

EC-4586. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation entitled "Federal Railroad Safety Enhancement Act of 1999"; to the Committee on Commerce, Science, and Transportation.

EC-4587. A communication from the Director, Minority Business Development Agency, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Identification of Currently Funded Projects

Eligible to be Extended for an Additional Year of Funding in Light of MBDA's Intent to Revise Its Client Service-Delivery Programs" (RIN0640-ZA05), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4588. A communication from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation to amend the Commercial Space Act of 1998; to the Committee on Commerce, Science, and Transportation.

EC-4589. A communication from the Trade Representative, Executive Office of the President, transmitting, pursuant to law, a report relative to responses to recommendations contained in a report entitled "Building American Prosperity in the 21st Century", issued in April 1997; to the Committee on Finance.

EC-4590. A communication from the Deputy Executive Secretary, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Child Support Enforcement Programs 'State Plan Requirements', Standard for Program Operations; and Federal Financial Participation (Paternity Establishment)" (RIN0970-AB69), received August 3, 1999; to the Committee on Finance.

EC-4591. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Documentation Requirements for Matching Credit Card and Debit Card Contributions in Presidential Campaigns", received August 4, 1999; to the Committee on Rules and Administration.

EC-4592. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report of the allotment of emergency funds under the Low-Income Home Energy Assistance Act of 1981; to the Committee on Health, Education, Labor, and Pensions.

EC-4593. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Rescheduling of the Food and Drug Administration Approved Product Containing Synthetic Dronabinol [(-)-delta-9-(trans)-Tetrahydrocannabinol] in Sesame Oil and Encapsulated in Soft Gelatin Capsules from Schedule II to Schedule III" (DEA-180F), received August 3, 1999; to the Committee on the Judiciary.

EC-4594. A communication from the Assistant General Counsel for Regulatory Law, Office of Environmental Management, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Radioactive Waste Management; Radioactive Waste Management Manual; Implementation Guide for Use with Radioactive Waste Management Manual" (O 435.1; M 435.1; G 435.1), received August 3, 1999; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

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

POM-290. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the proposed "Estuary Habitat Restoration Partnership Act"; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 128

Whereas, Louisiana's wetlands and estuaries provide critical habitat and food resources for some of our nation's premier recreational and commercial fisheries; and

Whereas, Louisiana's commercial fisheries are the most bountiful of those of the lower forty-eight states, providing a major percentage of our nation's total catch; and

Whereas, the citizens of this state and nation must be ever vigilant in our stewardship of these vital resources; and

Whereas, within the last fifty years, Louisiana has lost forty square miles per year and has lost an estimated twenty-five to thirty-five square miles per year this decade. These losses represent a loss of barrier islands and wetlands that effect the pattern of salinity gradients in our bays, sounds, and inlets which is the foundation for sustaining biological productivity; and

Whereas, United States Senator John Chaffe and United States Senator John Breaux will be introducing the Estuary Habitat Restoration Partnership Act to encourage the restoration of America's vital estuary resources; and

Whereas, the Estuary Habitat Restoration Partnership Act will use federal dollars to encourage and move state, local, and private resources to restore one million acres of estuary habitat by the year 2010.

Therefore, be it *resolved* That the Legislature of Louisiana does hereby memorialize the United States Congress to enact the Estuary Habitat Restoration Partnership Act.

Be it further *resolved*, That a copy of this Resolution be forwarded to the presiding officers of the United States Senate and United States House of Representatives and to the Louisiana congressional delegation.

POM-291. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the Federal Migratory Bird Conservation Act; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 107

Whereas, to provide the public with the convenience of increased availability of hunting and fishing licenses, many states have implemented or are in the process of implementing an electronic system for the issuance of hunting and fishing licenses; and

Whereas, generally those systems for the electronic issuance of hunting and fishing licenses allow for the issuance of all licenses and permits and stamps which are required by the state; however, no system at this time has the authority to include issuance of the federal duck stamp through its electronic system; and

Whereas, the authority to include issuance of the federal duck stamp would enable a citizen to purchase all required hunting and fishing licenses, permits, and stamps all at one time, in one place, without the necessity of going to another place to purchase just the federal duck stamp; and

Whereas, legislation has been prepared which would allow each state the option of devising their own system to issue, recognize, and account for a temporary electronic federal duck stamp until such time as the actual duck stamp is received in the mail.

Therefore, be it: *Resolved*, That the Louisiana Legislature does hereby memorialize the United States Congress to amend the Federal Migratory Bird Conservation Act (16 U.S.C.A. 715) to authorize certain states to issue temporary federal duck stamp privileges through electronic license issuance systems.

Be it further *resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-292. A concurrent resolution adopted by the Legislature of the State of Louisiana

relative to the United States-Asia Environmental Partnership, the Environmental Technology Network for Asia, and the Council of State Governments' State Environmental Initiative; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION NO. 222

Whereas, the United States Agency for International Development established the United States-Asia Environmental Partnership to address environmental degradation and sustainable development issues in the Asia/Pacific region by mobilizing the environmental experience, technology, and services available in the United States; and

Whereas, the goals of the United States-Asia Environmental Partnership are to foster and disseminate clean technology and environmental management, to develop urban environmental infrastructure, and to establish a policy framework to sustain a "clean revolution" to protect the environment; and

Whereas, the United States-Asia Environmental Partnership promotes the development of less-polluting and more resource-efficient products, processes, and services as well as practical solutions to local environmental problems in the Asia/Pacific region; and

Whereas, along with its many partners, the United States-Asia Environmental Partnership stimulates direct technology transfer, develops networks and long-term relationships, disseminates information, identifies financial assistance vehicles, provides grants and fellowships, and organizes business and technology exchanges; and

