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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Father Paul Lavin, pastor of St. Joseph's on Capitol Hill, Washington, DC, will now offer the prayer.

PRAYER

The guest Chaplain, Father Paul Lavin, offered the following prayer:

In Psalm 113 we hear David sing:

Praise you servants of the Lord praise the name of the Lord
Blessed be the name of the Lord both now and forever.
From the rising to the setting of the sun is the name of the Lord to be praised.
High above all nations is the Lord, above the heavens is his glory
Who is like the Lord, Our God, who is enthroned on high
and looks upon the heavens and the earth below?
He raises up the lowly from the dust; from the dunghill he lifts up the poor
To seat them with princes, with the princes of his own people.

Let us pray:

Almighty God, we give You thanks for the many and varied ways You have blessed the men and women who serve in the Senate. We ask now, Lord, that they may do Your will in all things and so remain close to You.

Lord, Your presence is found where unity and love prevail; grant that they may strive to work together in harmony and peace.

We acknowledge that God is the strength and protector of his people; grant, Lord, to the Members of the Senate the strength and courage they need to serve the people of the United States.

We ask this through Christ, our Lord. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LARRY CRAIG, a Senator from the State of Idaho, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Washington.

SCHEDULE

Mr. GORTON. Mr. President, today the Senate will immediately resume consideration of the second-degree Bryan-Wyden amendment regarding the Forest Service budget. By agreement, a vote on or in relation to that amendment will take place at 10:30 a.m. Further amendments to the Interior appropriations bill are expected throughout today's session. Senators, therefore, can expect votes throughout the day in anticipation of completing action on the bill. It is expected that the Senate will have approximately 2 hours of debate on S.J. Res. 33, with a vote on final passage during today's session, with the time to be determined by the two leaders.

For the remainder of the week, the Senate is expected to begin consideration of the Transportation appropriations bill.

INTERIOR APPROPRIATIONS

Mr. GORTON. Mr. President, I just read a text that was submitted to me. I am going to offer what I hope is a slight correction to that for the benefit of all Senators. I believe, as manager of the bill, it is highly possible there are only two other unresolved matters in connection with the Interior appropriations bill. One is, of course, this Bryan-Wyden amendment that will be voted on in about 1 hour. The other is cloture on the Hutchison amendment. There was a vote on that cloture last night. It failed, but it seemed to have failed primarily by reason of absent Senators. The majority leader moved to reconsider and, of course, can bring up that motion at any time.

As manager of the bill, I do not know of any other amendments that will require rollcall votes. It does not mean there might not be one or two, but I do not know of any others. We now have two managers' amendments ready: one dealing with legislative matters and one dealing with money matters, but I hope we will have settled all other outstanding issues in connection with the bill. In any event, if there are Senators who wish to bring up amendments that they reserved way back in August with respect to the bill that are not settled in these two managers' amendments, I certainly urge them to come to the floor and to be prepared to present them immediately after the 10:30 vote on the Bryan-Wyden second-degree amendment.

With that, Mr. President, I see Senator WYDEN present, I see Senator CRAIG present, and so we are ready for debate.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 2466, which the clerk will report.

The bill clerk (Mary Anne Clarkson) read as follows:

A bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

Pending:

Gorton amendment No. 1359, of a technical nature.

Hutchison amendment No. 1603, to prohibit the use of funds for the purpose of issuing a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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notice of rulemaking with respect to the valuation of crude oil for royalty purposes until September 30, 2000.

Bryan amendment No. 1588, to make available certain funds, by reducing the subsidy for the below-cost timber program administered by the Forest Service and for the construction of logging roads in national forests, for other Forest Service programs including road maintenance, wildlife and fish habitat management, and for threatened, endangered, and sensitive species habitat management.

Bryan/Wyden amendment No. 1623 (to amendment No. 1588), to make available certain funds for survey and manage requirements of the Northwest Forest Plan Record of Decision.

AMENDMENT NO. 1623

The PRESIDING OFFICER. Under the previous order, the question is now on amendment 1623 on which there shall be 1 hour of debate which will be equally divided.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I thank the Chair. I would like to take just a few minutes now to speak on behalf of the Bryan-Fitzgerald-Wyden amendment and try to offer up to colleagues on both sides of the aisle why Senator BRYAN, Senator FITZGERALD, and I are trying to incorporate some of the important thinking that has been done by the chairman of the Interior Subcommittee, Senator GORTON, as well as the work with respect to forestry done on the floor of the Senate over the last few days by Senator ROBB of Virginia. It seems to me that Senator GORTON, as well as Senator ROBB, are making extremely important points. What Senator BRYAN, Senator FITZGERALD, and I are trying to do is build on the work done by both of our colleagues.

For example, I think Senator GORTON and Senator CRAIG are absolutely right in terms of saying that the Forest Service has lacked direction, particularly as it relates to the Pacific Northwest. They have known at the Forest Service for many months that they had to comply with each of these survey and management requirements. The Forest Service dawdled and dragged its feet. It has been literally flailing around in the woods.

I think Senator GORTON and Senator CRAIG have been absolutely right that there has been a lack of accountability and a lack of oversight with respect to the Forest Service.

At the same time, I think Senator ROBB has also been correct in terms of saying we can't just throw the environmental laws in the trash can because a Federal agency messes up. You can't just set aside the environmental laws of the United States because a Federal agency, in this case the Forest Service, has not done its job. You have to figure out a way to put this agency and this program back on track.

What the Bryan-Fitzgerald-Wyden amendment seeks to do is to get the Forest Service on track by building on some of the important work done by Senator GORTON and Senator CRAIG, as well as focusing on the environmental principles pursued by Senator ROBB.

One of the reasons I so strongly support the Bryan-Fitzgerald-Wyden amendment is we have seen in past years that throwing money at the timber sale program does not make things better. Each year, since 1996, this Congress has authorized more money for the timber sale program than the administration has asked for. So we have, in effect, shoveled more money out the door for the timber sale program.

The fact of the matter is, in spite of the fact the Congress keeps spending more money on the timber sale program, the problems in these rural communities, particularly the rural West—and these are economic and environmental problems—keep getting worse. So the notion that throwing money at the timber sale program is going to solve these problems is simply not correct. The Congress has continued to spend money. The problems are getting worse, both from an economic and an environmental standpoint. And that is the bottom line.

So what Senator BRYAN and Senator FITZGERALD and I are seeking to do is to link the money that the Forest Service needs for these important programs—not just in Oregon but across the country—to a new focus on accountability.

What our legislation does is earmark resources for the important environmental work that needs to be done and at the same time places a stringent timetable on the completion of the important environmental work. So, in effect, we have a chance to do some good by getting the environmental work done while at the same time helping timber workers and environmental concerns addressed in a responsible fashion.

We do direct additional funds for the survey and management program so we can have the protocols for the species that currently lack this data, but we do it in a way that brings new accountability. This is the first time on the floor of the Senate that we have tried to take this program, which has been so mismanaged by the Forest Service, and put in place some real accountability.

This is not the old days of just throwing money at problems. This is a new approach, a fresh and creative approach, that Senators BRYAN, FITZGERALD, and I are trying to offer which will ensure that not just in the Northwest but across the country there will be the funds that are needed for the timber sale program, but at the same time we are going to have a real process to watchdog the Forest Service to make sure they actually get the work done.

With respect to the problems that have shut down the forests in the Pacific Northwest, our amendment requires that the survey and management draft, the environmental impact statement would be completed by November 15 of this year. The final version of that impact statement would be published by February 14 of 2000.

So this gives us a chance, I say to my colleagues, to make sure the work that was promised actually gets done. We fund the timber sale program at the levels called for by the administration. We have a chance to learn from years past that just throwing money at the timber sale program does not solve things.

I hope our colleagues will realize that this bipartisan approach is a chance to solve problems, which is vitally important to rural communities not just in the West but across the country, while at the same time honoring the important environmental obligations this Congress has set out for the Forest Service and other agencies.

I do hope that however colleagues voted on the Robb amendment, whatever they think with respect to the original language proposed by Senator GORTON, they will look anew at the Bryan-Fitzgerald-Wyden amendment because what we are seeking to do is build on the important principles embodied behind both of those positions.

My two colleagues are here from the Northwest, the distinguished chairman of the subcommittee, Senator GORTON, and the chairman of the committee on which I serve, Senator CRAIG. They are absolutely right; the Forest Service has lacked direction. Under the Bryan-Fitzgerald-Wyden amendment, we put in place that direction and real accountability.

For those who voted for the Robb amendment earlier, and want to make sure environmental laws are respected and honored, we keep in place the notion that you do not throw those laws into the garbage can on appropriations bills.

So I am hopeful my colleagues will support this on a bipartisan basis. I particularly thank the original sponsor of the legislation, Senator BRYAN. He has done yeoman work to try to put in place a bipartisan coalition. I hope this proposal will be attractive to my colleagues of both political parties.

Mr. President, with that I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, good morning.

I am not quite sure I know, for all of the Senators who are listening this morning or who will be asked to vote in about 45 minutes, how to capture the essence of this amendment—the first-degree and second-degree amendments—brought to us by the Senator from Nevada and the Senator from Oregon.

I guess the best way to do that is to kind of take a snapshot back to 1989 and 1990 when this country had a vibrant forest products industry and a green sale program on the forested lands, the forested public lands of our Nation.

I would be the first to tell you, as I have said over the years, that at that

time we were probably managing a level of cut on our public lands that was not sustainable. But it was at that time that the National Environmental Policy Act, the Endangered Species Act, the Clean Air Act, and the Clean Water Act began to take effect on those lands. We saw some very dramatic reductions in logging.

Here is an example of the kind of reductions we have seen since 1989. The Senator from Oregon just spoke. In his State alone, 111 mills and 11,600 jobs. The Forest Service, by its action, in response to public policy shaped by the Senate, and interpreted by the courts of this country, caused this to happen by disallowing the availability of public saw logs to 111 mills.

My State of Idaho: 17 mills, 770 jobs. That is a comparable impact because of the number of mills.

I spoke yesterday about my community of Midvale—45 jobs in a 300-person community, a big impact. But that mill is gone, torn down, sent to Brazil to cut down the rain forest.

Literally this mill right here, Grangeville, ID, closed for lack of timber, lack of public timber, lack of public timber by public policy, not for the lack of growth of trees on the Nezperce Forest, torn down and sent to Brazil to cut rain forest trees.

We have struggled for a decade to try to transform public policy to meet the environmental sensitivity that all of us want the Forest Service to meet. The chairman of the appropriations subcommittee, Senator GORTON, has constantly worked where he could through the appropriations process to shape that new policy.

We have now reduced the allowable cut on the public forests of our country, from 1990 to today, by 70 percent, a precipitous drop. In other words, if that were the auto industry, GM and Chrysler would no longer exist. They would be gone. Their plants would be torn down and their people would be strewn across the landscape looking for a new job. But it wasn't the auto industry, it was the forest products industry. We have recognized that and tried to reshape it to meet the environmental standards all of us want our Forest Service to adhere to, but also to wring the politics out of it.

So there has been a 70-percent decline in logging for timber harvest since 1990; 140,000 people were employed in that industry in 1990; there are 55,000 today. Think of that tremendous flip-flop. Many of those folks don't have jobs yet. When you come to the public lands-dependent communities and counties of the West and some places in the South and Southeast, the unemployment today is not nearly at full employment as are most of our urban communities. It is at 16 and 17-percent unemployment. These are former loggers, men and women who made their jobs in the logging industry—not cutting trees, but working in sawmills and selling the product.

So that is a snapshot of time. That has all happened since about 1989 to 1999. In less than a decade, we have seen the collapse of the forest product industry of this country, all in the name of the environment, while we are still growing more trees now than ever in the history of our country. We are growing more trees now than when European man came to this continent. Our forests, in some instances, are more healthy today, and in other areas they are devastatingly old, with 30 to 40 percent dead and dying. They create phenomenal fire potential situations when the climate goes dry, as they do in the Great Basin West about every 6 years. Yet we have Senators who come to the floor and want to reduce the 70-percent reduction again and again and again. That is exactly the intent of the amendment by the Senator from Nevada.

So I scratch my head most sincerely, and ask why. It can't be because we haven't reduced the program. It can't be because we are trying to build environmental sensitivity and shape timber sales so they are much different than they were a decade ago. It must be because the national environmental movement—and the Sierra Club is the best example—in a national policy shaped 3 years ago, said: zero cut of trees on public lands. We don't want to see another tree cut.

Somehow, other Senators seem to want to echo that and bring it to the floor. I have to believe that is the driving impetus behind this amendment. I know of no other reason—at least I can't come up with a good one—when you look at the history and recognize what the Forest Service has done. The Senator from Oregon and I are working together to shape policy. The Forest Service has lost its direction. It tried to deal with the National Endangered Species Act and National Environmental Policy Act, and as it tried to amalgamate these into the National Forest Planning Act and the national forest plans under which the forest operates. The courts have stepped in time and time again and said, no, you can't do it that way. The reason is that environmental groups have filed lawsuits. We have allowed the courts to become the managers of our public forested lands, not the U.S. Senate.

You and I were elected to shape public policy. The chairman of the Appropriations Interior Subcommittee is working to do that. The legislation we have here, which dramatically reduces the overall programs in spending, is to do that. Some instructive words are in there. Even the amendment here, while it is argued to do something different, actually goes out on the land to improve existing roads and make them more environmentally sound.

Now, it would be argued by some that these are going to be brand new roads out through a pristine forest. That is really not true in about 99 percent of the cases because the Forest Service is not opening up new land. They are going back now in the States of Oregon, Washington, and Idaho and recutting old land. So they are taking old roads and improving them and putting in culverts and graveling them and making them more environmentally sound so you don't get sediment creating runoff into the streams and damaging the fisheries. Ninety percent of the very money the Senator from Nevada wants to take out of this bill will go to that kind of reconstruction of the roads.

Those are the facts. As chairman of the Subcommittee on Forests and Public Land Management, in the last 3 years, we have held 45 hearings on the U.S. Forest Service. We turned it upside down and we shook to try to figure out why it was the most dysfunctional agency of the Federal Government. Here is part of the reason why: Because the Congress of the United States, over the last two decades of shaping public policy, didn't blend the policy together and it collided, which caused the Forest Service, in large part, to crash because of lawsuits and very dedicated environmental groups who really do want to shut public timber cutting down.

For the first time, yesterday, the Senator from Pennsylvania spoke on this. You would not expect Pennsylvania to be involved in this debate. Yet they have National Forest lands, hard wood lands. They have the same problem. Now lawsuits are being filed there to disallow the cut of red cherry and other woods that are critical to the furniture industry and to about four counties in Pennsylvania. This amendment affects every State in the United States that has a National Forest so designated within its boundaries. In some form, it will impact every one of those States.

The second-degree amendment is simply to shift over a little over one-third of the $34 million that is taken out of the program by the amendment of the Senator from Nevada to do research. The Senator from Oregon will argue that it expedites an agenda. I am confident it doesn't because the Forest Service simply can't move that quickly. If they did, they would probably be sued and shut down again.

So we can argue on the floor, and we will vote; and it will be a vote on politics a lot more than on policy or substance, tragically enough. I hope the Senate will stand up and say, no, we have reduced the timber sales in the United States by 70 percent, and that is enough. We have to cut some for health reasons, to clean our forest floors, for our stewardship programs, for salvage purposes, get rid of the dead and dying in the bug-infested forests that oftentimes breed the kind of death that when the drought cycle comes and creates the catastrophic fires we have seen through the Great Basin, in New Mexico and Arizona, which we will see once again. This is what is at issue today.

I hope the Senate will agree with the chairman of the subcommittee, who spent a great deal of time with those of

us who are committed to shaping public policy on these most critical public land issues. I believe that is the substance of the amendments at hand. I know of no other way to tell about it or to understand it. So if you want to keep ratcheting down the cut to a zero amount on our public lands, then you want to vote for Bryan-Wyden because that is their answer. If you do that, we will still build homes, but we will import that lumber from Canada and Brazil's rain forests and from Argentina and Venezuela and all the other areas and even Norway, strangely enough, but it will not be cut here. Hundreds of communities across this country will die because they are dying now. It is just that we haven't gone to their funerals yet. The rest of these mills will close, and this country will not have something it ought to have, which is a balanced, multiple-use, environmentally sound stewardship program for its public lands, which includes some tree cutting where necessary and appropriate.

I retain the remainder of our time.

Mr. FITZGERALD addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. FITZGERALD. Mr. President, I am proud to rise in support of the Bryan amendment. In fact, I would like to tell the body that I am a cosponsor of this amendment, the Bryan-Fitzgerald amendment. It is going to be second degreed with Senator WYDEN's amendment. I continue to support the bill. I think it is a reasonable, moderate approach. I have great respect for my colleague from Idaho, Senator CRAIG, and I am very impressed by his concern for his State and the Forest Service, for his knowledge of the area, and for the jobs that are in the timber industry in this country. But I think it is important to notice that this is a very moderate amendment.

It does not end timber sales in this country. In fact, it simply cuts back an increase that the Appropriations Committee added to the Forest Service's Timber Sales Management Program—an increase that went $32 million beyond what the Forest Service chief requested, what the administration requested.

This bill simply funds the Timber Sales Management Program at the very same amount that the Forest Service has requested.

With all due respect, I have to say that many of the horror stories we heard on the floor last night and this morning about what effect this would have on timber sales and logging in this country are not true. It is also a very fiscally conservative approach. Of the $32 million that the Appropriations Committee gave to the Forest Service budget beyond what the Forest Service requested, we are going to apply $10 million to reduce our national debt—to pay down that important debt we are trying to eliminate over time. The rest of it we are applying for other important priorities such as restoring cuts in the fish and wildlife program that were used to, in fact, fund this increase.