Whereas, the United States-Asia Environmental Partnership has opened Offices of Technology Cooperation, in thirteen Asian cities, staffed by experts who identify market opportunities, make contacts, and advocate United States environmental technology and services to Asian companies by matching the problems of Asian companies with the appropriate United States environmental experience and technology to solve them; and

Whereas, the United States-Asia Environmental Partnership and the Global Technology Network of the United States Agency for International Development established the Environmental Technology Network for Asia as a clearinghouse to collect environmental trade leads from the Asia/Pacific region and disseminate them to United States environmental technology and services firms; and

Whereas, the Environmental Technology Network for Asia assists program participants by preparing market trend analyses on participating countries, providing business counseling to United States environmental companies interested in expanding into Asia, developing fact sheets on United States technologies, and disseminating that information to United States government counterparts overseas; and

Whereas, through the Environmental Technology Network for Asia, the United States-Asia Environmental Partnership has created over eight thousand one hundred jobs, generated over four thousand trade leads, and matched those leads with two thousand four hundred environmental companies in the United States; and

Whereas, the Council of State Governments and the United States-Asia Environmental Partnership established the State Environmental Initiative, a matching grant program, to encourage international partnerships in environment and economic development between individual states and Asian countries through the transfer of United States environmental experience, technology, and practice from individual states to Asian countries; and

Whereas, the goals of the State Environmental Initiative are to promote the transfer of environmental expertise and technology, facilitate partnerships that link Asian needs with United States environmental experience, technology, and practice, and to initiate a "clean revolution" in Asia by promoting clean technology and responsible environmental management; and

Whereas, the State Environmental Initiative fosters the export of United States environmental solutions and experience by matching the needs of Asian countries with appropriate environmental technology and state environmental regulatory experience, by informing United States environmental firms about Asian opportunities, and by sponsoring a matching grant program to encourage international partnerships.

Therefore, be it: *Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to continue to support and fund the United States-Asia Environmental Partnership, the Environmental Technology Network for Asia, and the Council of State Governments' State Environmental Initiative.

Be it further *resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-293. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the DeRidder Automated Flight Service Station; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION NO. 216

Whereas, flight service stations are general aviation air traffic control facilities that are an integral part of the air traffic control system and are staffed with highly skilled essential government employees; and

Whereas, flight service stations provide pilots with current and forecasted whether at origination, en route, and at destination, and also as necessary suggest appropriate flight routes and levels and alternate routes or destinations, based upon consideration of weather, operating characteristics of the aircraft, navigation aids, and terrain; and

Whereas, flight service stations provide pilot briefings, en route flight advisories, search and rescue services, assistance to lost and distressed aircraft, relay air traffic control clearances, originate notices to airmen, monitor pilot reports, broadcast aviation weather information, receive and process flight plans, monitor navigational aids, take weather observations, issue airport advisories, and advise Customs and Immigration officials of flights crossing national borders; and

Whereas, flight service stations provide up-to-the-minute weather information in pilot briefings by integrating and interpreting weather information from multiple sources such as satellite imagery, upper air charts, and pilot weather reports, to stay abreast of current weather trends; and

Whereas, flight service stations provide en route flight advisories which are timely and pertinent weather information bulletins prepared by specially trained and highly skilled air traffic specialists who interpret and adapt the latest weather information for the type, route, and altitude of a specific en route flight; and

Whereas, flight service stations are valuable resources that monitor flight plans and provide lifesaving search and services by initiating a chain of events using the combined efforts of several federal agencies to find aircraft that become overdue; and

Whereas, flight service stations control airspace by monitoring gliders and parachute jumps and provide emergency security

control of air traffic when emergency conditions exist which threaten national security by identifying the position of all friendly air traffic and controlling the density of air traffic operating in airspace critical to air defense operations; and

Whereas, flight service stations began as aviation support facilities known as airway radio stations that provided local weather observations and forecasts for military aircraft in World War I and later for air mail aircraft; and

Whereas, the Air Commerce Act brought airway radio stations under the control of the Department of Commerce, and later the Civil Aeronautics Act transferred aeronautical functions from the Department of Commerce to the newly created Civil Aeronautics Authority, which changed the name of the airway radio station to the airway communication station; and

Whereas, during World War II, airway communication stations provided air traffic control services to military aircraft, and the rapid growth of postwar aviation led to the Federal Aviation Act which merged the Civil Aeronautics Authority with other agencies to create the Federal Aviation Agency; and

Whereas, initially airborne pilots could only get verbatim weather reports and forecasts, but in 1961 flight service station personnel were trained as pilot weather briefers and could summarize and interpret weather charts and reports to provide pilot weather briefings aimed at reducing weather-related aviation accidents; and

Whereas, after a series of fatal aviation accidents, the Federal Aviation Agency was renamed the Federal Aviation Administration and transferred to the Department of Transportation with a focus on upgrading radar and computer equipment to reduce weather-related aircraft accidents; and

Whereas, as a result of increasing traffic loads, the flight service automation system was conceived to upgrade and consolidate air navigation facilities to provide better and more efficient air traffic control services; and

Whereas, in accordance with the flight service automation system, the four hundred flight service stations in the country have been consolidated into just over one hundred automated flight service stations; and

Whereas, it is the policy of the United States that the safe operation of the airport and airway system is the highest aviation priority; and

Whereas, it is the duty of the administrator of the Federal Aviation Administration to implement this policy by maximizing the effectiveness of the air traffic control system and insuring that all air traffic control stations are adequately staffed and equipped; and

Whereas, to improve air traffic control services and increase air traffic safety, congress passed the Airport and Airway Improvement Act of 1982, the Aviation Safety and Capacity Expansion Act of 1990, and the Air Traffic Management System Performance Improvement Act of 1996; and

Whereas, flight service station personnel are under a duty to both pilots and their passengers to furnish accurate, complete, and current weather information and to suggest appropriate action to avoid storms and dangerous areas; and

Whereas, flight service station personnel are responsible for the consequences of placing aircraft in a position of a peril by negligently furnishing inaccurate weather information; and

Whereas, because the United States has assumed the duty to provide weather information to aircraft for the protection of air travelers, it can be held liable under the Federal Tort Claims Act for the negligence of flight

service station personnel who provide inaccurate information to aircraft that rely on it to their detriment; and

Whereas, all of the flight service stations in Louisiana have been consolidated into the DeRidder Automated Flight Service Station, thus making its personnel responsible for all of general aviation in the state; and

Whereas, adequate staffing of the DeRidder Automated Flight Service Station is critical to providing general aviation aircraft in Louisiana essential information for safe and secure air travel; and

Whereas, the DeRidder Automated Flight Service Station often services the entire state with only three or four air traffic control specialists to cover five operational positions; and

Whereas, due to the staffing situation, the supervisor of the DeRidder Automated Flight Service Station will often have to eliminate the recorded daily broadcast of general weather information for pilots and the display of critical weather information used by pilot weather briefers; and

Whereas, additional experienced personnel have not been provided to alleviate the shortage, and the current staff will soon begin spending more time training the new employees that are being hired to replace those that are leaving; and

Whereas, when air traffic becomes too great for the staff, the operational procedure is to transfer calls to another automated flight service station, which results in degraded services to the pilots because the pilot weather briefers taking the transferred calls are not area rated for the state of Louisiana; and

Whereas, this degradation of air traffic control services could pose a serious safety risk to the flying public because it weakens a critical link that pilots need to assess weather conditions along their flight route; and

Whereas, considering that approximately half of all general aviation aircraft accidents are weather-related, and that Louisiana has the highest level of helicopter travel in the nation, general aviation air travelers cannot afford to rely on degraded air traffic control services.

Therefore, be it *Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to adequately fund and staff the DeRidder Automated Flight Service Station.

Be it further resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-294. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the U.S. Geological Survey's water resource programs; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION NO. 185

Whereas, water, in the form of floods, is a major natural hazard to our country's people, property, and environment, and the United States Geological Survey, the USGS, has long been the source nationwide for reliable and accurate water resources data of importance to many people who make critical decisions daily which affect public health and safety; and

Whereas, with our ever-increasing population and urbanization, there is a growing need to develop programs, plans, and facilities to mitigate the effects of flooding throughout the country; and

Whereas, the most accurate and universally used source of water resources data is

the USGS and the stream-gauging network they have set up and operated across the country over the period of several decades, which stream-gauging network collects real-time river stage and discharge data which is transmitted by satellite from more than 4,200 USGS stream-gauging stations to various federal agencies such as the National Weather Service, the U.S. Army Corps of Engineers, and the Federal Emergency Management Agency, where it is used to make critical decisions for which inaccurate or inadequate data would have a devastating impact; and

Whereas, the USGS budget for Fiscal Year 2000 anticipates a ten percent reduction in the Federal-State Cooperative program, within which several Louisiana state departments and local agencies participate, a \$2.5 million decrease for the Clean Water Action Plan, and a four percent reduction in the Hydrologic Network and Analysis Program; and

Whereas, these are all critical programs to the accuracy and adequacy of water resources data across the country, and particularly in the state of Louisiana where water is such a large part of our lives, our public planning process, and where river stage and discharge information are of critical importance to the preservation of life, property, and water quality, all at a time when the need for streamflow data is increasing rather than decreasing.

Therefore, be it *Resolved by the House of Representatives of the Louisiana Legislature, the Senate thereof concurring*, That the United States Congress is hereby memorialized to restore budget cuts to the Fiscal Year 2000 budget for the U.S. Geological Survey Water Resources Programs and particularly its State-Federal Cooperative program.

Be it further resolved, That a copy of this Resolution be forwarded to each member of the Louisiana delegation and to the presiding officer of each house of the United States Congress.

POM-295. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the installation of lighting on Interstate Highway 10 and Interstate Highway 310 in the vicinity of the intersection of Jefferson Parish, Louisiana and St. Charles, Parish Louisiana; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION NO. 56

Whereas, presently there are no lights on Interstate Highway 10 and Interstate Highway 310 at the intersection of Jefferson Parish, Louisiana, and St. Charles Parish, Louisiana; and

Whereas, this major Interstate interchange is in very close proximity to the New Orleans International Airport; and

Whereas, a person's vision is sharply reduced at night; and

Whereas, the absence of any highway lighting presents a very real safety issue for the New Orleans International Airport; and

Whereas, pilots are unable to properly identify this major intersection and entrance to the metropolitan New Orleans area due to lack of roadway lighting; and

Whereas, lighting would provide pilots with an orderly and predictable landmark outlining where the interchange occurs; and

Whereas, such visual landmark would be an enhancement to both pilots and motorists alike.

Therefore, be it *Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to appropriate sufficient funds to install lighting on Interstate Highway 10 and Interstate Highway 310 in the vicinity of the intersection of Jefferson Parish, Louisiana, and St. Charles Parish, Louisiana.