People might ask why do we need this amendment? In my judgment, increasing the timber sales management budget can't be justified either on economic grounds or on environmental grounds.

First, if I could speak for a moment on the economic grounds, there have been a variety of studies over the recent years that have been very critical of the country's Timber Sales Management Program. All of the different reports have suggested that the program loses money. There have been different studies. Some have suggested—in fact, the Forest Service itself, I believe, estimated its loss in fiscal year 1997 at $889 million. But other estimates by other people using different accounting methods have suggested that the true net cash loss to the taxpayers could be as much as $1.3 billion in fiscal year 1997. You get different amounts depending on which type of accounting you would use to estimate the loss from the timber sales in this country. But whatever the true number is, there is widespread agreement that the program loses money and that it is a drain on the taxpayers.

I have to ask why would we want to put more money into a program that by everybody's measure loses money for the taxpayers? It doesn't seem to make sense economically. Also, environmentally there are many arguments that appropriate management of our national forests and appropriate targeted cuts may actually have a beneficial effect over time.

I have talked on several occasions to Senator CRAIG. I know he believes strongly that the management of our forests is environmentally sound. I would simply point out we are not curtailing all timber sales. We are preserving the status quo in timber sales in this country. This amendment does not go so far as to end timber sales. It funds them at roughly the same level they were funded last year. But we are not going to increase it.

Obviously, from an environmental standpoint, the timber sales in this country are very controversial, particularly where you have an old-growth forest. Forests once cut come back. They grow back. But they never quite grow back in the same way in the same original pristine state that they once were.

Over the August recess, I had the occasion to vacation in northern Wisconsin, in an area that was in the middle of a State forest in Wisconsin. That whole area, as I understood it from reading the history of the region, was completely clearcut in the late 1890s. In the intervening 100 years, the forest has grown back. But I read a study of the forest which showed that it didn't come back in the same way. There were different trees that came back. In fact, some of the more valuable trees were not favored in that regrowth process.

Once a pure pristine forest is cut, it can never be regained in the beautiful form that it once was. Since those pristine areas in this country are fewer and fewer now as we enter the third millennium, don't we want to think about how much we want to expand the cutting of our national forests?

Finally, one of the points I make is that timber sales from timber harvested in our national forests represent only a small portion of our Nation's timber supply. In fact, I am told—I have seen estimates—that as low as 3.3 percent of our timber comes from national forests. We are in no way dependent on those national forests in order to meet our timber needs in this country. In any case, this amendment does not cut that amount, whatever it is; it says we are not going to expand it.

In sum, I think this is a very well balanced, moderate, measured amendment. I compliment Senator BRYAN, my colleague, and also Senator WYDEN for their work on this.

I am proud to support this amendment. I support it with wholehearted enthusiasm. While I cannot claim to have the extent of beautiful national forests in my great State of Illinois that some of my colleagues from the West may have, we have the Shawnee National Forest in southern Illinois. It is one of the most beautiful parts of our State. It is something that is of concern to people right in my State—and that we have jobs in that area down in southern Illinois.

I very much enjoyed spending 5 days with my family in the Shawnee National Forest about a year or so ago.

I am hoping we can go forward into the 21st century finding a way to make sure we have an ample supply of timber in this country but at the same time preserving some of the pristine natural areas in this country—that we don't go too far in either direction.

This is a very well-balanced amendment. I am pleased to support it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, in fiscal year 1990, the Forest Service sold 11 billion board feet of timber for harvest and for productive use. For the last 2 years, we have authorized through our appropriations 3.6 billion board feet of harvest. The administration proposed in its budget for this year 3.2 billion, a further reduction, and a reduction from 1990 of 71 percent, as my colleague from Idaho pointed out.

Peculiarly, or interestingly enough, the Forest Service in its actual National Forest Land Management Plan allows for a harvest of about twice this amount. It is only the appropriations level recommended by the administration, and for that matter by this Congress, that has the level almost 50 percent below what the Forest Service plans say is both economically and environmentally sustainable.

That is the first peculiar argument.

Second, the committee bill does not increase the allowable harvest. It simply allows the same harvest for next year that appropriations bills passed overwhelmingly by this body and signed by the President have permitted for the course of the last 2 years.

The question is whether or not we should continue to move toward no harvest at all, as many of the national environmental organizations recommend, or whether we should consider continuing the relatively modest harvests that were promised by this President and this administration at the beginning of his Presidency, most particularly in the Pacific Northwest.

The Senator from Idaho pointed out that this is not exclusively a Northwest issue; that it applies to forests in other parts of the country, including the hardwood forests in the Northeast.

The original Bryan amendment distributes this money relatively widely—a fairly small percentage of the overall Interior appropriations bill—including a modest amount which simply is not to be spent at all and will go to the national debt. Most of that modest amount, however, is taken up and spent by the Wyden second-degree amendment that is to be directed at surveys of various species in the forests of the Pacific Northwest.

About those surveys, the Oregonian wrote an editorial 3 days ago. Three paragraphs of that editorial read as follows:

> Maybe now it is finally clear to the Clinton administration that it is fiscally and practically impossible to count every slug, every lichen, every salamander that lives on every timber sale on public forest land in the Northwest.
>
> The surveys of rare species of animals and plants required in the Northwest Forest Plan are ''technically impossible'' and ''preposterous,'' in the words of the Society of American Foresters, a professional group holding its national convention in Portland this week. . .
>
> Intentional or not, the survey requirement inserted into the Northwest Forest Plan has proven to be a poison pill—a way to block all logging and prevent the plan from working as it was designed.

That is the end of my quote from that editorial.

The Wyden second-degree amendment wastes $10 million. It literally wastes $10 million on surveys that are ''impossible'' according to the newspaper, ''preposterous'' according to the Society of American Farmers, and ''a poison pill'' for any timber sales whatever.

Estimates made during the course of a debate last week on carrying out all of these surveys were somewhere between $5 billion and $9 billion—not the $10 million that is included in this amendment. In other words, we are being asked by this amendment simply to throw away $10 million on useless surveys and at the same time to reduce further a timber sale program, a harvest, that is approximately half of what the Clinton Forest Service and its forest plans has said is environmentally and economically appropriate in the forests of the United States.

There is no rational ground for either the first-degree amendment or the second-degree amendment, except for the proposition that we wish to drive as quickly as we possibly can to a situation in which there is no longer any harvest of timber products on the national forests or, for that matter, all of the public lands of the United States. That is a conclusion and a goal that is economically unsound, environmentally unsound in the United States, bad for our balanced payments, and bad for the management of forests and the rest of the world whose products would be substituted for our own if that goal were reached.

I trust that sound judgment and wisdom will prevail and that both of these amendments will be rejected.

I want to point out once again that the committee report, the Appropriations Committee bill that is before the Senate, does not increase timber harvests on public lands of the United States. It retains exactly the level they were authorized for in the current year by the current appropriations bill, a level that the Senator from Idaho, I, and the junior Senator from Oregon believe already to be unwisely low.

We did not come here with a controversial point of view; we came here with essentially a freeze. We ask our colleagues to support the committee in that connection.

Mr. ENZI. Mr. President, I rise in opposition to the amendment introduced by the Senior Senator from Nevada that would drastically cut funding for our schools and rural communities. Over the past ten years the federal timber sale program has already declined by more than 70 percent to an all-time, post World War II low. This rapid decline has brought with it severe economic instability to resource dependent communities in rural America.

The most visible victims have been rural schools who were dependent on their share of the 25% payments they received from the proceeds of timber sales to fund such programs as, school lunches, nurses, computers for the classrooms, and just about any extracurricular activity that you now see vanishing from America's education system. Some school districts have been forced to cut back to 4-day weeks, others have been forced to lay off teachers, and others have dropped courses, all in attempts to survive within diminishing budgets.

This instability has also impacted the rest of the community. Increased unemployment has resulted in an increase in domestic violence, family dislocation, substance abuse, and increased welfare rolls in rural counties in all regions of the country. More and more families and communities have been driven to live near or below the poverty level.

Many local communities, however, have begun working with their local Forest Service offices to restore economic equilibrium. They have joined with local environmentalists, local governments and industries to form coalitions that they hope can help save their schools while maintaining or improving the forest ecosystems in which they live. And yet, as quickly as they rebuild, new attacks come to reduce or eliminate funding for the federal timber sale program. These attacks are based on the concept that federal timber sales are below-cost and economic boondoggles for the federal treasury.

As a former accountant, I would like us to take a moment to look at this program and to evaluate exactly what is going on with our Federal Timber Sale program.

The first question we have to ask is: Does the federal timber sale program constitute a subsidy for the forest products industry, or in other words, is the price paid for federal timber below its actual market value?

If federal timber contractors were to receive a special benefit and pay less money for the timber they harvest on federal lands, then we could say that there is a subsidy. However, Federal timber is sold by means of a competitive bid system. As a result, these auction sales are the most likely of any type of commercial transaction to generate the returns that meet or exceed market value. Because timber sales are designed to generate market value prices, we therefore must conclude that there is no subsidy.

Furthermore, the forest products industry has been able to demonstrate time and time again that the benefits gained by the public through the Federal timber sale program far outweigh the costs to the Federal treasury.

Only twice in the history of the Federal Timber sale program has the Forest Service reported that the costs of operating the program has exceeded revenues, in the years 1996 and 1997. This sudden loss of revenues, however, has not occurred because timber sales are not profitable.

A quick breakdown of the timber sale program shows that commercial sales still generate a profit for the federal government. The Forest Products industry is still paying its share.

What has changed is the focus within the Forest Service to implement an increased number of what is called stewardship sales, or timber sales designed to improve forest health without necessarily harvesting merchantable timber. These sales are not, and never have been intended to make a profit.

Because of this increased emphasis on stewardship, there is now virtually no such thing as a purely commercial timber sale on our National Forests. Almost every timber sale released by the United States Forest Service now includes some form of stewardship element that is intended solely for the purpose of improving the health and fire resilience of our National Forests. In a sense we now have timber companies paying for the privilege of improving forest health. As a result, our national timber sale program continues to be the single most effective tool of

the United States Forest Service for restoring health to our national forests. And our national forests desperately need help.

According the Forest Service's own records, more than 40 million acres of our national forest system currently exist under an extreme threat of destruction by catastrophic wildfire. An additional 26 million acres suffer from threat of destruction as a result of disease and insect infestation. Without the National Timber Sale program to thin out these forests and drastically reduce the amount of combustible fuels accumulating in our national forests I can guarantee you that when these forests burn, not if they burn, but when they burn, habitat will be destroyed, animals will be killed, water tables will be decimated, jobs will be lost, and more communities have to suffer the pains of rebuilding after another economic loss.

Mr. President, it does not make sense to take money from our nation's most effective forest restoration program just to give it to another forest restoration program. The Timber Sale Program is currently funded at a level very close to last year—an appropriate figure as we work to restore equilibrium in rural economies.

This bill, however, does not ignore the other restoration programs. Wherever possible we have increased funding for watershed restoration, road maintenance, and fish and wildlife management and I hope that we can continue to increase funding for these important programs, but where we have limited resources, we need to spend our tax dollars in the most effective manner, which means continuing to support the timber sale program.

In closing Mr. President, I would like to say that the goals of environmental protection and economic stability are not mutually exclusive. We can save our environment without sacrificing rural America.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Nevada.

Mr. BRYAN. Mr. President, how much time remains for the proponents of the amendment?

The PRESIDING OFFICER. The proponents have 12 minutes 43 seconds, and the opponents have 10 minutes 4 seconds.

Mr. BRYAN. I reserve 5 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. BRYAN. Mr. President, let me compliment the Senator from Oregon for his leadership in helping craft this very carefully balanced and I believe very modest amendment. Although the Senator from Illinois has left the floor, I want to compliment him for the clarity of his comments. I think he has put this debate in the proper context.

The Senator from Idaho has framed the issue as being for or against harvesting timber for commercial sales on the national forests. That is not the issue before the Senate today. This amendment does not deal with that issue. This amendment reduces the amount of money allocated for the commercial timber sales program back to the amount the President recommended in his budget and the Forest Service, the professional managers, recommended, which was $196 million.

That commercial timber program has been subject to much criticism over the years. It is, in my judgment, one of the vestiges of corporate welfare that still exists in the Congress of the United States. Courageously, on a bipartisan basis, both parties worked to reform the welfare system. We have already seen enormous benefits as a result of that bipartisan action. For reasons that are not altogether clear to me, we have had much less success in removing the vestiges of corporate welfare. It is for that reason that such responsible organizations as the Concord Coalition as well as the National Taxpayers Union are strongly in support of the Bryan-Wyden-Fitzgerald amendment.

The commercial timber sales program has been widely criticized because it is a subsidy. The Forest Service itself has acknowledged that fact. In the most recent fiscal year in which data is available, they have acknowledged that it is an $88.6 million loss to the taxpayer. The General Accounting Office, reviewing the data from 1992 to 1997, concluded the American taxpayers have lost some $1.5 billion as a result of this program. The Bryan-Wyden-Fitzgerald amendment is an attempt to bring some balance to the program.

My friend from Idaho has suggested that somehow this commercial sales program deals with forest management. We should be candid: It deals with commercial sales. We are subsidizing some of the largest logging companies in America. To do so, the appropriators, in changing the President's recommendation, have stripped money from some of the most important accounts in the Forest Service.

Regarding the road maintenance account, we have in the neighborhood of 380,000 miles of roads in the national forests. That is more miles than we have on the National Interstate Highway System. Each one of those miles of new roads that are cut in requires a substantial amount of ongoing maintenance to prevent environmental damage. The Forest Service estimated it would require $431 million annually to begin to address the environmental consequences of some of these roads that have been cut through the national forest. The backlog is some $3.85 billion. Yet in the bill that the appropriators present to the floor, they have stripped about $11.3 million out of this road maintenance program.

From firsthand experience, based upon our experience in Nevada and the Tahoe Basin, that is a major contributing factor to erosion and degradation of the ecosystem. Yet in terms of priorities, the appropriators would set as a priority increasing the timber sales program and reducing the amount of money available for the road maintenance program.

In addition, they have cut substantial amounts of money out of the fish and wildlife accounts.

Putting the National Forest System in some perspective, only 4 percent of the timber harvested in America comes from the National Forest System. However, it is not the only use that the national forest has. The national forest, as my colleague from Illinois noted in citing his own personal experience, provides an enormous recreational opportunity for millions of people. Yet the programs which they depend upon—the fish and wildlife accounts to make sure the habitat is there, that the fishery is not devastated as a consequence of some of these practices—those accounts have been substantially reduced. The funding that goes to those accounts is an investment in the Nation's 63 million wildlife watchers, 14 million hunters, and 35 million anglers who spend approximately 127.6 million activity days hunting, fishing, and observing fish and wildlife annually on the national forests.

Those who oppose the amendment have cited some of the economic circumstances that have affected the logging industry. Let me suggest with great respect, those are consequences of changing technology. Those jobs, I regret to say, will never come back because we harvest differently. The technology is more efficient. It is less manpower intensive.

On the other hand, the moneys that we invest in these programs that deal with fish and wildlife directly result in local community expenditures of billions of dollars, in over 230,000 full-time equivalent jobs.

One out of every three anglers fishes the national forest waters nationally, and two out of three anglers in the West fish the national forest waters.

So what my colleagues from Oregon and Illinois have put together is a carefully crafted balance: Maintain the timber harvest program at a $196 million level but do not increase it, because of the massive subsidy involved and the damage that has been done to the national forest system; put money back into the road maintenance account to help address that backlog, which is a major contributor to the environmental degradation that the ecosystem, according to the National Forest Service, is experiencing; restore money to the fish and wildlife accounts so we can help those who use the national forests for recreational purposes and address their needs.

I think as evidence of how balanced this effort is, the editorial support is not confined to any particular region. The Chattanooga Times expresses its support for it, as does my own hometown newspaper, the Las Vegas Sun, the Pittsburgh Post Gazette, and the San Francisco Chronicle. All who looked at this recognize this subsidy needs to be limited. What we have done is provide a carefully balanced response to that. I urge my colleagues to

support the Bryan-Wyden-Fitzgerald amendment.

I yield the floor and reserve the remainder of our time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. How much time remains on our side?

The PRESIDING OFFICER. The Senator has 5 minutes 13 seconds.

Mr. WYDEN. Mr. President, let me wrap up by saying that colleagues can see, year after year, this Congress has increased funding for the timber sale program. You can see that pattern since the late 1990s, going into this year. So all Senator BRYAN, Senator FITZGERALD, and I are trying to say is that there is more to this question, practicing sustainable forestry that will be good for rural communities as relates to their economic needs and to their environmental needs—there is more to this than just throwing money at the timber sale program.

If throwing money at the timber sale program was going to make things better, all of us in this body would have seen improvements over the last few years. In fact, we have seen the problems get worse. The problems have worsened in so many of these rural communities in both economics and the environment.

Much has been made of comments in our newspaper, the Oregonian, because of the importance of the forest in the Pacific Northwest. The Oregonian, in their editorial pages, said:

> What is needed is a carefully negotiated agreement on appropriate surveys for rare species and adequate funding to do them.

That is exactly what the Bryan-Fitzgerald-Wyden package does. For the first time we link adequate funding for the timber sale program to specific requirements for accountability and oversight. Never before on the floor of the Senate have we made the judgment that is in the Bryan-Fitzgerald-Wyden package that in fact the Forest Service really has lost direction in complying with a lot of these environmental concerns.

But we do not throw the environmental laws in the garbage can. Instead, we have the important effort that was launched by Senator ROBB and our good friend, Senator CLELAND, who is here this morning. At the same time, we agree with Senators CRAIG and GORTON that we do need to put this program on track.

So I am very hopeful my colleagues on both sides of the aisle will see this as a practical approach, an approach that is sensitive to the economic needs of rural communities, an approach that complies with the Nation's environmental laws and at the same time allows us to be a more effective steward of resources for taxpayers in this country.