Be it further resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-296. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the storage and transportation of hazardous materials; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 134

Whereas, Louisiana has more than twenty-five percent of the chemical manufacturing and processing plants in the United States; and

Whereas, this large concentration of chemical plants in this state result in many toxic and hazardous chemicals to be transported and stored in rail cars that are in close proximity to residential areas, schools, and churches; and

Whereas, accidents resulting in leaks and discharges of toxic and hazardous chemicals occur in the rail yards, due in part to the length of time that rail cars are allowed to stay in rail yards; and

Whereas, this proximity to residential areas, schools, and churches creates an unusual and exceptional risk to those persons, which federal laws and regulations do not adequately address; and

Whereas, there is a special need in Louisiana to enact more stringent laws and regulations to protect the health, safety, and welfare of the citizens who live and attend schools and churches in close proximity to rail cars that store and transport hazardous materials.

Therefore, be it: *Resolved*, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to enact legislation which allows Louisiana to impose requirements on the storage and transportation of hazardous materials by rail car that are more stringent than federal requirements.

Be it further resolved, That a copy of this Resolution by transmitted to the presiding officers of the United States Senate and United States House of Representatives and to each member of the Louisiana congressional delegation.

POM-297. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the proposed "Conservation and Reinvestment Act of 1999"; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 159

Whereas, the United States owns valuable mineral resources that are located both onshore and in the Federal Outer Continental Shelf, and the federal government develops the resources for the benefit of the nation, under certain restrictions designed to prevent environmental damage and other adverse impacts; and

Whereas, the development of the resources is accompanied by unavoidable environmental impacts and public service impacts in the states that host this development; and

Whereas, certain local economies of the state of Louisiana have been devastated by the recent crisis affecting oil production and pricing; and

Whereas, United States Senators Landrieu and Breaux and United States Representatives John, Tauzin, McCrery, Jefferson, and Cooksey are sponsoring the Conservation and Reinvestment Act of 1999 in the 106th Congress of the United States which is designed to provide relief to these devastated local economies.

Therefore, be it: *Resolved*, That the Legislature of Louisiana does memorialize the

United States Congress to support the efforts of Senators Landrieu and Breaux and Representatives John, Tauzin, McCrery, Jefferson, and Cooksey to enact the Conservation and Reinvestment Act of 1999 which will aid the local economies devastated by the oil crisis.

Be it further resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation

POM-298. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to school bus drivers who own their own buses and are contract employees of a school system; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 98

Whereas, many school systems around the nation, including several here in Louisiana, depend upon contracts with independent school bus drivers who own their own school buses to provide the necessary transportation of students to and from school; and

Whereas, the current federal tax code does not provide for school bus drivers who own their own school buses to itemize their operational expenses and not pay income tax on reimbursement for these expenses; rather, current federal tax code requires independent owners to pay income taxes on operational expense reimbursement; and

Whereas, in the past, such operational expenses were not taxed and school systems issued contract drivers a W2 form and a separate operational expense form and taxes were not deducted from operational expense reimbursement payments, but recent changes in the federal tax code have increased the financial burden on school bus drivers who own their own school bus, thereby making it increasingly difficult for school systems to find qualified, dependable drivers to safely transport children to and from school; and

Whereas, the reinstatement of such federal taxation procedures would impact the safety of school children and the efficacy of our school systems both in Louisiana and across the nation.

Therefore, be it: *Resolved*, That the legislature of Louisiana does memorialize the United States Congress to take appropriate steps, including enacting legislation, necessary to provide that operational expense reimbursement for school bus drivers who own their own buses will be exempt from federal income taxes.

Be it further resolved, That a copy of this Resolution be transmitted to the President of the United States, to the Speaker of the United States House of Representatives, and to each member of the Louisiana congressional delegation.

POM-299. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to Social Security; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 342

Whereas, recipients of Social Security and other government benefits often must consider their financial status and possible loss of benefits when deciding whether to marry; and

Whereas, although a recipient is allowed to keep his own Social Security benefits from his work history when he marries, if his first spouse dies and he remarries before he turns sixty years of age, he loses any benefits due on his first spouse's work record; and

Whereas, if a recipient is receiving Social Security benefits as a divorced spouse and remarries at any age, he loses benefits on the first spouse's work record; and

Whereas, if a recipient receives an annuity from a divorced or deceased spouse's civil

service pension, he may lose such benefits forever if he remarries before age fifty-five; and

Whereas, under certain plans, a recipient receiving Supplemental Security Income can lose benefits if he remarries; and

Whereas, the government should encourage the institution of marriage rather than penalize citizens who choose to remarry.

Therefore, be it *Resolved*, That the Legislature of Louisiana does hereby memorialize congress to take measures which would allow recipients of Social Security benefits and other government benefits to marry or remarry without the fear of losing or experiencing a reduction in such benefits or other adverse financial consequences.

Be it further resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-300. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to Social Security; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 284

Whereas, the term "notch" refers to the difference between social security benefits paid to people born between 1917 and 1921, and those paid to people born before and after that time; and

Whereas, the "notch" is not a plan to give some people less social security than they are due but rather the result of a mistake in the social security benefit formula; and

Whereas, people born between 1910 and 1916 are getting more benefits than the "notchers" due to a windfall caused by the mistake in the benefit formula; and

Whereas, therefore, the "notchers" are receiving less benefits each year than their counterparts through no fault of their own and deserve to be compensated on an equal footing with the citizens born between 1910 and 1916; and

Whereas, since 1981, at least 113 bills to redress the discrepancy in retiree benefits due to the "notch" have been filed in the United States Congress; and

Whereas, a plan to compensate the "notchers" would not put an undue burden on the government as it would only apply to retirees born between 1917 and 1921.

Therefore, be it: *Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to allow people born between 1917 and 1921 to receive the same social security benefits as those persons born between 1910 and 1916.

Be it further resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-301. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the right of state and local governments to operate pension plans for their employees; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 197

Whereas, most Louisiana state and local government employees have been provided pension plans as a substitute for mandatory participation in the federal social security system; and

Whereas, these plans cover hundreds of thousands of different state and local government employees, including employees of school districts, police officers, firefighters, faculty at institutions of higher education, employees of municipalities, as well as thousands of benefit recipients; and

Whereas, Louisiana's state and local government employee pension plans have been carefully developed with the cooperation of the Legislature of Louisiana, employers, and employees to meet the unique needs of such public employees at a reasonable cost; and

Whereas, these pensions plans are being funded on an actuarial basis and the monies in such plans have been appropriately and successfully invested in diversified investments in accordance with modern portfolio theory; and

Whereas, state and local government employees in Louisiana are covered by many different, separate retirement plans, including statewide plans, local plans, defined benefit plans, and defined contribution plans, all of which meet applicable federal standards; and

Whereas, Louisiana fire, police, and state trooper pension plans offer benefits that are designed to address the physical demands and high risks inherent in public safety work and that are not available through the federal social security system, including lower retirement ages and comprehensive death and disability benefits; and

Whereas, it is anticipated that federal legislation will be introduced that would include a requirement that state and local government employees hired after a certain date participate in the federal social security system; and

Whereas, current estimates published by the federal Governmental Accounting Office indicate that participation by state and local government employees in the federal social security system would extend the solvency of the applicable trust funds by only two years, after which time benefits payable to retiring state and local government employees would cause a depletion of monies in those trust funds; and

Whereas, the lack of mandatory participation in the federal social security system by state and local government employees in Louisiana has not been a cause of financial problems affecting that system, and Louisiana state and local government employees receive no special or unfair benefits from that system; and

Whereas, if participation in the federal social security system is mandated for Louisiana state and local government employees, then integrating the federal system with existing state and local pension plans would be an extremely complex process that is likely to result in the loss of some benefits to Louisiana state and local government employees; and

Whereas, a federal mandate that Louisiana state and local government employees participate in the federal social security system may not only threaten the integrity of the existing pension plans for such employees, but it may also affect the public safety and general welfare of the citizens of Louisiana.

Therefore, be it *Resolved*, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to preserve the right of state and local governments to operate pension plans for their employees in place of the federal social security system, and to develop legislation for responsible reform of the federal social security system that does not include mandatory participation by employees of state and local governments.

Be it further Resolved, That a copy of this Resolution be transmitted to the presiding officers of the United States Senate and the United States House of Representatives and to each member of Louisiana's delegation to the United States Congress.

POM-302. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to acute health care services in Al-

giers, Louisiana; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 343

Whereas, Tenet Louisiana Healthsystem (Tenet) recently closed JoEllen Smith Medical Center (JoEllen Smith), twenty-four-year-old Algiers, Louisiana, hospital, on May 31, 1999; and

Whereas, before JoEllen Smith ever existed, the residents of Algiers always had excellent acute care services through Dr. LaRocca's emergency clinic, which Algiers relied on to stabilize patients before they were transported to one of the area hospitals, the combination ensuring a continuum of excellent medical care; and

Whereas, in 1975, JoEllen Smith Memorial Hospital opened, bringing emergency services and inpatient care to the Algiers community all in one location; and

Whereas, at the time JoEllen Smith opened its doors, the Algiers community welcomed and embraced the hospital by volunteering time and effort to support JoEllen Smith as its very own community hospital, helping to recruit a strong patient base, and loyalty and enthusiasm from the people of Algiers; and

Whereas, in 1980, National Medical Enterprises acquired Jo Ellen Smith; and

Whereas, in 1984, the citizens of Algiers witnessed the opening of the two-hundred-bed Meadowcrest Hospital by National Medical Enterprises (which changed its name to Tenet) in Gretna, Louisiana, with the help of federal money, even though there was never a market for two hospitals in the area; and

Whereas, eventually, as federal dollars ran dry, National Medical Enterprise began discontinuing vital medical services at JoEllen Smith such as obstetric and gynecological, and more severely, cardiac, and acute care services, and transferring such services, as well as money, efforts, and leadership toward the buildup of Meadowcrest Hospital; and

Whereas, JoEllen Smith was supported by a very loyal, robust Algiers patient base in an area with over sixty thousand residents; and

Whereas, ironically, the Algiers community began with an emergency clinic which later developed into a full service hospital, and now the community is left with neither, both facilities being brought down by greed; and

Whereas, twenty-four years later, the residents of Algiers desperately need acute care services just as JoEllen Smith needed the support of the Algiers community twenty-four years earlier.

Therefore, be it: *Resolves*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take what measures are possible on the federal level to ensure that the Algiers community will not be deprived of accessible acute care services.

Be it further resolved, That the United States Congress is requested to urge Tenet Louisiana Healthsystem to cooperate with any potential procurers of the site of JoEllen Smith Medical Center to facilitate future acute care services for the residents of Algiers at that site.

Be it further resolved, That a copy of this Resolution shall be transmitted to the presiding officers of the Senate and the House of Representatives of the United States Congress and to each member of the Louisiana congressional delegation.