This is not the end of the debate. Certainly what the Oregonian called for recently—a negotiated agreement on surveys to comply with the environmental rules and adequate funding—is going to have to be fleshed out when the House and Senate go to a conference committee. But this is the first step to a fresh approach that links adequate funding for the necessary environmental work with accountability that is long overdue at the Forest Service and a chance to meet the economic needs of the rural communities.

If all that was needed was what some of my colleagues on the other side have called for, which is spending more money on the timber sale program—we would not have many of the problems we are seeing today because year after year this Congress has put more money in the timber sale program. What we need is what Senators BRYAN and FITZGERALD and I have talked about on this floor, an effort to link the new focus on accountability at the Forest Service with compliance with environmental rules and sensitivity to economic concerns.

I urge my colleagues to support this bipartisan amendment, and I yield the floor.

Mr. GRAMS. Mr. President, every year at this time it seems we are here on the Senate floor debating another attack on the Forest Service's Timber Management Program. Every year those who wish to eliminate logging in our national forests come up with another angle which they claim helps protect the environment by eliminating ''wasteful'' spending on logging practices. Every year people throughout northern Minnesota and forested regions across the country see their jobs and their livelihoods threatened in the name of preservation or conservation. And every year, those of us who represent the good people of the timber and paper industry in our states have to fight, scratch, and claw our way to a narrow victory that saves those jobs and those families from economic ruin.

I come from a state in which the forest and paper industry is vital to our economy. The reduction in the timber program on national forests has had a dramatic impact over the past ten years on the number of jobs and the economic vitality of northern Minnesota. According to Minnesota Forest Industries (MFI), jobs provided by the timber program in Minnesota dropped from over 1,900 in 1987 to less than 1,100 last year, and they continue to decline.

The reduction in timber harvests on federal lands has had an equally dramatic effect on unrealized economic impacts. MFI estimates that unrealized economic benefits include over $10 million from timber sales, $25 million in federal taxes, $2.5 million in payments to states, and $116 million in community economic impact in Minnesota alone.

It is important to point out that the timber program in national forests has a very positive impact on the amount of federal money that goes to rural counties and schools. Nationally, the program contributes $225 million to counties and schools each year through receipts from timber sales in national forests. In Minnesota, the timber program provided roughly $1.7 million to counties and schools in 1998 alone. If the timber program would have met its allowable sale quantity in 1998, that number would have risen to nearly $2.5 million.

I am fascinated by the claims of some of my colleagues that the timber program is a subsidy to wealthy timber and paper companies and the claims that the timber program loses money because we are giving timber away to these companies. If you truly believe that, I challenge you to visit northern Minnesota and speak with the families who have lost their mills and the loggers who have lost their jobs. Talk to the counties and the private landowners who cannot access to their own property because the Forest Service doesn't have enough money to do the environmental reviews. Or talk directly to the Forest Service personnel and let them tell you how lengthy and costly environmental reviews and the overwhelming number of court challenges to those reviews is making the timber program so costly.

Then go speak with state or county land managers and ask them why their timber programs are so successful. Ask them why their lands are so much more healthy than the federal lands and why they're able to make money with their timber programs. In Minnesota, St. Louis County only has to spend 26 cents in order to generate one dollar of revenue in their timber program and the State of Minnesota spends 75 cents to generate one dollar of revenue. The Superior National Forest, on the other hand, spends one dollar and three cents to get the same result.

I cannot see how my colleagues can stand here on the Senate floor and tell me that the forest and paper industry in our country, and its employees, are the bad guys. The forest and paper industry in America employs over 1.5 million people and ranks among the top ten manufacturing employers in 46 states. These are good, traditional jobs that help a family make a living, allow children to pursue higher education, help keep rural families in rural areas, and provide a legitimate tax base from which rural counties can fund basic services. These are jobs that we in Congress should be working diligently not only to protect, but to grow.

Unfortunately, many Members of Congress who advocate these ideas have never taken the time to understand the positive economic and environmental benefits of science-based timber harvests. They have never sat down with a county commissioner who does not know where he is going to get the money for some of the most basic services the county provides to its citizens. They have never considered that for every 1 million board feet in timber harvest reductions in Minnesota, 10 people lose their jobs and over $570,000 in economic activity is lost. And they have never taken the time to go into a

healthy forest where prudent logging practices have been essential to ensuring the vitality and diversity of species.

If Members of this body want to make the timber program profitable across the country, then we should have an honest debate about what works and does not work in the program. We should discuss frankly the ridiculous number of hoops public land managers have to jump through in order to process a timber sale. I think we need to discuss the fact that under the Alaska National Interest Lands Conservation Act the federal government must provide access across federal lands for state, county, and private landowners to access their land. Yet in Minnesota, those landowners either have to wait a number of years or pay for the environmental reviews themselves because the Forest Service claims it does not have enough money. We should also discuss openly the dramatic impact court challenges are having on the ability of the Forest Service to do its job and to carry out the timber program in a cost-effective manner. On top of that, it's clear that under this administration the Forest Service does not want a timber program that shows a profit and they have done an effective job of using the powers of the executive branch to vilify both the timber program and the men and women of my state who rely upon that program in order to meet their most basic needs.

Virtually everyone in this body, including this Senator, is committed to the protection of our environment and to the conservation of our wildlife species and wildlife habitat. I believe we can expand upon our commitment to wildlife and provide additional resources for habitat protection. But I do not believe we must do so on the backs of timber and paper workers throughout the nation. I am willing to work with anybody in this chamber towards those conservation efforts, but let's not do it by pitting timber and paper workers against conservationists.

We cannot simply stand here and claim that the Bryan amendment is an easy way to throw some money towards the preservation of public land. Rather, this amendment is going to take jobs from my constituents and hurt the economy of the northern part of my state. The Bryan amendment is just one more step down the road toward eliminating logging on federal land. This amendment is going to reduce the ability of a number of rural counties in my state to make ends meet and to provide necessary services to residents. Those are just a few of the realities of the Bryan amendment and just a few of the reasons why I cannot and will not support its passage.

Mr. CRAIG. Mr. President, I want to at least try to shape for the RECORD some of the facts and statistics that have just been brought out. Last year, commercial sales of logs by the Forest Service produced a profit of $14.7 million. Last year's stewardship sales, the kind that the Senator from Nevada is talking about, for the purposes of forest health, the kind that is going on in the Tahoe Basin, lost the Forest Service $57.4 million. Those are the facts from the Forest Service.

It is understandable because when you go in to clean up the dead and dying and to improve the general health of the forested lands, you are dealing with a less valuable stick of timber. But the reality is that what the Senator from Nevada advocates is, in fact, a losing proposition. But I support stewardship, as does the Senator from Nevada, because it improves the forest health, it improves wildlife habitat, and water quality when it is properly done. It is not a money-maker. It is something that will have to be subsidized.

Is the Senator from Nevada willing to say that the company that does the stewardship contract for the Forest Service is a subsidized business? He just finished talking about corporate welfare. Is that welfare or is that forest health? Is that an environmentally sound thing to do? I think we are getting our facts a bit mixed up.

The road maintenance program was not slashed this year; $10 million was added to it. The Senator from Nevada knows the President's budget, when it came to the Hill, was dead on arrival, and we did not really consider any aspect of it. They wanted more money. They wanted $20 million. We gave them $10 million. So the program was not slashed; it was added to by $10 million over last year's level. It was reduced from the President's recommendation. I believe that shapes the reality of the facts a bit differently.

Let me talk a little more about facts. The Forest Service timber program generated directly for personal and business incomes this last year over $2 billion. Personal and business income from the timber program has dropped by almost $5 billion since 1991, for the very reasons we have given, because the Forest Service has reduced its program by 70 percent. We are dealing with less than the 30 percent that remains, and even that produces an income for working men and women and businesses of around $2 billion.

The amendment will continue to reduce this. There is no question because you are not going to have the money to do the studies, to do the EISs, to produce the sales, and to recondition the roads necessary to gain access to that timber. There are over 50 timber-dependent communities that each receive over $10 million of personal and business income from the forest timber program. There are almost 150 counties that each receive over $1 million. This income is at risk with the Bryan amendment—no question about it—because he continues to reduce the program.

The timber sales program generated $577 million in revenue to the Government and returned $220 million directly to school districts and counties for their roads and bridges. That is the reality of the money from the timber program.

It is important to understand that when we talk of allocating tax dollars to the Forest Service, it is done for the purpose of maintenance and of stewardship. All of these create a healthier, more vibrant forest.

That is largely the timber sale program today. It is not the large green-cuts program of a decade ago. Still the Senator from Nevada says that is too much and even used phrases like ''corporate welfare'' this morning. I do not think he would say the companies that are in the Tahoe Basin today, thinning and taking out the dead and dying and improving the forest health and ultimately improving the water quality of that basin, are corporate welfare babies. They are industries hired by the Forest Service to improve the health of the forest.

The Forest Service timber program generated $309 million in Federal taxes in 1997. This kind of significant economic activity is only when we have a viable timber program. We have reduced it dramatically, the timber program contributed over $700 million in income taxes in 1992. Again, the Bryan amendment will continue to reduce that.

We have already talked of the loss of jobs. One-half of the timber program is stewardship or personal use. Sales are used, again, for the purpose of maintaining or improving forest health—thinning, cleaning, reducing the fire hazards and the fuel loads. These types of sales are always, as I have just said, marginally profitable, some of them not, but they are done as part of the responsibility of the Forest Service to progressively improve the general health of our forested lands.

We know that Mother Nature, left to her own decisions in forest management, takes a lightning strike where she takes it and oftentimes burns down hundreds of thousands of acres, destroying habitat and dramatically impairing water quality in that immediate area for several years to come. We know that the hand of man, properly directed, can assist in improving the forest health, and that is exactly what many of our programs are about today.

The amendment will penalize the Forest Service timber program by reducing activities that are improving the health that I have talked about and the ecosystems about which all of us are concerned. At the same time, the amendment will throw a monkey wrench into a program that is already in trouble and will not contribute increased dollars to the coffers of the Public Treasury.

Those are the general issues at hand.

Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 2 minutes 45 seconds.

Mr. CRAIG. I was just informed, and I think it is reasonable, Mr. President,

to suggest if Hurricane Floyd sweeps up the coast and destroys some of our timberlands in the next few days, we are going to have the President come to us asking for emergency moneys in these areas to clean up the dead and dying trees in some of those areas, and yet here we are trying to cut it at this moment. I guess we will have to wait and see about Hurricane Floyd and forest health.

I yield the floor and retain the remainder of my time.

Mr. BRYAN. Mr. President, how much time remains?

The PRESIDING OFFICER. The proponents of the amendment have 58 seconds. The opponents of the amendment have 2 minutes 1 second.

Mr. BRYAN. Mr. President, I am prepared to yield back the remainder of the time remaining on my side if my colleague from Idaho is prepared to do the same.

Mr. CRAIG. I am, Mr. President. I yield back the remainder of my time. I move to table amendment No. 1588 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 1588. The yeas and nays have been ordered. The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from New Hampshire (Mr. GREGG) are necessarily absent.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM) is necessarily absent.

The result was announced—yeas 54, nays 43, as follows:

[Rollcall Vote No. 272 Leg.]

YEAS—54

Abraham	Enzi	Mack
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Baucus	Gramm	Nickles
Bennett	Grams	Roberts
Bond	Grassley	Santorum
Breaux	Hagel	Sessions
Bunning	Hatch	Shelby
Burns	Helms	Smith (NH)
Byrd	Hutchinson	Smith (OR)
Campbell	Hutchison	Snowe
Cochran	Inhofe	Stevens
Collins	Johnson	Thomas
Coverdell	Kyl	Thompson
Craig	Landrieu	Thurmond
Crapo	Lincoln	Voinovich
Daschle	Lott	Warner
Domenici	Lugar	Wellstone

NAYS—43

Akaka	Durbin	Lautenberg
Bayh	Edwards	Leahy
Biden	Feingold	Levin
Bingaman	Feinstein	Lieberman
Boxer	Fitzgerald	Mikulski
Brownback	Harkin	Moynihan
Bryan	Hollings	Murray
Chafee	Inouye	Reed
Cleland	Jeffords	Reid
Conrad	Kennedy	Robb
DeWine	Kerrey	Rockefeller
Dodd	Kerry	
Dorgan	Kohl	
Roth	Schumer	Torricelli
Sarbanes	Specter	Wyden

NOT VOTING—3

Graham	Gregg	McCain

The motion was agreed to.

Mr. CRAIG. Mr. President, I move to reconsider the vote.

Mr. GORTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CRAIG. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 33

Mr. LOTT. Mr. President, for the information of all Senators, I have a unanimous consent request, and then I will go over the schedule as it appears to be at this time.

I ask unanimous consent the text of S.J. Res. 33 be modified with the changes I now send to the desk, and I ask consent that no amendments or motions be in order and debate be limited to 2 hours equally divided between the two leaders or their designees at a time to be determined by the leaders.

I ask that a vote occur on adoption of the joint resolution at a time to be determined by the majority leader, after agreement with the Democratic leader, but no later than close of business on Tuesday September 14, 1999.

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

Mr. FEINGOLD. Reserving the right to object, I hope to have an opportunity to address the situation in East Timor. I ask that prior to the time period the majority leader laid out, I have an opportunity to speak in morning business for about 20 minutes regarding that situation.

Mr. LOTT. I have no objection.

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

ORDER OF BUSINESS

Mr. LOTT. Mr. President, let me explain where we are. Except for some wrap-up time and another vote on the Hutchison amendment, I believe we are about ready to conclude the Interior appropriations. It will take some time to do wrap-up. As I understand it, there could be as many as two more votes in addition to final passage.

After the presentation by the Senator from Wisconsin on East Timor, we are going to go to S.J. Res. 33 with regard to the Puerto Rican terrorists. There will be a vote on that resolution sometime this afternoon but not before 2:15 or 2:30. We will work on a specific time and advise the Members when that will be.

When that is complete, it is our intent to go to the Transportation appropriations bill. I have discussed this with the Democratic leader. We are in agreement on that. We will do this resolution and a vote, and then we will go to the Transportation appropriations bill and complete that as soon as we can. That could be tonight or tomorrow night but however long it takes. Then we will come back and wrap up the Interior appropriations bill. That will be determined at a time we will notify the Members of, after we have had further discussion with the Democrats and the manager of bill.

Mrs. BOXER. Will the Senator yield?

Mr. LOTT. I yield.

Mrs. BOXER. Mr. President, I understand that Senator HUTCHISON wants everyone here to vote on the cloture. I totally understand. We have decided, and I totally agree with this, because of illness in Senator GREGG's family, that we are going to wait for him to come back. I wish my best to the family and my prayers. I know everyone feels that way.

I have no objection to that, and I want to cooperate on that.

Mr. LOTT. I thank the Senator from California for her comments and her willingness to do that. I don't make that sort of request ordinarily, but Members have extraordinarily difficult problems in their families and we have to try to be cooperative. We thank Senators for doing that.

I yield the floor.

The PRESIDING OFFICER. Under the previous unanimous consent, the Senator from Wisconsin is recognized for up to 20 minutes.

Mr. FEINGOLD. Mr. President, I thank the majority leader for the opportunity to address this issue at this time.

STEMMING THE TIDE OF VIOLENCE IN EAST TIMOR

Mr. FEINGOLD. Mr. President, I rise today to discuss the tumultuous events that have unfolded in East Timor since the August 30 ballot to determine the territory's political future, and to state clearly what the United States is and should be doing in response to this crisis.

How can anyone not be horrified at the blind eye that the Indonesian government has turned to the unchecked violence and mass murder being perpetrated in East Timor by anti-independence militias—violence that even today is blatantly supported by elements of the Indonesian army.

In just one week, since the ballot's results were announced on September 4, the militias have driven out or slaughtered nearly the entire population of the capital city of Dili. East Timor is dotted with villages and cities that have become virtual ghost towns in a matter of days. Many of the people that have been driven out have been

forced into militia-run refugee camps in West Timor. Mr. President, these innocent civilians are unprotected targets for a group of thugs who are willing to obliterate East Timor completely rather than allow it to start down the road to the independence more than 78 percent of its people voted for on August 30.

The message of the militias is clear: if Indonesia can't have East Timor, there will be no East Timor worth having for the East Timorese.

Cities are in flames and militia members are stealing anything of value that they have not destroyed. Churches, usually recognized as places of sanctuary—even by combatants during war—have been burned with refugees still inside. Mr. President, this is literally a scorched earth policy. It is like few of even the worst episodes we have seen in the often bloody 20th century.

No segment of the pro-independence population in East Timor has escaped the wrath of the militias. Religious leaders, foreigners, and the families of activists have been especially targeted for summary execution. At least 20 priests and nuns across East Timor have been murdered. Three of the priests were among approximately 100 Timorese victims killed in a brutal grenade attack on the town of Suai. Women, children, and the elderly have been massacred. Members of the United Nations Assistance Mission to East Timor (UNAMET) have been targeted, as have foreign journalists who are trying to cover the atrocities.

The leaders of the Timorese independence movement and their families are especially vulnerable to attack. Early last week, the Indonesian government released independence leader and political prisoner Xanana Gusmao from jail in Jakarta. On Friday, he learned that his 82-year-old father had likely been murdered by pro-Jakarta thugs, and that his elderly mother is missing.

Last week, the United Nations evacuated most of its personnel to Australia. About 80 brave UNAMET personnel elected to stay in East Timor to try to protect the approximately 1300 East Timorese who remained huddled behind the compound's barbed wire fences. They remained barricaded in what was left of the UNAMET headquarters for about a week with little, if any, power, water, or working telecommunications lines. Militia members have repeatedly fired into the compound.

On Friday, some of the Timorese, including women and children, desperate to escape the violence, climbed the razor-sharp fence separating them from the armed thugs and attempted to find refuge in the hills behind the UNAMET mission. They were fired on by the militias as they tried to escape. The unarmed UNAMET personnel were powerless to help and could only watch in horror as those they had come to help were shot down by ruthless opponents of justice, self-determination, and the rule of law. Yesterday, the U.N. evacuated most of its personnel and the refugees remained in the compound to Australia.

The boldness of the militias, and the complicity of the Indonesian army, and apparently members of the Habibie government, is astounding. I am truly shocked by the total impotence or inaction of the Indonesian government over the last two weeks. President Habibie promised the United Nations, the international community, and—most importantly—the people of East Timor, that he would ensure a secure environment in the territory and that the wishes of the Indonesian people would be respected. Neither has happened.

Some argue that Habibie may be unable to stop the violence. Others say he is unwilling. His level of control over the army, which he did not consult prior to agreeing to the U.N.-supervised ballot on the future of East Timor, is, of course, a subject of a lot of debate. Whatever the case, Habibie has not made any compelling strong statements condemning this violence, and has made no attempt to reign in the army personnel who are participating in this rampage.

I am also disturbed by the inaction of the head of the Indonesian military, General Wiranto. This past weekend, Wiranto implied that he may not have control of all of his forces. On Saturday, he accompanied a delegation from the United Nations Security Council to Dili, and he saw for what he said was the first time the devastation in that city. Soon after this visit, he said he would recommend that President Habibie accept an international peacekeeping force.

Finally, under considerable pressure from the international community, and with the support of General Wiranto and the head of the Indonesian police, Habibie announced early Sunday that his government would allow international peacekeepers, led by Australia, to come to East Timor to restore order and stop the violent rampage of the militias. But, as is often the case in clashes such as this, his announcement, while welcome, came too late for those Timorese murdered by the militias and those hiding in the hills who have been forever scarred by the violence and impoverished by the destruction that has been leveled against the democratic aspirations of the people of East Timor.

Now that the international community has reached this critical point in the transition of the political future of East Timor, Mr. President, here, I think, are the steps that must be taken next.

First and foremost, the international peacekeeping force must be deployed at the earliest possible date. I am very concerned at the words of delay coming out of Jakarta this morning.

I deeply regret that it took President Habibie so long to recognize the need for international assistance. Now, the Indonesian government, military, and President Habibie must cooperate fully with the deployment and must not interfere in the operations of this peacekeeping force. They must allow the force to deploy quickly, restore order, and help the East Timorese people to regain a semblance of security in their own homes and some hope of actually realizing the aspirations manifest in the results of the August 30 ballot.

I understand that Indonesian Foreign Minister Alatas continues meeting in New York today along with officials from Australia, to discuss the details of the Security Council mandate for the peacekeeping mission. One of those details clearly is to determine the composition of this international force and the role of the Indonesians themselves in such a deployment. Another should be to lay the groundwork for investigations into the crimes that have taken place in East Timor, including procedures to begin to collect evidence for future prosecutions.

Nobel laureates Jose Ramos Horta and Bishop Carlos Belo have called for the immediate formation of a war crimes tribunal to investigate and prosecute those responsible for these vicious crimes. That tribunal should be formed at the earliest possible date. To achieve that goal, the immediate priority of the international community should be to get the peacekeeping forces deployed to gain control of the situation and prevent any further bloodshed, and to allow the Timorese that have fled to return home.

The mandate for the peacekeeping mission should also be clear about the rules of engagement for disarming and detaining members of the militias. Some militia leaders have said that they will not disarm. This volatile situation poses a grave risk to the peacekeepers, and must be dealt with carefully and expeditiously.

Second, we must quickly and concisely define the scope of the U.S. role in this peacekeeping mission. I am pleased that Australia has come forward to take the lead on this peacekeeping mission in East Timor, and that other countries in the region have offered to contribute troops to this effort. It is my general belief that peacekeeping operations should be led by countries in the region where the conflict is occurring. I am also troubled by some word this morning that the Indonesian government is perhaps balking at the idea of Australia leading this mission—which I think is very appropriate, that Australia do so.

The militia-led violence, and the blatant collusion of the Indonesian military in the commission of that violence, is a direct slap at rule of law and the protection for the right to self-determination in international law and supported by the United Nations. I hope that any participation by the Indonesian military in this peacekeeping force will be scrutinized. Those who helped perpetrate the violence must not be placed in positions of trust within this operation.

I will say more about my views with respect to U.S. involvement in this peacekeeping operation in a few minute.

Third, the international community must keep the pressure on the Indonesian government. I am pleased that the President of our country made a decision I have advocated for some time to suspend military-to-military activities with Indonesia. I am also encouraged that this decision includes halting all new military sales to that country. I hope that the President will expand this decision to immediately halt any sales currently in the pipeline. If we are to be taken seriously by the Indonesian government, those sales must also be included. And these benefits should not be reinstated until specific steps have been taken to implement the results of the August 30 ballot.

I have heard many observers argue that Indonesia is too important financially to the United States and other countries to risk angering Jakarta. I would argue that no amount of trade is worth East Timorese lives. If we truly are to support Indonesia in its transition to true democracy, we must insist that the violence stop, and we must use every cent of our economic leverage to do so.

Last week I introduced a bill, S. 1568, that would suspend all military and most economic assistance to Indonesia until steps have been taken to implement the August 30 ballot. I am pleased that the Administration has suspended some military aid. It is now imperative that we keep the pressure on by refusing to reinstate that aid—and by threatening to suspend all other aid—until the results of the August 30 ballot are implemented. My bill would suspend new assistance and sales as well as those loans and purchases currently in the pipeline. In order to be effective, we must stop all aid in its tracks, not just new aid. We should also call on our allies to do the same. The recent financial troubles in Asia have made Indonesia dependent on bilateral and multilateral assistance. We should use that dependence as leverage to ensure that the Indonesian government lives up to its commitments in East Timor, including its newly announced willingness to admit a peacekeeping force into East Timor.

In that regard, I am pleased that the European Union yesterday announced that it has suspended all arms sales and military cooperation with Indonesia.

That welcome development makes it all the more important that we continue to push for passage of our legislation to suspend assistance. We must continue to apply the financial pressure provided for in this bill so that the Indonesians will understand the continuing U.S. resolve to see justice done in East Timor.

Finally, the United Nations mandate for this peacekeeping mission should include full access to East Timor for peacekeeping troops, humanitarian workers, and war crimes investigators. The anti-independence movement cannot be allowed to block access to any part of East Timor. In addition, humanitarian workers should also be allowed full access to the refugee camps in West Timor. The nations of the international peacekeeping force must make clear that no such interference will be tolerated.

People are dying. Women and children are being slaughtered while the politicians try to leverage the situation to their advantage. President Habibie has a chance to do what is right for his people, and the East Timorese people, before he leaves office. The way to salvage what is left of Indonesia's shredded international reputation is to allow international peacekeepers to deploy rapidly into East Timor to stop this senseless bloodshed.

Let me say another word about the U.S. role in this peacekeeping mission. As many of my colleagues know, I have been a vocal opponent of U.S. deployments to such places as Bosnia and Kosovo. While I support the concept of an international peacekeeping force led by countries from the region, it is my strong preference as it was in those cases that U.S. troops on the ground in East Timor not be a significant part of this peacekeeping mission. Our troops are currently overextended in open-ended commitments in such places as Bosnia, Kosovo, and Saudi Arabia. We should do whatever we can to limit our involvement in these places and be very hesitant to get deeply involved in any new missions of this sort.

That said, however, I am open to supporting a request to the Congress from the Administration for U.S. financial, diplomatic, communications, and logistical support for an international peacekeeping mission to East Timor that is led by countries in the region. The Administration must continue to consult closely with the Congress prior to making any commitment to assist with such a peacekeeping mission.

I believe strongly that the United States must develop criteria for deciding whether and where and how deeply to get involved in peacekeeping missions abroad. Our men and women in uniform and their families deserve to understand the dangers of proposed missions and to be given a good-faith estimate of their length.

As my colleagues know, I oppose our continuing involvement in the Balkans. The Administration argued that our action against the Federal Republic of Yugoslavia was necessary for humanitarian reasons. The trouble I have with our operations in Kosovo is that we have not shown the same willingness to intervene outside of our hemisphere to places like Rwanda and East Timor. What constitutes a humanitarian tragedy that warrants involvement by the United States military? The answer to that questions seems to change frequently under the current policy. I am affraid we really have no policy framework to address this crucial question. But the question will continue to arise and will do so with increasing frequency.

In my view, the legal case for international intervention in East Timor is more compelling than the situation in Kosovo because of the long-standing legal disputes over the political status of the territory, as well as the clear expression for self-determination by the people of East Timor on August 30. The people of East Timor cast their votes in a ballot sanctioned by the Indonesian government and supervised by the United Nations.

The East Timorese were promised a secure environment in which to express their honest views about the political future of their homeland. Instead, they had to endure intimidation by armed thugs supported by the army and by elements of the government that had sworn to protect them and to respect their wishes. Yet miraculously almost 99 percent of registered voters went to the polls, bringing along their courage and a commitment to freedom. And then when the militias began a murderous rampage, the government did nothing. They would not grant the international community the power to act.

So again, Mr. President, let me reiterate my view of the next crucial steps that must be taken in East Timor.

An international peacekeeping force must be deployed as rapidly as possible.

We must quickly and concisely define the scope of a limited U.S. role in the peacekeeping mission.

The international community must keep the pressure on the Indonesian government, and the peacekeepers, humanitarian workers, and war crimes investigators must be allowed full access to East Timor. And it all must happen as soon as possible. Thousands of lives and the legitimate hopes of a people hang in the balance.

I ask unanimous consent that an editorial from today's New York Times entitled ''Effective Force for East Timor'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AN EFFECTIVE FORCE FOR EAST TIMOR

''We cannot wait any longer,'' Indonesia's President, B.J. Habibie, said on Sunday. ''We have to stop the suffering and mourning immediately.'' With those words, Mr. Habibie bowed to world opinion and agreed to allow international peacekeepers into East Timor. But important, questions remain about when—and with what powers—the force will go in. The international community needs to maintain political and financial pressure on Indonesia to accept a force large and powerful enough to protect East Timor's people—and to do so immediately, before thousands more are killed.

Militias created and backed by Indonesia's military have been rampaging in East Timor for months, but the violence dramatically worsened after an Aug. 30 vote that overwhelmingly supported independence for the disputed province, which Indonesia invaded and swallowed in 1975. The militias have set

fire to much of the territory and killed perhaps thousands of people, many of them the pro-independence intelligentsia. Others have been rounded up and taken to West Timor, and tens of thousands have fled to the mountains, where they are in danger of starving.

Mr. Habibie's announcement that he would accept an international force took considerable political courage, as the idea is hugely unpopular with Indonesians and especially with its powerful military establishment. He agreed after several countries began to cut off joint training exercises, as well as military aid and sales, and important donors and the International Monetary Fund and World Bank suggested that they would condition further assistance on Indonesia's performance in East Timor.

The peacekeeping force, which requires the blessing of the United Nations Security Council, would be organized and led by Australia. Australian officials say they will provide about 4,500 of the anticipated 7,000 troops needed if Indonesia's military in East Timor is cooperative. They say they can get 2,000 troops to East Timor within 72 hours of United Nations approval.

President Clinton says that Washington does not anticipate providing ground troops for the mission, but that American support forces would assist with logistics, intelligence, airlift and coordination. Australia has maintained that American expertise is needed for these tasks, and this is an appropriate role for the United States.

Yesterday the Security Council met to hear a chilling report from a delegation of U.N. ambassadors that had just returned from East Timor, and to begin to negotiate the details of the force. Happily, Indonesia has retreated from earlier statements that the unit should contain only Asians. The world needs to keep up the economic and diplomatic pressure to convince Mr. Habibie that the force must be able to detain militia members or Indonesian soldiers who terrorize the population or menace peacekeepers.

President Habibie has already agreed to a commission to look into human rights violations. Those investigators must be able to work freely. Most crucial, Mr. Habibie cannot be permitted to stall. There will soon be nothing left of East Timor to save.

Mr. FEINGOLD. I, again, thank the majority leader for the opportunity to address this matter at this time, and I yield the floor.

DEPLORING THE ACTIONS OF PRESIDENT CLINTON REGARDING GRANTING CLEMENCY TO FALN TERRORISTS

The PRESIDING OFFICER. Under the previous order, the clerk will report S.J. Res. 33.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 33), as modified, deploring the actions of President Clinton regarding granting clemency to FALN terrorists.

The Senate proceeded to consider the joint resolution.

Mr. FEINGOLD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. COVERDELL. Mr. President, parliamentary inquiry. It is my understanding that we are now on S.J. Res. 33.

The PRESIDING OFFICER. Yes. By unanimous consent, there are 2 hours of debate on S.J. Res. 33 equally divided between the two leaders or their designees.

Mr. COVERDELL. Mr. President, I want to read the resolution to open this discussion. It is a joint resolution deploring the actions of President Clinton regarding granting clemency to FALN terrorists:

Whereas the Armed Forces of National Liberation (the FALN) is a militant terrorist organization that claims responsibility for the bombings of approximately 130 civilian, political, and military sites throughout the United States;

Whereas its reign of terror resulted in 6 deaths and the permanent maiming of dozens of others, including law enforcement officials;

Whereas 16 members of the FALN were tried for numerous felonies against the United States, including seditious conspiracy;

Whereas at their trials, none of the 16 defendants contested any of the evidence presented by the United States;

Whereas at their trials none expressed remorse for their actions;

I am going to repeat that clause, Mr. President:

Whereas at their trials none expressed remorse for their actions;

Whereas all were subsequently convicted and sentenced to prison for terms up to 90 years;

Whereas not a single act of terrorism has been attributed to the FALN since the imprisonment of the 16 terrorists;

Whereas no petitions for clemency were made by these terrorists, but other persons sought such clemency for them;

Whereas on August 11, 1999, President William Jefferson Clinton offered conditional clemency to these 16 terrorists, all of whom have served less than 20 years in prison;

Whereas the Federal Bureau of Investigation, the Federal Bureau of Prisons, and 2 United States Attorneys all reportedly advised the President not to grant leniency to the 16 terrorists;

Whereas the State Department in 1998 reiterated two long-standing tenets of counter terrorism policy that the United States will: ''(1) make no concessions to terrorists and strike no deals''; and ''(2) bring terrorists to justice for their crimes'';

Whereas the President's offer of clemency to the FALN terrorists violates longstanding tenets of United States counterterrorism policy; and

Whereas the release of terrorists is an affront to the rule of law, the victims and their families, and every American who believes that violent acts must be punished to the fullest extent of the law: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That making concessions to terrorists is deplorable and that President Clinton should not have granted clemency to the FALN terrorists.

I commend the House of Representatives. It has already passed House Congressional Resolution 180: 311 voting aye, 41 voting no, and, in an unprecedented act, 72 voting ''present.''

I conducted a hearing this morning, the witnesses of which were former New York Detective Senft, former New York Detective Pastorella, the president of the Fraternal Order of Police, Mr. Gallegos, and a son of one of the victims of the New York bombing at a restaurant, Fraunces Tavern, in New York, Mr. Connor.

It was a very moving hearing. The two detectives, one of whom, in the bombing in New York by this organization, has lost permanent sight in one eye, some 60 percent of his hearing, and has gone through, I guess, some 16 reconstructive operations. The other detective is permanently blind and has lost the majority of his right hand. They made rather poignant statements. They said that there would be no pardon for what they had suffered; there would be no clemency; that theirs were life sentences. Both nearly lost their lives. One still has metal particles in his stomach and shoulders from the bombing.

Mr. Connor, very movingly, talked about the notice that he and his mother received on his 9th birthday that their father, an innocent 33-year-old, who had taken a client to lunch, had died in the bombing.

It was sort of interesting; Detective Senft, 2 years ago, began writing the President about this matter, to which there has been no response. Several of the witnesses talked about having written the Attorney General and the White House, with no response. To me, it is hard to imagine that such a letter would come to the White House or to the Attorney General and not be responded to.

Lieutenant Senft over 2 years ago wrote and has yet to receive a response. Mr. Connor cited current law which requires that victims are to be notified of the release of prisoners in cases in which they were involved.

None—neither of the detectives nor the Connor family—have been notified at all.

One of the concerns that came out of the hearing was to embrace these questions so our committee, and the Judiciary Committee, can make appropriate inquiries as to what was done to advise these individuals. In the hearing they pointed out that the clemency advocates have had numerous meetings with the Attorney General's Office and others in the Government, but those who would oppose it have had none, and requests to have these meetings have gone without response.

The representative of the Federal Bureau of Investigation, who was to have testified on behalf of the Government to try to explain how this policy would not be incongruous with Federal policy with regard to the handling of terrorists, at 9:30 last night, notified the committee they would not testify, that they had been instructed not to testify by the White House.

So the inquiries over the last 2 weeks to give the administration an opportunity to air their view of this circumstance and how it interacted with U.S. policy with regard to terrorism

went unheeded, and neither the State Department nor the Justice Department nor the Federal Bureau of Investigation would even make a witness available on behalf of the committee to air the Government's view with regard to this act on the part of the President.

No one is challenging the President's right and power to grant the clemency. To the extent they say, well, it is a constitutional power, et cetera, that is a smokescreen. What we are trying to understand is what its effect is on U.S. policy with regard to terrorism.

Interestingly—to comment just a moment or two more on the hearing—I posed the question to the witnesses that the President has endeavored, in his clemency finding, to draw a distinction for these 16 terrorists, indicating they themselves did not actually throw or place the bomb.