POM-303. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to a recent article in the Bulletin published by the American Psychological Association; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION, No. 215

Whereas, the Psychological Bulletin recently published an article which claims

that studies on sexual relationships between adults and children suggests that such relationships do not in general provide intensely negative effects in the vast majority of cases, particularly when the sex is consensual; and

Whereas, the study further suggests that child sexual abuse does not cause intense harm on a pervasive basis in the population studied, and that child sexual abuse has no inevitable or inbuilt outcome or set of emotional results; and

Whereas, the authors of the study also suggest that sexual relations between a child and an adult, if the child had a "willing encounter with a positive reaction" might be classified for later research not as sexual abuse but as "adult-child sex"; and

Whereas, the views expressed in this study defy common sense, are contrary to the experience of professionals who work in the child welfare field, and are contradicted by the views of prominent researchers in the field of child sex abuse; and

Whereas, most experts believe that sexually abused children are at increased risk for such negative clinical conditions as depression, vulnerability to drug and alcohol abuse, sex with other children, low self-esteem, guilt, shame, an inability to distinguish sex from love, and a higher risk of suicide; and

Whereas, pedophilia is harmful to the family unit which is the foundation of our society; and

Whereas, the reality is that so-called consensual sexual relationships between adults and children are always harmful; and

Whereas, this reality is reflected in numerous laws enacted by the Legislature of Louisiana, including child abuse laws and criminal laws which forbid the sexual exploitation of children in this way; and

Whereas, the American Psychological Association study threatens to legitimize the sexual exploitation of children in the minds of potential pedophiles by providing them with a rationale for this reprehensible behavior.

Therefore, be it: *Resolved*, That the Legislature of Louisiana condemns and rejects all claims in the aforementioned study which suggest that pedophilia does not produce pervasive and intensely negative effects on the vast majority of children, and the legislature further rejects any suggestion in the study that sexual relations between adults and children are anything but abusive, destructive, explosive, reprehensible, and against the law; and

Be it further resolved, That a copy of this Resolution shall be transmitted to the Honorable Bill Clinton, President of the United States, the Honorable Al Gore, Jr., Vice President of the United States and President of the U.S. Senate, the Honorable Trent Lott, Majority Leader of the U.S. Senate, the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives, the Honorable Mary Landrieu and the Honorable John Breaux, U.S. Senators from Louisiana, the Honorable Mike Foster, Governor of Louisiana, the Honorable Madeline Bagneris, Secretary of the Department of Social Services, and Thomas DeWalt, Executive Officer of the American Psychological Association.

POM-304. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the appellate jurisdiction of the federal courts regarding partial-birth abortions; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 257

Whereas, Louisiana is one of twenty-five states which has recently prohibited the specific medical procedure termed "partial-birth abortions"; and

Whereas, numerous other states are working this legislative session to enact the same ban; and

Whereas, federal district courts have thus far struck down laws in seventeen different states, effectively declaring that partial-birth abortions cannot be banned; and

Whereas, this intrusion of the federal courts into these state decisions concerning this medical procedure can be remedied only by federal congressional action to limit the jurisdiction of these federal courts; and

Whereas, the United States Constitution does not create or regulate these inferior federal courts, but instead explicitly gives congress the power to do so; and

Whereas, the U.S. Constitution makes the jurisdiction of the federal courts subject to congressional proscription through Article III, Section 2, Para. 2, by declaring that federal courts "shall have appellate jurisdiction both as to law and fact with such exceptions and under such regulations as congress shall make"; and

Whereas, the intent of the framers of our documents was clear on this power of congress, such as when Samuel Chase (a signer of the Declaration of Independence and a U.S. Supreme Court Justice appointed by President George Washington) declared, "The notion has frequently been entertained that the federal courts derive their judicial power immediately from the constitution; but the political truth is that the disposal of the judicial power (except in a few specified instances) belongs to Congress. If Congress has given the power to this court, we possess it, not otherwise"; and

Whereas, Justice Joseph Story, in his authoritative *Commentaries on the Construction*, similarly declares, "In all cases where the judicial power of the United States is to be exercised, it is for Congress alone to furnish the rules of proceeding, to direct the process, to declare the nature and effect of the process, and the mode, in which the judgments, consequent thereon, shall be executed . . . And if Congress may confer power, they may repeal it . . . [The power of Congress [is] complete to make exceptions"; and

Whereas, this position is confirmed not only by the signers of the Constitution themselves, such as George Washington and James Madison, but also by other leading constitutional experts and jurists of the day, including Chief Justice John Rutledge, Chief Justice Oliver Ellsworth, Chief Justice John Marshall, Richard Henry Lee, Robert Yates, George Mason, and John Randolph; and

Whereas, the United States Supreme Court has long recognized and affirmed this power of congress, to limit the appellate jurisdiction of the federal courts, as in 1847 when the court declared that the "court possesses no appellate power in any case unless conferred upon it by act of Congress" and in 1865 when it declared "it is for Congress to determine how far . . . appellate jurisdiction shall be given; and when conferred, it can be exercised only to the extent and in the manner prescribed by law"; and

Whereas, congress has on numerous occasions exercised this power to limit the jurisdiction of federal courts, and the Supreme Court has consistently upheld this power of congress in rulings over the last two centuries, including cases in 1847, 1866, 1868, 1876, 1878, 1882, 1893, 1898, 1901, 1904, 1906, 1908, 1910, 1922, 1926, 1948, 1952, 1966, 1973, 1977, etc; and

Whereas, it is congress alone which can remedy this current crisis and return to the states the power to make their own decisions on partial-birth abortions by excepting this issue from the appellate jurisdiction of the federal courts.

Therefore, be it: *Resolved*, That the Legislature of Louisiana respectfully appeals to the Congress of these United States to limit

the appellate jurisdiction of the federal courts regarding the specific medical practice of partial-birth abortions.

Be it further *resolved*, That a copy of this Resolution be sent to the Speaker of the United States House of Representatives, the President of the United States Senate, and the Chief Clerical Officers of the United States House of Representatives and the United States Senate.