These were conspirators. These were planners. Senator SESSIONS so eloquently stated the other day that one of the reasons they did not get to do that is they were caught with all these weapons in their van. In other words, if you are an unsuccessful terrorist, you have a higher standing under U.S. law than if you are a successful terrorist.

But when the question was posed to the panel, Mr. Gallegos, who is president of the Fraternal Order of Police, said: Wait a minute. What kind of question are we introducing to the adjudication of criminal activity? He said: For example, if you are the get-away driver in a bank robbery—you did not actually rob the bank—under U.S. law you are as guilty and subject to as much of a punishment as the man who walked into the bank.

I mentioned the other day on the floor, under this theory of separation of degree, why is Bin Laden a No. 1 fugitive for the United States? He didn't drop the bombs in Kenya and Tanzania. He was a conspirator, as these people were. I asked the question—and I will turn to my colleague—what this did to the morale, and New York Detective Senft said it undermines every active-duty law enforcement officer. He said, as damaged as he is permanently in life, he took solace that the perpetrators who attacked him were in prison. It has been a devastating fact for him to know that clemency can be granted for that kind of activity. All of the law enforcement officials said these decisions were particularly devastating to men and women on America's front line protecting citizens day in and day out from these kinds of hostilities and violence.

With that, I yield up to 15 minutes of our time to the Senator from Texas, Mr. GRAMM.

Mr. DURBIN. May I inquire of the Senator from Georgia?

Mr. COVERDELL. Yes.

Mr. DURBIN. May we have some understanding of how the time will be allocated? It is my understanding that, generally speaking, we have an equal amount of time on a side, and 1 hour is allocated to this debate. Senator CONRAD is here on the Democratic side; he would like to speak for 10 minutes. I see the Senator from Georgia has at least two colleagues interested in speaking. Could we reach some kind of agreement as to how we will proceed?

Mr. COVERDELL. Mr. President, in response to the Senator from Illinois, that is a perfectly legitimate question. My idea is to go to the Senator from Texas, back to your side, and then back to our side. After the Senator from Texas has 15 minutes, of course, which will be counted against our side, it will be about 10 minutes and 10 minutes back and forth.

Mr. DURBIN. Mr. President, how much time of the Republican side has been used to this point?

The PRESIDING OFFICER. Fifteen minutes.

Mr. DURBIN. Another 15 minutes from your side will mean you have consumed 30 minutes of your 1 hour of debate before we have spoken. So can we agree that after 15 minutes we would have the remaining time until 12:30?

Mr. COVERDELL. With one exception. Senator KYL has come to the floor and asks that we give him some opportunity in that timeframe. I ask the Senator from Texas if he might limit his remarks to 10 minutes so we can accommodate Senator KYL.

Mr. KYL. Mr. President, I have the obligation of chairing a nominations hearing in the Judiciary Committee at 2 o'clock, which I am sure my colleagues on the other side would like to move forward on, since all of the nominees appear quite qualified and presumably could move forward.

I ask unanimous consent that I may take 30 seconds to express my support for what the chairman is doing and then put a statement in the RECORD. That would be satisfactory from my standpoint.

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

The Senator from Arizona.

Mr. KYL. Mr. President, I have had the pleasure of attending the subcommittee meeting this morning, and I heard witnesses who are victims of the terrorists who were given clemency. It was a heartbreaking experience, frankly, because at the conclusion of it one understands that we haven't closed a chapter by doing this. In fact, the President has probably opened a new chapter. I believe there will be additional terrorism as a result of the clemency that he ordered. I hope that will be addressed by this Senate, working together with the administration, so we can continue a policy which has been effective heretofore, and that is making certain that terrorists are hunted down, prosecuted, and incarcerated so they can't commit terrorist acts again.

To the extent the President's actions in this case were different from that past policy, they should be condemned, and we as a Senate should make sure it doesn't continue in the future. So I commend the chairman of the subcommittee for holding his hearing. I indicate again that the Judiciary Committee will have its hearing tomorrow and will have more to say about this.

The PRESIDING OFFICER. Under the previous agreement, Senator GRAMM is recognized.

Mr. DURBIN. Mr. President, I wasn't aware that there was an agreement. Can we restate it so there is a clear understanding? The Senator from Texas will speak up to 15 minutes; is that correct?

Mr. GRAMM. I have been recognized for 15 minutes, as I understand it.

The PRESIDING OFFICER. Then the Senator's side will have the remaining time.

Mr. DURBIN. We will try to maintain the floor until 12:30, which I understand we have agreed to.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, let me remind everyone how we came to this point under the leadership of Senator COVERDELL. A resolution was introduced condemning the President's decision to grant clemency to 16 terrorists who were part of a wave of violence and death across the country that started in the mid-1970s and ended when these terrorists were incarcerated. We sought to bring that resolution to a vote on the floor of the Senate. Our Democrat colleagues, using their rights under the rules of the Senate, objected. We were forced to file cloture to force the consideration of this resolution, and that cloture motion carried. Now we are in the process of debating a resolution where Congress, in this instance, takes the strongest action it can under the Constitution, and that is condemn the President's actions.

The President is given, under the Constitution, the power of pardon. There is nothing we can do that would override that constitutional prerogative. But while the President has the right to pardon, I believe the President is profoundly wrong in pardoning these terrorists.

Now, I wish I had the ability of our President to articulate so clearly and to put a human face on so many of the public policy issues he discusses because there is a very real human issue involved here. It started with a bombing of historic Fraunces Tavern in Manhattan.

This is the front page of the New York Times from Saturday, January 25, 1975. In this article, in excruciatingly painful and bloody detail, it outlines how a bomb was set the day before, how it decimated this restaurant, injured 44 people, killed 4 people, decapitated 1 person. These were innocent people who just had the bad luck to go to lunch at this place, at that time on Friday, January 24, 1975.

Some of my colleagues may have read a recent article in the Wall Street Journal, written by two sons of a man who had the bad luck of going to lunch that day in that tavern. Basically, they put a human face on that one brutal

murder. The picture they drew was that of a young man who grew up in a very poor family. Actually, he grew up in a Puerto Rican neighborhood in New York and worked his way up to be successful. Today, both of his sons are investment bankers. So in that sense, he was successful. But he died—and he was 33 years old—because a group of brutal murderers, calling themselves a ''liberation army,'' planted a bomb that day in New York that took this man's life, took him away from his family. The FALN—this terrorist group—claimed responsibility and, in fact, left a note near the bomb scene outlining their grievances.

They said they had grievances. So they injured 44 people and brutally murdered four people.

That started a reign of terror—the greatest terrorist assault in the history of the United States of America in our homeland among our people, innocent people. This reign of terror continued until these terrorists, now pardoned by the President, were arrested and incarcerated.

Our President says, and I quote, talking about these terrorists:

> They had served very long sentences for offenses that did not involve bodily harm to other people.

It is true that while they are the core, or were the core, of this terrorist organization, while they were its leadership, and while they were arrested and convicted for engaging in terrorist activities—they were convicted of things such as unlawful storage of explosive materials—it is also true that the terrorist attacks ended when they went to jail.

So you can say they weren't convicted of these specific, brutal tavern murders in New York. They weren't convicted of the bombing on New Year's Eve in 1982 when a New York City police headquarters and other sites were bombed, and in the process you had victims who were blinded in both eyes, who lost five fingers on their right hand, who lost hearing, who required 13 major surgical operations on their face alone, and had 20 titanium screws put in place to hold their face together. They weren't convicted of those particular crimes, but they were leadership, the core, of the organization that claimed credit. Those crimes ended when they went to prison.

They were part of the leadership of that organization. They were accessories whether they were there and planted the bomb or not; we do not know, we may never know, but they were accessories before and after the fact as part of FALN. Yet the President says they were nonviolent.

If you are going to put a human face on it, you would have to go back and talk to these police officers who have been blinded, and who have had their faces destroyed. You would have to talk to the children and grandchildren of these people who were murdered in the tavern in New York.

I call that violence. I call that a fundamental assault on the American people. This is not a violence where someone is selected for retribution, wrong as it may be, for an act they committed. This is violence against people who had nothing to do with this desire to see Puerto Rico an independent nation. These were people living their lives, routinely going about their business, who certainly didn't know about this group, or if they knew, they weren't in any way involved.

So to say that these people were nonviolent, who were the core of this terrorist organization that planted 130 bombs that killed and maimed across America, is an outrage.

While I know our President has no shame, he ought to be ashamed of that statement.

What are we doing? We are here because the President of the United States decided, based on pleas made by various individuals and groups around the country to grant a pardon—clemency—to these people who were leadership of a group that planted 130 bombs in America over a 7-year period and that brutally killed and maimed our fellow citizens.

I don't understand the President's action. The FBI was reported to be opposed to it. The Justice Department and the prosecutors who were involved were opposed to it. Maybe I should take the Justice Department out. I don't know. They probably have not heard about it yet. But the prosecutors who were involved were opposed to it. Law enforcement officials across the country were opposed to it. It was supported by some political leaders of the Puerto Rican community in New York.

Quite frankly, I don't understand that. Many of these terrorists weren't even from Puerto Rico. They were born in the United States of America.

Yet somehow, despite the fact that Americans were killed and maimed, these terrorists are given special status, seemingly because they could identify a cause, a cause, interestingly enough supported by only 2.5 percent of the people who voted in the December 1998 plebiscite in Puerto Rico.

We will never know why the President did this. If he did it to court political support for Mrs. Clinton running for the Senate in New York, it turned out to be a bad deal. It turned out to be something that probably was harmful and not helpful.

But let me tell you why I am concerned, which goes beyond politics.

What the President did was lower the cost for committing acts of terrorism in America. He lowered the cost for committing acts of terrorism in America by pardoning people who participated in a reign of terror that, as far as I am aware, is unparalleled in America's history.

If we are going to pardon people who brutally murdered innocent citizens, who maimed and mutilated police officers, then what is the penalty for terrorism?

The President says President Carter urged him to pardon them.

It is very interesting to note when these acts of terrorism accelerated. In fact, the police headquarters in New York City was bombed 3 years after then-President Carter pardoned the Puerto Rican terrorists who came into this sacred temple of American democracy—the Capitol Building—when there was a quorum call on in the House of Representatives and stood in the House balcony and shot and wounded Members of the House of Representatives. In fact, there is still a bullet hole in the ceiling of the House of Representatives. There is still a bullet hole in the drawer of the Republican leader's desk from that day in 1954.

President Carter decided in 1979, 4 years after the Fraunces Tavern bombing, to pardon the Puerto Rican terrorists—which is an inaccurate media description because many of these people were born on the mainland of America—who in this great temple of democracy assaulted civilization itself. He pardoned them and let them out of prison.

Three years later, this terrorist group bombed New York City police headquarters, the Manhattan office of the FBI, and the Metropolitan Corrections Center in New York.

Here is the point. Jimmy Carter, as President, lowered the cost of committing terrorist acts. Those terrorist acts accelerated after that pardon in 1979.

Now the President has pardoned the members of the very group that claimed credit for those acts, and who were convicted, among other offenses, of storage of explosives and conspiracy to make bombs. So, obviously, they were planning more attacks and more bombing. They claimed credit for the bombings in New York—the bombing of the police headquarters, the killing of innocent citizens, the mutilation of police officers.

Now the President has pardoned them. I would like to conclude with these points.

The President and his spokesman on many occasions have said that fighting terrorism is the No. 1 objective of his administration, that the greatest threat we face in the world today is the threat of terrorists. Obviously, there is some other objective somewhere that is of a higher order because for some reason the President pardoned these terrorists.

I think it was a terrible mistake. I believe the American people will hold President Clinton accountable for it. I want to know how the process occurred and whether the process outlined in law was followed. Whatever the process was, the decision was wrong. I believe we should condemn it in the strongest possible language.

I hope we get strong bipartisan support. I hope we don't have in the Senate what we saw in the House when some Democrat Members of the House didn't vote yes and didn't vote no. The best they could do is to say they were there that day, and they voted ''present.'' I don't think this is an issue

where Members want to vote ''present.''

I want people to know I think it was an absolute outrage that the President did this. He ought to be ashamed of it. The American people ought to hold him accountable. The Congress, in the strongest action we can take in this matter, is deploring the President's action.

I thank our colleague from Georgia for his leadership on this issue.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota.

Mr. CONRAD. Mr. President, on the subject that has been discussed by the Senator from Texas and the Senator from Georgia, I think the President did make a mistake. I don't think it was appropriate to extend clemency to these people. I hope this is an issue that we can address by resolution and make clear where the Senate stands. We are going to have an opportunity to do that.

FISCAL YEAR

Mr. CONRAD. Mr. President, this morning I got up and, as is typically my habit, I opened up the Washington Post to see what was there. I turned first to the sports page to see how my Baltimore Orioles performed. I got good news there. That was a welcome addition to my morning.

On the front page of the Washington Post I was very surprised to see this headline: ''GOP Seeks to Ease Crunch with 13-month Fiscal Year.''

I have heard of some gimmicks in my time. Now we see our friends on the other side, who are not able to meet the legal requirement that they pass the appropriations bills on time by October 1, have resorted to a new concept. Instead of having a 12-month year, we will have a 13-month year.

I think our friends are going off on a tangent that should not be pursued. I think this would be a profound mistake. The last thing we need to do is solve our fiscal problems by creating a fiction of a 13-month year. That isn't what we need to be doing. We need to address directly and forthrightly the problem we face in trying to avoid raiding the Social Security trust fund. Let's do it honestly. Let's do it directly. Let's not engage in the fiction of creating a 13-month year in order to resolve the fiscal challenges facing this country and this Senate.

That is what the Republicans have come up with. They point out in the story:

> By creating this fictitious 13th month, lawmakers would be able to spend $12 billion to $16 billion more for labor, health, education and social programs than they otherwise would be permitted under budget rules.

What are we doing? We are going to create a 13th month to deal with the fiscal problems of the country? I don't think so.

Senator SPECTER is apparently one of the backers of this idea.

> ''We all know we engage in a lot of smoke and mirrors,'' said Senator ARLEN SPECTER, chairman of the Senate Appropriations subcommittee, ''But we have to fund education, NIH, worker safety and other programs. It's a question of how we do it.''

I agree with it being a question of how we do it. The last thing we ought to do is create a 13-month year. If we want to cause a lack of respect of people in the country for the Congress, this is the way: Adopt the Republican proposal that the way to solve our fiscal problem is to create a 13th month.

I began looking at the calendar to try to figure out where we would add this 13th month, what we would call it. One thought that we had is that maybe we could have January, February, and then ''Fictionary''—kind of a fictional 13th month. Maybe that could be the month: January, February, and Fictionary.

Or maybe we ought to have ''Spend-tember,'' after September, or maybe before September. We could have ''Spend-tember'' for the 13th month.

There is something wrong with what our colleagues on the Republican side have come up with. Thirteen months? I don't think the American people are going to buy this. Everybody knows there are 24 hours in a day, 7 days a week, and there are just 12 months in a year. Search as we might, here is the calendar; there are only 12 months; there is no 13th month. That is not the solution to our problem.

If we started thinking of where we would add this month, some would advocate two Decembers. That would have a certain attractiveness. We would have two Christmases, all the retail sales twice. That is not a bad idea.

On this idea the Republicans have come up with for 13 months to solve our fiscal problems, my choice is to see 2 Octobers. I am a baseball fan. I could have the World Series twice. Others might have a different idea of where we could add a month.

I must say to our Republican friends, why stop at 13 months? If this is the way we are going to solve the fiscal problems of our country, let's go to 14 months, maybe add 15. Somebody in my office suggested we go to 24 months. That way, we would be able to double everybody's income in a single year. We would be able to have twice as much spending in a single year if we went to 24 months. I think we have real opportunities. If we keep adding enough months, we can completely avoid the Y2K problem altogether. Now this is a real opportunity, and I don't think we want to miss it.

Mr. DURBIN. I say to the Senator, if he yields for a question, if we can extend the year to avoid the tough decisions on the budget and not only avoid Y2K, but we can repeat the month of December and have Christmas sales and inject in the economy a lot more life—and of course kids enjoy Christmas—perhaps the Republican leadership is onto something by extending the year an additional month for budgetary purposes.

Mr. CONRAD. There are lots of good ideas coming out on this idea to extend the concept that our Republican friends have come up with to go to 13 months in a year in order to solve our budget problems. The last time we made a major change in the calendar, it was made by the Pope. I am not sure what that says about those putting forward this proposal, other than I can't wait to see what they come up with next.

I don't think this is the solution to the fiscal problems of America; 13 months is not the answer.

Going back to the headline, it really is kind of stunning: ''GOP Seeks to Ease Crunch with 13-month Fiscal Year.''

One person who has commented on this in this morning's paper is Robert Bixby, head of the Concord Coalition, a budget watchdog group. He says they are degrading themselves and we degrade the budget process by resorting to these budget gimmicks.

The only disagreement I have with that is, this goes way beyond gimmick when all of a sudden we are going to take a 12-month year and make it 13 months to address the budget problems of the country. I think our Republican friends have gone off in the weeds. I hope they reconsider. This is a mistake.

If we start going in the direction of adding months, where is this going to stop? We have 12 months. Thirteen months? Fourteen months? Are we going to be able to solve all the problems of the country if we start to engage in fiction? That is not the direction we ought to take. Does my colleague from North Dakota agree?

Mr. DORGAN. If my colleague will yield, this is remarkable. I was eating Grape Nuts, actually, when I read that this morning. That is not always a pleasant experience unless you have plenty of sugar. And then you get the newspaper and you read a headline that says, ''GOP Seeks to Ease Crunch With 13–Month Fiscal Year.''

I am thinking to myself, I have been around this place for some time and have grappled with a lot of fiscal policy problems. If we had thought of this a long while ago, we would not have all of these problems. If you have a problem, just change the calendar.

That would raise of course the question of what to name this new month. I suppose if they were really serious they could do what all the sports stadiums do, and just sell the name. How much money could you raise with a Microsoft month or a US Airways month? I suppose there are all kinds of possibilities along this line. But I think most people would look at this and say that it is not very serious governance—when you have a problem you cannot fix you create another month and then pretend you fixed it.

Some State legislative bodies have a rule that they must adjourn by a particular time. So what they do occasionally, is to take a black cloth and cover

the clock. Now we have budgeteers who think the way to solve a fiscal problem is to add another month to the calendar.

I don't know. We hear a lot of Byzantine and bizarre suggestions in this Chamber from time to time. But this one has to rank right up there. As a young schoolboy in the southwestern ranching country of North Dakota, I learned the days of the months through a little ditty. We all know it. Perhaps now it should be changed:

Thirty days hath September,
April, June, and November,
All the rest have 31,
Except the Republicans,
They have an extra month.

This is going to be confusing to a whole generation of schoolchildren if the GOP decides they are going to mess with the calendar.

We have had the lunar calendar, the solar calendar, the Gregorian calendar—I assume my colleague explained much of the history of the calendar. Perhaps the creative minds here in the Senate will make history when they try to find their way out of the corner into which they have painted themselves.

Let me yield the floor at this point to my colleague from North Dakota.

Mr. CONRAD. The Wall Street Journal, back in July, had this headline: ''The GOP Uses Two Sets Of Books.'' Now we are going to have a new headline: ''The GOP Uses Two Calendars.'' We have the one with 12 months, which I guess will run all the rest of our lives, but for budget purposes we will have 13 months.

The second part of the story in the Washington Post today said: Senate Republican leaders embrace a longer fiscal year to ease spending woes. They want to spend the money, but they want to make it appear as though there is less spending in this year, so they add a 13th month. I don't think that is going to fool anybody. It certainly should be outside the rules of this body, if we are going to be serious about maintaining the fiscal discipline that has done so much to restore the fiscal integrity of this country.

For the first time in 30 years, we have been able to balance the budget, largely as a result of the 1993 budget plan we passed. We received no help from our friends on the Republican side—not a single Republican vote, not one. That was a plan which put us on a path to reduce the deficit each and every year of the 5 years of that plan. In 1997, we added a little bit. That was done on a bipartisan basis. That was good. We did something together.

But now our Republican friends are retreating to the notion that the way to solve the fiscal problems of the United States is to add a 13th month. That cannot be a serious proposal. I cannot believe our colleagues are going to engage in that kind of charade and that kind of game and that kind of gimmick in order to address the serious fiscal problems facing the country. After all, this progress has been made—getting our fiscal house in order—having the lowest inflation rate in 30 years, the lowest unemployment rate in 30 years, the longest economic expansion in our history. We are now going to resort to budget gimmickry to address the additional challenges that we face? That is not the way a great country does its work.

Mr. DORGAN. I wonder if the Senator will yield for a question.

Mr. CONRAD. I will be happy to yield.

Mr. DORGAN. Mr. President, we have had an opportunity to discuss this a bit, the gimmickry of doing all of these things. I was talking to my colleague, Senator BYRD, who has spent a great deal of time on the floor telling us about Roman history. We were just discussing the front page of this morning's newspaper with the headline about the easing of the fiscal crunch by creating a 13th month. Senator BYRD indicated that Julius Caesar in trying to reconstruct the calendar, somewhere around 46 B.C., decided he was going to have a 15-month year. Senator BYRD knows about all of these things. He has given wonderful lectures on the floor of the Senate about the rich history of the Roman Empire.

I just now learned this from our distinguished colleague. So apparently, I would say to Senator CONRAD, what we are discussing today has been done before. Julius Caesar did it, and he added 3 months to the calendar, apparently.

Mr. BYRD. Will the Senator yield?

Mr. DORGAN. Certainly.

Mr. BYRD. He was assassinated 2 years later, though.

Mr. DORGAN. If the Senator will yield, it seems to me that lends credibility to the question of whether or not this ought to be done. Those of us who wonder whether this is a good idea might take lessons from the history that is offered by Senator BYRD.

Mr. CONRAD. Can you imagine? I wonder what is going to happen in the schools of America now that the Republicans have said there are 13 months. Can you imagine the confusion of the elementary schools as they are teaching children their months? Where is this month going to fit? What is it going to be called?

I know the Senator from North Dakota has children in school. Have they been advised of this change?

Mr. DORGAN. They have already weighed in. They would prefer it fall in the summer. My children are in seventh and fifth grades, and if there is to be an extra month, they would prefer it fall somewhere in the summer.

Mr. CONRAD. Did they have any idea for a name of the month?

Mr. DORGAN. No. In fact, I was thinking this morning when I read this that we probably should have some kind of a contest, to create a name. Then too, as I indicated earlier, almost everyone today is selling names. If this is institutionalized as a month without a name, clearly one could offer it for sale.

Mr. CONRAD. Something like Federal Express month?

Mr. DORGAN. That's right, or Microsoft month or U.S. Steel——

Mr. CONRAD. Microsoft month. That might be a lucrative thing, to auction this off. That might be a way to solve the budget problem, instead of going to the 13-month plan the Republicans have, is to actually auction off a month. I think kind of the leading alternative, at least in my office, is ''Spendtember.'' That has gone over pretty well.

Mr. DORGAN. If the Senator will yield, there is nothing to stop the Senate at 13 months. This relates to the whole aging process, which I think would be of great interest to a number of Senators. If this Senate enacted a longer year, and perhaps went to 15, 18, or even 19 months, we would have folks running for election who are 75 years old but who could claim they are only 68.

Mrs. MURRAY. Will the Senator yield?

Mr. CONRAD. I will.

Mrs. MURRAY. I thank the Senator for bringing up this headline. I, too, was struck by this new concept of adding a month to our calendar in order to solve the problems of the country. I agree, it has to be humorous; otherwise, we would all be crying. Because, truly, when I go home what my constituents tell me is what I think everyone is hearing: We have priorities in this country, particularly education. They are worried about preschool. They are worried about Head Start. They are worried about whether or not their child is in a class that is small enough that they get the individual attention they need. They are worried about whether or not their teachers have the kind of training they need to teach their children. They certainly are worried about school construction and the ability to send their child to a safe school.

We had a whole hearing this morning about school violence. But teachers have not come to me and said: How do we add this to our curriculum, explaining a whole new month that has been added by the Senate?

I know my colleague has worked with me on the Budget Committee for the last 7 years. We have worked very hard to reduce the deficit. There was a $300 billion deficit when we arrived here in 1993.

We worked hard to be real. Despite the humor we have in this debate today, we need to get real about the budget; we need to get real about our priorities; we need to recognize we cannot put a priority on education verbally and put it at the end of the pile when it comes to the budget and then come up with gimmicks to pay for it.

I ask the Senator to comment because we worked on this together for many years.

Mr. CONRAD. Mr. President, I thank the Senator from Washington. She is exactly right. We do face a problem

this year, and the problem is we have these budget caps that were agreed to in 1997, and now things have gone better than anybody anticipated. We have been able to get our fiscal house in order. The question is how we maintain that discipline and at the same time fund the urgent priorities of the American people, especially education.

As was said by budget expert, Robert Reischauer, the former Director of the Congressional Budget Office, this notion the Republicans have come up with to just add a 13th month does not solve the problem; it avoids the problem. We will have spending caps in 2001 and 2002 as well, so all we have done is postpone and magnify the problem. We will have actually made the problem worse.

There is humor in this. I think we all see almost a theater of the absurd in the notion that our Republican colleagues have come up with as a way to solve the problem, which is to add a 13th month.

I say on a serious note, let's not do that. We have had success in getting our fiscal house in order by being straight with the American people, by passing legislation that fits our spending to our income. Let's not create a fix such as this in order to support a massive, risky, radical, reckless tax cut scheme which our friends on the other side have come up with that threatens the fiscal discipline that has been put in place, that has put us in such a strong position.

I thank the Chair and yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate now stands in recess until the hour of 2:15 p.m.

Thereupon, at 12:31 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

DEPLORING THE ACTIONS OF PRESIDENT CLINTON REGARDING GRANTING CLEMENCY TO FALN TERRORISTS—Continued

Mr. COVERDELL. Parliamentary inquiry.

Is the matter of business before the Senate S.J. Res. 33?

The PRESIDING OFFICER. The Senator is correct.

Mr. COVERDELL. Could the Chair please advise the Senator from Georgia as to the time remaining on each side?

The PRESIDING OFFICER. The Senator from Georgia controls 26 1/2 minutes; the other side has 39½ minutes.

Mr. COVERDELL. I thank the Chair.

Mr. President, I yield up to 10 minutes of our time to the distinguished chairman of the Judiciary Committee, Senator HATCH.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I thank the Chair and my colleague from Georgia.

On January 24, 1975, during a busy lunch hour, an explosion ripped through the historic Fraunces Tavern in New York City, killing four people and injuring 55 others. On August 3, 1977, during the morning rush hour, a powerful bomb was detonated in a busy New York office building, killing one man and injuring several others. Credit for both these bombings was proudly taken by a terrorist organization calling themselves the FALN, an acronym from a Spanish title meaning the Armed Forces for Puerto Rican National Liberation.

In March of 1980, armed members of the FALN entered the Carter-Mondale campaign headquarters, bound and gagged women and men inside, and held them at gunpoint as they ransacked the offices. The FALN took credit for bombings and incendiary attacks in New York City, Chicago, and Washington, D.C., attacks which took place in department stores, office buildings, restaurants, even a women's restroom. In all, the FALN has been linked to over 150 bombings, attempted bombings, incendiary attacks, kidnappings, and bomb threats, which have resulted in the death of at least six people and the injury of at least 70 others.

On August 11, 1999, President Clinton, who up to this point had commuted only three sentences since becoming President, offered clemency to 16 members of the FALN. This to me, was shocking. And quite frankly, I think I am joined by a vast majority of Americans in my failure to understand why the President, who has spoke out so boldly in opposition to domestic terrorism in recent years, has taken this action.

In subsequent spinning, the White House has pointed out that the 16 offered clemency were not convicted of the actual attacks that killed or maimed people. But many of these 16 were involved in building bombs, and in storing and transporting explosives, incendiary materials, and weapons. In one raid alone involving the terrorists President Clinton has released, law enforcement recovered 24 pounds of dynamite, 24 blasting caps, weapons, and thousands of rounds of ammunition, as well as disguises and false identifications.

The administration argues that none of these people were ''directly'' involved with activities that hurt people. But these people, to the contrary, were convicted of conspiring to commit acts of terrorism. According to former Assistant U.S. Attorney Deborah Devaney, several of the FALN terrorists were captured in a van full of weapons and others were videotaped making bombs that they planned to use at military institutions.

It is only because of the good work of law enforcement that these terrorists were caught and convicted before these deadly devices were used to take additional innocent human lives. Osama bin Laden is on the FBI's Most Wanted List for conspiring to commit acts of terrorism. According to the administration's logic, he too should be let go, if captured, because he was not directly involved in acts of terrorism, although we all know he has been funding the terrorist acts.

The administration also argues that these prisoners received longer sentences than they would have under the sentencing guidelines. Well, there are thousands of people in jail who were sentenced before the guidelines. Does each of them deserve to have their sentences reduced? The President will have to pick up the pace of clemency offers if he is to right all these so-called wrongs in the 15 months left in his term.

This whole episode raises a number of questions about this administration's approach to law enforcement and the rule of law in general. Were the normal procedures followed in the processing of clemency opinions? What set these 16 prisoners apart from the more than 4,000 who have petitioned this President for clemency, or the other tens of thousands serving time across the country? What prompted the President to make this offer of clemency? Who recommended it? On what basis was it granted?

Whatever the administration's arguments, the bottom line is that the President's ill-considered offer of clemency has now been accepted by 12 of the 16 FALN members, many of whom are now back on the streets.

These are people who have been convicted of very serious offenses involving sedition, firearms, explosives, and threats of violence. The FALN has claimed responsibility for past bombings that have killed and maimed American citizens. I personally pray that no one else will get hurt.

This is yet another example of this administration sending the wrong message to criminals, be they foreign spies, gun offenders, or, in this case, terrorists.

In this case, it appears President Clinton put the interests of these convicted criminals ahead of the interests of victims, the law enforcement community, and the public. I think we need to know: Did the Justice Department do its job?

There are substantial questions as to whether the normal process was followed in this case. Reportedly, the President made his clemency offer over the strong objections of prosecutors, the FBI, the Bureau of Prisons, and the victims of crime. In the Wall Street Journal today, Mr. Howard Safir, the New York City police commissioner, asserts that:

> In my 26 years as a Justice Department official, I have never heard of a clemency report being delivered to the President over the strenuous objections of these agencies. The Department of Justice and the Attorney

General apparently did not even take a formal position on the matter, even though the Department's own rules require doing so.

Here we have another example of what people suspect: The Attorney General is asleep at the switch while the White House runs the Justice Department.

As chairman of the Senate committee with oversight of the Department of Justice, I have requested copies of all relevant documents, including the Department's memo to the White House. Even our colleague, Senator SCHUMER from New York, believes we should have these documents. But so far the Department has refused to turn over anything.

The White House and the Justice Department are hiding behind their tired, old ploy of ''studying'' whether to assert executive privilege. If the President has confidence that his decision was a just one, then he ought to be willing to hold it up to public scrutiny. There may be a legitimate argument that executive privilege applies to some materials. There is no legitimate reason, however, not to allow the Justice Department witnesses to appear before Senator COVERDELL's hearing this morning about the current status and activities of the FALN. Nor is there any legitimate reason to refuse to allow the Pardon Attorney to testify at my hearing tomorrow about how the clemency process works. Are the White House and the Justice Department studying or are they stonewalling?

At the Judiciary Committee hearing tomorrow, we will hear from the law enforcement community and the victims who have been affected by this grant of clemency. I have invited representatives of the FBI and the Justice Department's Pardon Attorney's Office. I hope the White House and the Department of Justice will allow them to testify. The American people deserve to hear this testimony, and I think the White House and the Justice Department should not be stonewalling this type of investigation by the appropriate branch of Government called the Congress of the United States.

I believe our entire Nation is being victimized by terrorism. A bomb at the World Trade Center, the Oklahoma City Federal Building, or a U.S. Embassy abroad has an effect on all of us.

This clemency deal is an insult to every American citizen. This clemency deal is not humanitarian. It is not just.

Exactly what is this? A weak moment? Political favoritism? Another foreign policy miscalculation by this administration? I will tell you what it is. It is plain and simple. It is wrong. That is what it is.

I urge my colleagues to support the Coverdell resolution so that the Senate will be on record as opposing the President's decision to grant clemency.

We cannot send mixed messages with regard to terrorism. One of the major problems this country is going to face in the future —as will every free country—will be acts of terrorism by people just like these FALN terrorists who put their own beliefs above doing justice and what right in society. If the United States continues to show that type of soft-headedness with regard to terrorist activities and terrorists themselves, then we are going to reap a whirlwind in this country, and we will see more acts of terrorism in this country than we ever thought possible.

I can say with impunity that there are better than 1,500 known terrorists and terrorist organizations in the United States of America today. Frankly, there are a lot more than that. Thus far, the administration, prior to this act, has done a pretty good job of offsetting terrorist activities in this country, mainly because of the FBI and its good work. I am suggesting that we get on top of this. The President should be ashamed for doing what he has done.

I yield the floor.

Mr. McCONNELL. Mr. President, I rise today to express may great concern and dismay at President Clinton's decision to offer clemency to sixteen convicted terrorists. These individuals were members of the FALN, the Armed Forced for National Liberation, which uses violence and terror to further its cause of making Puerto Rico an independent nation. As a result of their involvement in a series of terrorist bomb attacks on United States soil, these individuals have been convicted of very serious offenses.

Terrorism is a deplorable act. In recent years we have seen tragic attacks on our embassies overseas, and hideous murders in Oklahoma City and the World Trade Center. This harvest of death and suffering is what terrorism is about. By releasing these terrorists President Clinton has made a terrible mistake. For years our message to terrorist has been simple: ''If you attack, maim, and kill Americans, the United States will hunt you down and punish you. We do not forget, and we will bring you to justice.'' Now the President is saying that we will forget, and that justice can give way to other considerations. That is the wrong thing to do.

Mr. Gilbert Gallegos, the president of the Fraternal Order of Police, which represents the Americans on the front lines of the war on terrorism, has eloquently condemned President Clinton's actions. Mr. President, I ask unanimous consent that this letter from Mr. Gallegos to President Clinton be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GRAND LODGE,
FRATERNAL ORDER OF POLICE,
Albuquerque, NM, August 18, 1999.

Hon. WILLIAM JEFFERSON CLINTON,
President of the United States,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: I am writing this letter on behalf of the more than 283,000 members of the Fraternal Order of Police to express our *vehement opposition* to your offer of clemency to sixteen convicted felons involved with a wave of terrorist bomb attacks on U.S. soil from 1974–83. I would also like to express my own personal confusion and anger at your decision.

Your offer of clemency would immediately release eleven convicted felons who conspired as members of the FALN to plant and explode bombs at U.S. political and military targets. The remaining five would have their criminal fines waived and only two would serve any additional time. These attacks killed six people, wounded dozens and maimed three New York City police officers: Detective Anthony S. Senft lost an eye and a finger, Detective Richard Pastorella was blinded and Officer Rocco Pascarella lost his leg.

Your claim that none of these people were involved in any deaths is patently false. As members of the terrorist organization that was planting these bombs, all of them are accessories to the killings as a result of the bomb attacks. Two of the persons to whom you have offered clemency were convicted of a $7.5 million armored truck robbery, which undoubtedly financed the FALN's 130 bomb attacks.