POM-305. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the Mississippi River Gulf Outlet; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 266

Whereas, the construction and opening of the Mississippi River Gulf Outlet ("Mr. Go") in 1963 destroyed a 475-foot wide, 37 mile long strip of wetlands and swamps in St. Bernard Parish, and the channel has been further widened to two thousand feet through years of ship traffic wakes eating away at the banks of the channel; and

Whereas, because there are no longer natural levees formed by winding bayous, water from the Gulf of Mexico moves straight up "Mr. Go" unimpeded as though it were a superhighway for storm surges caused by hurricanes and other less severe storms, and such influx of water results in increased flooding in St. Bernard Parish, Orleans Parish, and Plaquemines Parish; and

Whereas, because of the destruction of wetlands and marshes resultant from the construction of the Mississippi River Gulf Outlet, there is increased saltwater intrusion which, in turn, has resulted in increased destruction of marshes and freshwater swamps surrounding Lake Borgne; and

Whereas, because of the saltwater intrusion, the hydrology and animal and plant life of the Lake Pontchartrain and Breton Sound basins have been dramatically altered, "dead zones" have been created, and seafood yields have been drastically reduced; and

Whereas, hurricane impact in addition to the impact from "Mr. Go" make Plaquemines, Orleans, and St. Bernard parishes particularly vulnerable to severe hurricane damage and tropical storms and, in fact, tidal surges have already been measured at speeds of over 18 feet per second; and

Whereas, the increased costs of maintaining the channel, including \$35 million spent to dredge the channel after Hurricane Georges swept tons of silt into the channel which blocked the channel to larger ships, an anticipated \$7 to \$10 million needed each year to maintain the channel, and an anticipated expenditure of another \$35 million to rock the north face of the channel, are hardly worth the benefit received by the approximately two ships per day which use the Mississippi River Gulf Outlet; and

Whereas, because of the continued and increased deterioration of the channel and its detrimental impact on the state's wetlands and coastal zone, the state of Louisiana's coastal restoration plan, Coast 2050, calls for the phasing out of the Mississippi River Gulf Outlet;

Therefore, be it *Resolved*, That the Legislature of Louisiana does hereby memorialize the U.S. Congress to appoint a task force to develop a process and plan for the timely closure of the Mississippi River Gulf Outlet.

Be it further *resolved*, That the task force consist of a policy committee and a technical advisory committee and that, within the next twelve months, the task force design and develop a program to phase out the Mississippi River Gulf Outlet with a focus on public safety; maintenance of the economic viability of the St. Bernard Port; and mitigation, preservation, protection, and restoration of wetlands and wetlands habitat.

Be it further *resolved*, That a copy of this Resolution be sent to the presiding officers of the Senate and House of Representatives of the United States Congress, to each member of the Louisiana congressional delegation, and to the U.S. Army Corps of Engineers.

POM-306. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to military service personnel under the age of twenty-one; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 157

Whereas, under the direction of President Slobodan Milosevic, the Federal Republic of Yugoslavia has repeatedly violated United Nations Security Council resolutions by ordering the unrestrained assault by Yugoslav military, police, and paramilitary forces on Kosovar civilians, thereby creating a massive humanitarian catastrophe which also threatens to destabilize the surrounding region; and

Whereas, hundreds of thousands of people have been ruthlessly expelled from Kosovo by the indiscriminate use of force and stripped of their identity and dignity by the Yugoslav government which is responsible for the appalling violations of human rights; and

Whereas, the repression and humanitarian atrocities supported by the Yugoslav government have escalated the conflict between Serbian military and ethnic Albanian forces in Kosovo; and

Whereas, the North Atlantic Treaty Organization is an alliance based on political and military cooperation of independent countries that are committed to safeguarding the freedom, common heritage, and civilization of their peoples; and

Whereas, the North Atlantic Treaty Organization has transformed its political and military structures to enable it to participate in the development of cooperative security structures for the whole of Europe and peacekeeping/crisis management tasks undertaken in cooperation with countries which are not members of the alliance; and

Whereas, the crisis in Kosovo represents a fundamental challenge to the principles of democracy, individual liberty, human rights, and the rule of law, for which the North Atlantic Treaty Organization has stood since its foundation fifty years ago; and

Whereas, on March 24, 1999, in response to the deepening humanitarian tragedy unfolding in Kosovo as Yugoslav military and security forces continued their attacks on their own people, the combined military forces of the North Atlantic Treaty Organization began an air combat operation, Operation Allied Force, to force the Milosevic regime to withdraw its forces and facilitate the return of refugees to their homes; and

Whereas, the purpose of Operation Allied Force is to disrupt, degrade, and destroy the Yugoslav military and security forces in order to deter and prevent further military actions against innocent civilians until President Milosevic complies with the demands of the international community; and

Whereas, despite continuous air bombing campaigns, President Milosevic has refused to change his oppressive and criminally irresponsible policy of ethnic cleansing and rejected a political agreement that would bring peace and stability to that region of Europe; and

Whereas, as a result of President Milosevic's continued refusal to cease the oppression of the Kosovar civilians, the leaders of the North Atlantic Treaty Organization are meeting to discuss the possibility of expanding Operation Allied Force by sending military ground troops to continue the fight against Yugoslav military and security forces; and

Whereas, sending military ground troops to fight against Yugoslav military and security forces increases the possibility that young American soldiers will be injured or killed and become casualties of war; and

Whereas, as long as there are restrictions and discrimination and the encouragement and enticement for restrictions and discrimination based on age perpetuated by the federal government and sustained by state governments on persons aged eighteen through twenty years, such persons should not be sent to participate in any combat operations until such restrictions and discrimination and the enticement and encouragement therefor cease to exist; and

Whereas, the young men and women of the United States armed forces are the future military leaders of our nation.