These are not Puerto Rican patriots, these are convicted felons who are guilty of waging a war of terror against Americans on American soil to accomplish their political objectives. Why are you rewarding their efforts?

I can only assume you are again pandering for some political purpose. This time, Mr. President, it must stop before it begins.

The ''human rights advocates'' who are so concerned about the plight of these killers have never shed a tear for the victims. These ''human rights advocates'' are the same people and organizations who maintain that the United States routinely abuses the rights of its citizens and who issue reports stating that our state and local police officers are nothing more than racist thugs who enjoy brutalizing minorities. These ''human rights advocates'' are the same people and organizations who clamor for the release for Mumia Abu-Jamal, a convicted cop-killer, and raise money for his defense.

I do not Know, Mr. President, how they decide which rights to advocate and which to ignore, but it seems that murderers and terrorists are more entitled to them than victims. Do not offer clemency to sixteen convicted felons to placate ''human rights advocates.''

I would also strongly urge you to reject any inclination or polling data that indicates this will generate sympathy for you or for a Democratic presidential candidate among Hispanic-Americans. As an Hispanic-American myself, I can assure you that releasing violent convicted felons before they have served their full sentences and to waive tens of thousands of dollars in criminal fines, is no way to appeal to racial pride.

I sincerely hope, Mr. President, that this ill-conceived notion is consigned to the pile reserved for horrendously bad ideas. Many of the best accomplishments of your presidency stemmed from your commitment to law enforcement and to police officers.

This aberration would surely eclipse all we have done to date to keep America safe. Police officers around the country, including me, have stood side by side with you in fighting violent crime and supporting your community policing initiatives. Caving into these advocates is a slap in the face.

I look forward to hearing from you about this matter.

Sincerely,

GILBERT G. GALLEGOS,
National President.

Mrs. BOXER. Mr. President, I will vote in favor of S.J. Res. 33, a resolution which disapproves of the President's decision to grant conditional

clemency for certain individuals who were convicted of crimes related to the activities of the Armed Forces for National Liberation and a splinter group called the Macheteros.

However, I am disappointed that this issue was turned into a partisan, political attack on the President. The original language was inflammatory and too broad, accusing the President of sweeping charges that were misleading and inappropriate. Some of the worst rhetoric has been removed in this version, but in my view it is still too political.

In the future, I hope that Congress will prove to more responsible and bipartisan when discussing U.S. counterterrorism policy.

Mr. SESSIONS. Mr. President, I would like to join and associate myself with the remarks of Senator HATCH, chairman of the Judiciary Committee. We will be having hearings tomorrow on the pardon of FALN terrorist groups.

I would like to share a few thoughts at this time. I feel very strongly about this matter. I spent not the 26 years that Howard Safir, who is now the Commissioner of Public Safety in New York, spent with the Department of Justice. But I spent 15 years at the Department of Justice.

It really troubles me. It very much saddens me to see what is happening to that Department. Senator HATCH said the Attorney General is asleep at the switch while the White House runs the Department of Justice. Too often that has been true. I hate to say that. I love that Department of Justice. I respect it.

On the facade of the Supreme Court, right across this street, are the words ''Equal Justice Under Law.'' I would like for people to think about a couple of things. Three-thousand people in prison in this country during the Clinton administration—more than 3,000—asked for clemency. This administration followed the procedures established by Executive order in 1893. They referred it to the Department of Justice for a background review and a recommendation. After that was done, only three—only three—had clemency granted to them.

A clemency is a very unusual thing. It is to allow somebody to get out of jail before they serve their full sentence imposed by a court of law and affirmed by the appellate courts of this country. So this is unusual.

Apparently, it was done against the objections of the people who were involved in the case who knew about it. The prosecuting attorney—the U.S. Attorney's Office—apparently recommended no. The FBI, which investigated the case, said no. The Federal Bureau of Prisons said no.

We don't know yet. I hope that we will find out—and I hope this administration does not stonewall—what the Pardon Attorney's recommendation was. It went on up to the Deputy Attorney General of the United States. So we need to find out what happened. It cannot be, in my view, justice.

Some said: Well, what if one of these 16 may not have been personally involved in the violent act?

I want to tell you what a conspiracy means.

These individuals knowingly and deliberately joined with a group, FALN, which had been involved—and well known in Puerto Rico throughout this country—in public bombings and assassinations and maiming of American people. They joined with that group. They were caught with C–4 explosives and truckloads of guns in participation of that effort.

I want to note what the law is on that. Under one case in the Fifth Circuit, the court held that ''A conspiracy is like a train. When a party knowingly steps aboard, he is part of the crew and accepts responsibility for the existing freight (that was already carried).''

That is what we have here. There is no doubt that this group joined this criminal enterprise and participated in it and were apprehended by courageous FBI agents working undercover. There is no doubt that it was tried in a high profile case in Chicago, New York, and other places.

You can be sure that the Marshals Service and the FBI were guarding the judge, the jury, and the families because this was a big-time prosecution of people who were determined to destroy this country and defeat the U.S. Government.

That is what it was about. This was a high profile, very intense effort. It was done by prosecutors and FBI agents who willingly put their lives at risk to bring them to bear. And once they were convicted, we have not had any more bombings. It was a successful, courageous effort that saved lives in this country.

It is not acceptable for this President to go around the Department of Justice professionals, violating President Grover Cleveland's Executive order which he could have changed if he wished to but never did. It is the established procedure—and for reasons that I can only conclude have to be political because they certainly cannot be based on law and fact.

I would just say this: Justice is a fragile thing. But I would like to ask the American people and the Members of this body to think about this: What about the other 3,000 people who did not get their pardons?

Thank you, Mr. President.

Mr. LEAHY. I did not agree with the President's recent clemency decision, but I recognize that it is his decision to make. When I was State's Attorney for Chittenden County, I did not always agree when the Governor of Vermont exercised his clemency power, but I understood that it was his to exercise as he saw fit. There were many more numerous exercises of this constitutional power by the Republican and Democratic Presidents with whom I have served over the last 25 years—President Carter used this power over 560 times, President Reagan over 400 times and President Bush over 75 times— and they have not always been matters with which I necessarily agreed.

Yesterday I cautioned against the extreme rhetoric of the version of the Lott-Coverdell resolution that was initially introduced. Through the course of the last week some of the misstatements of fact that were contained in that version of the resolution have been corrected and its most extreme and dangerous political rhetoric has been eliminated.

The resolution that the Senate will adopt today deletes much of the overreaching language of the President's congressional critics. I noted yesterday that to contend that the clemency grants showed a weakness of resolve against international terrorism was both wrong and might itself contribute to creating a dangerous atmosphere.

We ought to be careful when anyone, let alone the Senate and Congress of the United States, starts bandying about declarations that accuse the United States Government of making ''deplorable concessions to terrorists,'' ''undermining national security'' or ''emboldening domestic and international terrorists.'' Playing politics with this matter and accusing the President of ''undermining our national security'' or ''emboldening terrorists'' carries significant risks and was not right. I am glad that language has been eliminated from the text of the resolution.

Likewise, some of the factual inaccuracies in the initial draft were eliminated, including the assertion that the procedure used in these petitions was ''irregular'', and the inaccurate assertion that the Bureau of Prisons had audio recordings indicating that some of the 16 persons offered conditional clemency by the President had ''vowed to resume their violent activities upon release.'' There was no basis for that assertion, which was inaccurate and unfounded but nonetheless included in the original resolution. It has now been deleted.

Similarly, the substitute resolution eliminates the contention that the President's decision was ''making terrorism more likely and endangering'' Americans.

Most importantly for the resolution— and this is after all only a congressional resolution that cannot change the clemency decisions by the President— the original resolution proposed declaring that the President had ''made deplorable concessions to terrorists, undermined national security and emboldened domestic and international terrorists.'' All of that language has been deleted from the resolution. It was extreme and risky political rhetoric and should never have been included.

The American people can judge whether the time and energy being devoted by the Congress to this declaration is the best use of the these resources. Yesterday I challenged the

Senate to make time for votes on the many qualified nominees whom the Republican majority has stalled for the last several years. If the Senate has time to debate and vote on this resolution, it should have time to vote on the nomination of Judge Richard Paez to the Ninth Circuit Court of Appeals, which has been pending for over 3½ years. If the Senate has time to debate and vote on this resolution, it should have time to vote on the nominations of Justice Ronnie White to be a federal judge in Missouri, Marsha Berzon to be a judge on the Ninth Circuit, Bill Lann Lee to head the Civil Rights Division and to act on the scores of other nominees pending before it.

The Senate has not completed work on 11 of the 13 appropriations bills that must be passed before October 1. The Republican Congress cannot find time for campaign finance reform or a real patients' bill of rights or raising the minimum wage or reforming Medicare or completing the juvenile crime bill conference. The American people will judge whether the Senate should be doing its job and attending to its constitutional duties of confirmations and legislation or whether its time should continue to be devoted to partisan politics and attacks on the Executive Branch.

Ms. MIKULSKI. Mr. President, I oppose the President's decision to grant clemency for the FALN terrorists.

I oppose clemency for two reasons. First of all, this clemency decision violates the tenets of our counter terrorism policy. Terrorism is one of the greatest threats facing our nation. We say that we will fight terrorism with every tool that we have. We say that we will make no concessions to terrorists. We say that we'll track the terrorists down—no matter where they are, no matter how long it takes. We say that we'll hold them accountable—and punish them to the fullest extent of the law. By granting clemency to terrorists, we are saying that these tenets don't always apply. What kind of message does it send to offer clemency to those who are guilty of the most heinous and cowardly crimes?

Terrorism is a real threat to America—and to individual Americans. Too many families are suffering the inconsolable loss of their loved ones—because some murdering thug wants to make a political point. Too many times, I have called grieving families to express my sorrow. After Pan Am 103 was destroyed over Scotland, I called the families of seven young people from Maryland who were brutally and callously murdered. We recently marked the tenth anniversary of this terrible crime—and we are still seeking justice. I also think about a young Navy diver from Maryland—Robert Stethem—who was murdered in a terrorist attack in 1985. The victims of terrorism deserve justice that is not watered down.

The second reason I oppose clemency is that I am not convinced that the terrorist have expressed sufficient remorse. Each of these individuals had many years to express remorse and renounce violence. I haven't heard that the FALN terrorists have changed their lives to reflect a change of heart. I haven't heard about any apologies or expressions of regret. Their renunciation of terrorism was tepid. It came only in exchange for their freedom. I don't consider this true remorse. I don't consider this worthy of clemency.

So I will support this resolution to disapprove of clemency for terrorists. I am sorry that the President chose to shorten the sentences of terrorists who feel justified in using violence to achieve their political goals.

Ms. COLLINS. I rise today to condemn the President's use of the Constitutional power to grant clemency to FALN terrorists. The members of the Armed Forces of National Liberation, known by their Spanish acronym FALN, were responsible for 130 bombings in the late 1970's and early 1980's. As a result of these FALN actions, six people died, scores of citizens were maimed and injured, and the public at large was petrified by an indiscriminate threat.

The FALN's stated purpose in conducting this reign of terror was to further the cause of Puerto Rican independence. But it virtually goes without saying that there is no justification for this vicious lawlessness that terrorized, killed and maimed human beings. After a Herculean effort on the part of law enforcement and prosecutors, the FALN members were brought to justice and convicted of a variety of serious charges including seditious conspiracy.

Those who suffered at the hands of the FALN, those whose only crime was to be in the wrong place at the wrong time, had names and lives before they had the misfortune to encounter an FALN-placed bomb. But their lives were ended or irrevocably altered by senseless actions. The law enforcement officers and prosecutors who brought the FALN to justice placed themselves at personal risk in their effort to protect the public from the terror of the FALN bombings.

On August 11th, the President unexpectedly offered clemency to 16 FALN members. Their release was conditioned on each prisoner renouncing violence, obeying a ban on the use of weapons, and refusing fraternization with independence leaders. Unbelievably, it was indicated that these vague promises would release these individuals from their sentences—a privilege that he has granted only three times previously. And even more unbelievably, these promises were not forthcoming.

The President made this clemency offer despite the fact that he was advised against it by the FBI, the Bureau of Prisons, and two United States Attorneys.

The President made this offer despite the fact that the jailed FALN members had illustrated no remorse for their actions. This became painfully clear on this past weekend's ''Meet the Press'' where Ricardo Jimenez, one of the freed conspirators, appeared. Mr. Jimenez identified himself as a freedom fighter and justified his criminal actions as a remedy for Puerto Rican ''colonization.''

Mr. Jimenez is not unique among the FALN conspirators in his utter lack of remorse for the terrorist bombings. Unbelievably, in fact, Bureau of Prison audiotapes have captured several of the former FALN members recently released from prison saying they would return to violence upon release.

By releasing prisoners convicted of serious crimes, for which they showed no remorse, based on only the promise that they will not commit such crimes again, the President has undermined the standard for eligibility for the extraordinary remedy of clemency.

There is no recourse from the President's action, which was based on his unquestioned Constitutional authority. The Senate can only express our sentiment that his actions were appalling and dangerous. Therefore, in the strongest possible terms, I support the resolution offered today condemning the President's action.

• Mr. GREGG. Mr. President, I want to make clear that, while I was not able to vote on S.J. Res. 33, I am very much in favor of this resolution and I am pleased that it passed today. Had I been present, I would have voted in favor of it. It is important for the Senate to voice its concerns about the President's actions when they infringe on our Nation's best interests. Given the long and disturbing history of the FALN terrorists who were recently released, I believe that this President's actions with regard to those terrorists did, in fact, undermine our Nation's policies against terrorism.

On January 24, 1975, a New York city tavern was ripped apart by a bomb that killed 4 people and injured more than 50 others. A radical Puerto Rican nationalist group known as the Armed Forces for National Liberation (FALN) claimed responsibility for the act and was later implicated in more than 100 bombings across the United States. Several detectives were maimed as a result of these bombings and suffer to this day from the terrorism perpetrated by FALN.

Sixteen FALN terrorists were eventually convicted in the 1980's for violent offenses related to the bombings, including armed robbery, weapons violations, and seditious conspiracy, a rarely invoked but powerful criminal charge reserved for people whose intent is to undermine the Government of the United States.

Their history makes it clear that FALN was a dangerous terrorist faction whose members deserved the punishment they received. It is for these reasons that I was appalled when President Clinton offered to give these terrorists an early release from prison, ignoring unanimous opposition from federal law enforcement professionals and

siding with liberal human rights activists and Puerto Rican nationals. Eleven FALN terrorists were released from federal prison last Friday.

As you know, Mr. President, I chair the Senate Appropriations Subcommittee on Commerce, Justice, State and Judiciary, which funds the FBI and other law enforcement agencies that are responsible for our Nation's counterrorism strategy. Over the last few years we have significantly increased the resources available to law enforcement and now have in place for the first time a coordinated, government wide strategy to deter and respond to terrorism. Releasing convicted terrorists before they serve their full sentence sends the wrong message about how our Nation will deal with people who use violence to achieve their political objectives.

There is no question that the President has the authority under the Constitution to grant pardons and reprieves for offenses against the United States. Once a pardon or clemency offer is official, no one can reverse or overturn the decision, not even the Congress or the Supreme Court. Given the magnitude of this power, the question that should be asked is why the President would use it to give convicted terrorists an early release from prison, especially the fact that President Clinton has reduced sentences in only 3 out of 3,042 prior cases.

Hearings will be held in this body and in the House of Representatives in the next few weeks, and they should aggressively question the administration's reasons for this act. These hearing should explore how the clemency offer supports the State Department's antiterrorism policy which states that the United States shall ''make no concessions and strike no deals and will bring terrorists to justice for their crimes.''

The primary argument for clemency appears to be that none of the 16 FALN members were directly involved in any of the bombings. However, almost all of them were convicted for seditious conspiracy—the purpose of which was to wage a campaign of terror against the United States Government. Osama bin Laden may not have lit the fuse that detonated the bomb, but his participation in a conspiracy to commit these acts would be enough to incarcerate him for life. In addition, the Clinton administration contradicts its tough stance on gun violence by releasing these terrorists, almost all of whom were convicted of various gun violations, including armed robbery.

Another explanation floated by the administration is that the sentences are too stiff. The President's early release certainly changes that. Eleven of the convicted FALN members are now free. Two others will serve additional time, and three others will be released from paying the remainder of their criminal fines. However, the sentencing judge's decision to order maximum prison terms was based on the evidence in the case and the fact that none of the FALN members showed any remorse for their acts at the time of sentencing. One sentencing judge indicated that he would have ordered the death penalty for one of the terrorists who showed no regret for his acts, but it was unavailable as an option. It is presumptuous for the President to grant clemency on the grounds that the federal judge who heard the testimony and saw the evidence firsthand imposed a sentence that was too severe.

In fact, Oscar Lopez-Rivera, one of the FALN terrorists that President Clinton offered to release early, had this to say in an interview with the Associated Press last year,

> I have no regrets for what I've done in the Puerto Rico independence movement . . . This onus is not on us. The crime is colonialism. . . . If Puerto Rico was not a colony of the United States, I would have had a totally different life.

Mr. Lopez-Rivera was convicted of numerous charges, including weapons violations and conspiracy to transport explosives with intent to destroy government property.

Our judicial system also provides an absolute right of appeal for criminal convictions. Superseding the judicial system should be reserved for cases in which the facts are clear and the benefits of release outweigh the dangers. That balancing test is not met in this case.

Many people have speculated that the President's decision was an effort to woo the large Puerto Rican constituency in New York where Mrs. Clinton is likely to run for the U.S. Senate. It is not too much to imagine that the Clinton administration would jeopardize our national security to court potential voters based on their record of politicizing federal agencies, so I believe it should be examined during congressional hearings as a possible motivating factor.