Therefore, be it: *Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to ensure that United States military service personnel under the age of twenty-one are not sent to participate in any combat operations carried out by ground troops in Yugoslavia.

Be it further *resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-307. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the compensation of retired military personnel; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION NO. 205

Whereas, many American servicemen and women have dedicated their careers to protect the rights and privileges that the public at large enjoys and, in doing so, many also endured hardships, privation, the threat of death or disability, and long separations from their families; and

Whereas, career military personnel earn retirement benefits based on longevity, which requires a minimum of twenty years honorable and faithful service at the time of retirement and, by contrast, veterans' disability compensation requires a minimum of ninety days active duty service and is intended to compensate for pain, suffering, disfigurement, chemical-related injuries, wounds, and loss of earnings capacity; and

Whereas, military personnel contribute toward their retirement pay with employee contributions which reduces their congress-approved base pay which some assert is lower than their civilian counterparts and which is paid based on a life and career of hardship, long hours without overtime pay and lack of freedom of expression through employee unions; and

Whereas, integral to the success of the nation's military forces are those soldiers and sailors who have made a career of defending our great country in peace and war from the revolutionary war to present day but, notwithstanding that fact, there exists a gross inequity in the federal statutes that denies disabled career military personnel equal rights to receive veterans' disability compensation concurrent with receipt of earned military retired pay; and

Whereas, veterans who are both retired and disabled are denied concurrent receipt of full retirement pay and disability pay, but instead may receive one or the other or must have deducted from their retirement pay an amount equal to the disability compensation being received by such veterans, and no such deduction applies to federal civil service so that a disabled veteran who has held a non-military federal job for the requisite dura-

tion receives full longevity pay undiminished by the subtraction of disability compensation pay; and

Whereas, this injustice and discrimination can only be corrected by legislation which, if enacted into law, will ensure that America's commitment to a strong military in pursuit of national and international goals is a reflection of the allegiance of those who sacrifice on behalf of those goals.

Therefore, be it: *Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to amend the United States Code, Chapter 71, relating to the compensation of retired military personnel, to permit full, concurrent receipt of military longevity pay and service-connected disability compensation pay.

Be it further *resolved*, That copies of this Resolution be transmitted to the president of the United States, to the speaker of the United States House of Representatives, to the president of the United States Senate, and to the members of the Louisiana congressional delegation that they may be apprised of the sense of the Legislature of Louisiana in this matter.

POM-308. A resolution adopted by the Georgia Association of Black Elected Officials relative to a pending federal criminal investigation; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 720: A bill to promote the development of a government in the Federal Republic of Yugoslavia (Serbia and Montenegro) based on democratic principles and the rule of law, and that respects internationally recognized human rights, to assist the victims of Serbian oppression, to apply measures against the Federal Republic of Yugoslavia, and for other purposes (Rept. No. 106-139).

By Mr. HATCH, from the Committee on the Judiciary:

Report to accompany the bill (S.1255) to protect consumers and promote electronic commerce by amending certain trademark infringement, dilution, and counterfeiting laws, and for other purposes (Rept. No. 106-140).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 97: A bill to require the installation and use by schools and libraries of a technology for filtering or blocking material on the Internet on computers with Internet access to be eligible to receive or retain universal service assistance (Rept. No. 106-141).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 798: A bill to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of national security, and for other purposes (Rept. No. 106-142).

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 199: A bill for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko.

S. 275: A bill for the relief of Suchada Kwong.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment:

S. 452: A bill for the relief of Belinda McGregor.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 486: A bill to provide for the punishment of methamphetamine laboratory operators, provide additional resource to combat methamphetamine production, trafficking, and abuse in the United States, and for other purposes.

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 620: A bill to grant a Federal charter to Korean War Veterans Association, Incorporated, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a committee was submitted:

By Mr. HATCH, for the Committee on the Judiciary:

Mervyn M. Mosbacher, Jr., of Texas, to be United States Attorney for the Southern District of Texas for the term of four years.

(The above nomination was reported with the recommendation it be confirmed.)

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. MACK (for himself, Ms. MIKULSKI, Mr. GRAMS, Mr. WELLSTONE, and Mr. GRASSLEY):

S. 1499. A bill to title XVIII of the Social Security Act to promote the coverage of frail elderly medicare beneficiaries permanently residing in nursing facilities in specialized health insurance programs for the frail elderly; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. DOMENICI, Mr. DASCHLE, Mr. KERREY, Mr. INOUE, Mr. BINGAMAN, Mr. COCHRAN, Ms. MIKULSKI, Mr. BURNS, Mrs. BOXER, Mr. MCCONNELL, Mr. BUNNING, Mr. JEFFORDS, Mr. ROBB, Mr. SANTORUM, Mr. DODD, and Mrs. FEINSTEIN):

S. 1500. A bill to amend title XVIII of the Social Security Act to provide for an additional payment for services provided to certain high-cost individuals under the prospective payment system for skilled nursing facility services, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN:

S. 1501. A bill to improve motor carrier safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself and Mr. JOHNSON):

S. 1502. A bill to amend the Federal Election Campaign Act of 1971 to require mandatory spending limits for Senate candidates and limits on independent expenditures, to ban soft money, and for other purposes; to the Committee on Rules and Administration.

By Mr. THOMPSON (for himself and Mr. LIEBERMAN):

S. 1503. A bill to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2003; to the Committee on Governmental Affairs.

By Mr. HARKIN (for himself and Mr. SPECTER):

S. 1504. A bill to improve health care quality and reduce health care costs by establishing a National Fund for Health Research