One of our government's primary responsibilities is to safeguard the freedom and liberty of its people. Given the growing terrorist threat around the world, now is not the time to go easy on convicted terrorists. Over 700 people died last year and more than 6,000 were wounded from the embassy bombings in Kenya and Tanzania last year. The World Trade Center bombing and the Oklahoma City bombing are fresh reminders of the violence that can be wrought by terrorists. Releasing terrorists before they serve their full sentence sends the wrong message and undermines our nation's tough stance against terrorism.●

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. How much time remains on this debate?

The PRESIDING OFFICER. There are 39 minutes remaining, with 16½ minutes remaining on the Senator's side.

THE REMAINING SENATE BUSINESS

Mr. DURBIN. Mr. President, one of the items previously discussed deserves further exploration; that is, the whole question of what we are going to do in the closing weeks to meet the Senate's obligation to the people of this country, to deal with the most basic responsibilities of this Chamber.

The most basic responsibility, of course, is to meet and pass the spending bills necessary for the orderly operation of the Federal Government. For those who are not students of the process, the fiscal year that we work under starts on October 1, and we are supposed to pass 13 different spending bills so that come October 1, the actions of Government can continue their business. This is our ordinary responsibility.

So we meet on September 14 to discuss a lot of issues of importance. But the American people have the right to ask us what we have done about our basic responsibility to pass the spending bills for the next year. The honest answer is, of 13 bills, we have only passed and had signed into law one bill, and that is the military construction bill. All of the other activities of the Federal Government, frankly, are still in play. They are being debated on Capitol Hill. It is a sad commentary on those who manage the House and the Senate that we have not made more progress. In fact, closer inspection suggests to us that there are some serious problems ahead.

Anyone who followed the proceedings last year knows that a similar situation led to a mountainous piece of legislation called a continuing resolution. If I am not mistaken, it was some 10,000 pages long and it was literally dropped in our laps with 48 hours to go and we had to read it, vote yes or no to continue the operations of Federal Government, and go home or stay here. It was chaotic.

At a time when we have a Federal Government and a Congress with a responsibility, a staff and resources, it is hard to imagine we are about to repeat that scenario of last year. But it looks as if we are headed in that direction.

The sad fact is that one of the more sinister games being played is that one of the most important spending bills for American families—the bill that contains, for example, education spending for the United States of America—is being held hostage as the last spending bill which we are going to consider. As each appropriations bill that needs money comes along, it is taken from this education and health bill and put into another bill.

The day of reckoning is upon us in the not-too-distant future where we will face the possibility of another continuing resolution.

I am disappointed the Senate has not responded to the challenge by the President in his State of the Union Address and, frankly, challenge by the people of this country to address some

of the serious problems which we face. Instead, we find ourselves tangled in a weave of budgetary deception where the suggestion has been made this morning that there is going to be an extension of the fiscal year to make it 13 months long as opposed to 12 months.

I believe it was Pope Gregory who came up with this calendar which we now use across the world. Now we have a suggestion that is part of their effort to extricate themselves from this budgetary maelstrom. The Republicans are going to somehow construct a 13-month calendar. I will not go into all the possibilities that were mentioned in the earlier debate, but I will say that it is, frankly, evidence of their failure to lead in the Senate and the House of Representatives because we are in the closing weeks of the fiscal year not having met our obligation to manage the Government and do it in an efficient manner.

The President came to us many months ago in his State of the Union Address suggesting some changes which we should consider in education in America. I am sorry to report that, to my knowledge, there has been no hearings on the President's proposals, nor is there any likelihood that the budgetary bills coming before us in the closing hours of the session will even address these changes in education. Most of these changes are widely accepted and embraced by the American people. Yet we find the Republican majority in both the House and the Senate refusing to even consider them.

The idea of increasing the number of teachers across America so classroom size is reduced is one that every parent understands. You walk into a classroom of 30 kindergartners and one of them is your child. You pray to God there will be a few minutes each day where the teacher might be able to pay special attention to your son's or daughter's particular problems. The same is true in the first, second, and third grades when children are learning the basics in terms of math and reading and such things that will build their education for the future.

The plebiscite President said 100,000 new teachers and reduce classroom size across America and we will have better students, better graduates, a better workforce, and a better country. The American people said: We agree. Do something about it. As we stand here in September of 1999, 8 or 9 months later, nothing has been done—nothing.

The President has already said—and I think he is right—address the needs to modernize classrooms across America.

We had a press conference in Illinois last week in Farmington, a small town near Peoria.

The school there was built in 1908. It is one of those battleship schools. I attended similar schools that reflect the turn of the century commitment to education in America. However, the school needs help. It needs a new fire escape. It needs new electrical service. It needs to be equipped for computers. It needs the basics.

It is not alone. There are schools across America in need of modernization. New schools need to be built. There will be more students than there will be classrooms. Will we help school districts across America? Will this Congress rally, as the President has asked, to help the school districts? The honest answer is no. We have not had any show of will by the Republican majority to even address this. When we bring it up, they say: There you go again, another new program.

Does this strike anyone listening to the debate as a radical suggestion, that our Federal Government lend a helping hand to school districts across America so schools are safer, that they are more modern, that in the 21st century kids have a better chance to learn? The honest answer is, that is not radical; that is as basic as it gets in the United States of America.

Mrs. BOXER. Will the Senator yield?

Mr. DURBIN. I am happy to yield to the Senator.

Mrs. BOXER. I hate to break into the flow of thought, but in listening to my friend from Illinois I am wondering if he is aware that the first President to call attention to the needs of education in modern American history happened to be a Republican named Dwight Eisenhower. Is my friend familiar with his National Defense of Education Act?

Mr. DURBIN. Yes.

Mrs. BOXER. I think it is an important point.

We have a Republican Party today in this Senate that is blocking the Senate from taking action, as my friend has stated, on the 100,000 teachers, on school construction, on afterschool, which they say they support in one vote, and when it comes to putting money down, they are not there.

My friend says they call it ''radical.'' President Eisenhower, when I was a youngster in the 1950s, said we could have all the missiles in the world on our side, we could have all the bombs and all the military people, but if we didn't have an educated workforce that understood how to use the equipment, if we didn't have an educated workforce to be productive, America wouldn't be what she must be, the leader of the free world.

I merely interrupted my friend to ask him if he recalled that interesting fact, when Dwight Eisenhower said we had to do something as a Federal Government. Some people said, wait a minute, education is a State matter. He made a couple of points: A, you can't be a strong leader if you don't have educated kids; B, the States can't do everything; they need Congress to come in when there is a national problem. We can't come in for every little thing, but if we don't have enough teachers, that is a national problem. Afterschool is a national problem; early education, a national problem.

The States are saying they need our help.

I yield back to my friend. I would love to hear his comments on the irony of this modern-day Republican Party and this Senate essentially turning against what a wonderful Republican President of the United States, Dwight Eisenhower, said about education.

Mr. DURBIN. I thank the Senator from California.

The fact of the matter is, I managed to complete college because of the National Defense of Education Act, a bill passed by Congress, signed by President Eisenhower, that allowed me as a student from a working family to borrow money from the Federal Government to pay my college education and pay it back over 10 years at 3 percent interest. What a deal. I would sign up for it again.

I hope those who were supporting it and reflecting on it believe that investment in this kid from East St. Louis and a lot of other children like me paid off for the country in the long haul.

I think President Eisenhower and Congress were correct in calling this the national defense. When you talk about the national defense of America, I think it has a lot more to do with the people who live here than the hardware we purchase. The investment in education is such an investment. Think back to the turn of the century. If you had to go back 100 years and ask, Will America be a dominant country in the 21st century, most would guess no because in the 19th century we were a minor power.

The European powers captured the attention of the world. We made some threshold decisions at the turn of the century that made a difference. I love this statistic: Between 1890 and 1920, on average, we built one new high school every day in America. For 30 years, a new high school was built every day in towns across the country—no Federal mandate, just the understanding that if you had a town that was worth its salt, it would have a high school. High school wasn't just for rich kids; high school was for all kids. The kids of immigrants, the kids of farmers, and the kids of small business people all went to school together in a public school system.

What happened? We went from 6 percent of 17-year-olds graduating high school in 1900 to 1930, 30 percent, and today, over 75 percent. Make no mistake, that commitment by America to education, which created high schools, which were then called ''people's colleges'' because this was a chance for education beyond the eighth grade for just average kids, led to college education and a dramatic increase in the number of scientists, engineers, and doctors. It took America from Kitty Hawk to the space program.

The obvious question is, Do we have the same commitment to education in the future that the leaders in the 19th century, looking to the 20th century, had? I don't hear it as I listen to the debate in the Congress. I don't hear men and women of vision standing up

and saying in the 21st century our kids will have the same opportunities.

There are some things we have to commit ourselves to as a nation. That isn't being done here. Instead, we languish in this debate, lost in the minutiae about local control and forgetting the big picture. The American people expect Congress to understand the challenges our Nation faces for the next century. It is not reflected in the debate on the budget or in the appropriations bills.

We have talked about school modernization, we talked about smaller classroom sizes in K through 4. Let me discuss another critically important topic: Quality teachers, men and women who will become professional teachers who are good at it—not to take what is left over from college or high school, but to take the very best and brightest and put them in a classroom to spark in each kid that feeling of creativity and learning which those who are blessed to have such teachers have experienced. Yet we don't have that commitment.

The President has said: Invest in teachers. Make sure they have a chance to have their skills improved. Hold them accountable for what they do in a classroom. But make sure to bring these young men and women into the teaching profession.

We can turn on the television almost any night and see the exposés about education in America where, unfortunately, some people are in classrooms and they shouldn't be there. The vast majority of teachers are good, hard-working men and women. We can help them improve their skills and keep those who are not good out of the classroom with a commitment in Washington that we just haven't seen during the course of this year.

The last point I will make is on after-school programs. I have been mystified by the fact we are still caught up in a mindset that is, frankly, old fashioned, a mindset that says children start school at the age of 6 and school lets out at 2:30 or 3:00 in the afternoon and we take 3 months off in the summer. This might have made sense at some point in time. It doesn't make sense in today's America. Six years of age is a good age to put a child in a classroom, but 5 is better; 4 may even be better. There might even be learning experiences for those younger who are now in a day-care setting.

Ask any teacher, if they could add a year in education, where would they add it. It isn't at the end of 12th grade but at the beginning, kindergarten or before. The teachers say: Give me a chance to mold that child before they come into the classroom, and I will show you a better person and a better student.

Yet our commitment to preschool programs, our commitment to programs for the earliest ages, just isn't there. We ignore it. We act as if it isn't a reality. We know it is. A younger child in a learning situation is a child more likely to be a good student.

Classrooms adjourning each day at 2:30 or 3 o'clock in the afternoon made sense when Ozzie and Harriet were at home with milk and cookies waiting for the kids, but not in today's America. More parents are working; kids are going home to empty houses and getting in trouble after school.

One might ask, Why doesn't the schoolday reflect the family day where parents might get home at 5:30, 6 o'clock, or after? Some schools adjust to that. Some schools provide that. Some schools need help. We have yet to come up with any suggestion here on Capitol Hill about afterschool programs responsive to the needs of today's working families. I suppose taking summer vacations off was an idea that made sense in my home State of Illinois. After all, the kids did have to go work on the farm. But out of a State of 12 million people, we only have 75,000 farm families. Those children should be in another learning experience, another supervised experience so they are better students. If they are falling behind in reading and math, let them have remedial work during the summer. If they are good students, give them enrichment courses, teach them a musical instrument, or something new about science. Introduce them to computers. All the options and possibilities are there. Yet when you bring that up on Capitol Hill, you would think you were speaking a foreign language. People just cannot quite understand what we have to do with it.

I think we have a lot to do with it. That this Congress has been so derelict when it comes to the issue of education is a suggestion to me that we just don't get it. We are not listening to American families who identify education as their highest priority. We certainly are not reading history, which tells us education made the 20th century the American century because of our commitment to education.

Make no mistake about it; other countries around the world, in Europe, in parts of Asia, are starting to move forward. These are tomorrow's competitors. These are the people with whom our children will have to be ready to do business and with whom they will have to compete. If we are not prepared, they will pass us by. I don't want to see that happen to my children. I don't want to see that happen to this country.

The honest question we have to ask ourselves is, Does Congress get that message? If you look at the budget debate, it is pretty clear to me we have missed the point completely. We are now entangled in this terrible budget debate with the President. Thank goodness the Republican Party has abandoned this $750 billion or $800 billion tax cut for wealthy people. They took that out in August. They were going to go home with it and explain to the American people why this was the real important thing to do for America's future. It fell on its face. It had about as much popularity as the new Coca-Cola. They came back and said: We have given up on that idea. Maybe we will do it next year.

I hope they have walked away from it. But in abandoning that bad idea, why don't they pick up on a good idea like education? Why don't they join us in making certain the education funding bill is one that really is a source of pride rather than a source of embarrassment. At this point, unfortunately, we have seen that bill delayed. There have been absolutely no hearings on it and absolutely no effort being made, no initiative being shown, when it comes to improving education for the next generation.

I think the American people rightly give us that responsibility and ask us to meet it. It is a responsibility that should be shared on a bipartisan basis. The things I have suggested are not radical Democratic ideas. The things I have suggested I think would appeal to families of Democrats, Republicans, and Independents—all families who care about the future of their children.

I yield the floor hoping the debate soon will turn to these issues such as education, issues which most American families consider to be one of our highest priorities.

DEPLORING THE ACTIONS OF PRESIDENT CLINTON REGARDING GRANTING CLEMENCY TO FALN TERRORISTS—Continued

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Will the Chair advise the Senator the order of business?

The PRESIDING OFFICER. It is S.J. Res. 33.

Mr. COVERDELL. This is the resolution by Mr. LOTT, myself, and Mr. BROWNBACK, deploring the actions of the President of the United States regarding the granting of clemency to terrorists called FALN?

The PRESIDING OFFICER. That is supposed to be the order, yes.

Mr. COVERDELL. I thought it was interesting to make note of the business before the Senate at this moment. With that in mind, I yield up to 5 minutes of our time to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I would like to talk about the business that is before the Senate because I think this is critically important. There were a number of allegations made in the last speech that I think deserve to be refuted, but what is presently before us, what has taken place, is something that needs to be addressed before the American public.

I rise in support of the resolution condemning the President's actions in granting clemency to 16 terrorists. I want to be clear what I am talking about: 16 terrorists who were members of the Armed Forces of National Liberation, FALN. The President's condition for releasing these men was that

they would be willing to say they would not use violence anymore. This is a standard that I think would easily be met by almost everyone in prison in America today. The condition is a sham. The FBI, the Justice Department, and the Bureau of Prisons all recommended strongly that these terrorists not be released. Yet the President went ahead and released these terrorists.

The sad part about this is this administration claims to understand that terrorism is one of the greatest threats facing America. And it is. We see that threat towards the United States being posed and acted upon in many places around the world. It is only because of our own abilities that we have been able to stop some of this. Yet some of it has still gotten through.

This act of the administration of releasing these terrorists will have the effect of encouraging terrorism. They are repeatedly telling us they are bringing terrorists to justice and that is a high priority. How is this act of releasing terrorists compatible with fighting terrorism? By his actions, the President is sending a message that, in fact, he does not take terrorism seriously, that it is OK to kill and maim American people. After all, the President may pardon you even when there is no petition of clemency before him.

This encourages terrorism. We should be very clear about that. At a time when terrorism is a great threat to our peace and prosperity, at a time when terrorism has touched everywhere in this Nation, at a time when Americans face terrorist threats all around the world, the last thing we should do is grant clemency to convicted terrorists. I believe Congress should be standing up to tell the President, as well as the Nation, that we strongly condemn pardoning terrorists who have killed and shown no remorse whatsoever. Whatever the reason the President took this action, it is clear the pardon was not based on the merits, and by carrying through with this he severely damaged our leadership in the world fight against terrorism.

The FALN carried out more violence than any other terrorist group in the United States. They pose a direct threat to the safety of American citizens on American soil everywhere. Yes, these convicted terrorists have spent some time in jail, but the acts these people committed were the most heinous and should not seem less so simply because of the passage of time. A fair court system found them guilty and punished them accordingly. Nothing they have done or said since then can justify their unsolicited release.

Making concessions to terrorists is wrong and it is very harmful to us as a country and as a people. In so doing, the President has made a mockery of all the administration's tough talk about terrorism and the need to combat it worldwide. This is an action that should be roundly condemned.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The Senator from Georgia has 6 minutes and 40 seconds.

Mr. COVERDELL. Mr. President, ever since the introduction of this resolution which basically put the Senate on record, if passed, we were deploring the action of the President commuting the sentences of 16 known terrorists, in this timeframe, the White House so far has refused to allow any of its representatives in the Department of Justice, the Federal Bureau of Investigation, its own White House, or the Bureau of Prisons to testify before any congressional hearing. It was as late as 9:30 p.m. last evening that the testifier from the Federal Bureau of Investigation called our office to decline to testify. In other words, there is a total blackout at the White House.

The vote that occurred on the House side had 71 Members of the other side of the aisle voting ''I am here,'' refusing to make a statement. This debate in the Senate will have soon been 2 hours long. So far, on the other side there has been only one sentence discussed about this national issue of the President commuting the sentences and releasing 16 known terrorists. One sentence in the entire debate has come from the other side. Mr. President, 71 of their Members in the House simply voted they were in Washington, and the White House has refused to make any comment and refused to allow any of the administration to testify.

Mr. President, this book, ''Patterns of Global Terrorism, 1998,'' is published by the State Department of the United States. It was published in April of this year. On the first page it says:

> United States policy with regard to terrorism.

And the first statement is:

> Make no concessions to terrorists and strike no deals.

These 16 terrorists have been given the concession of being released from prison, and the entire process was one of dealmaking and negotiations among the White House and representatives of the terrorists and the terrorists.

The question is the incongruity with the administration as well as our Government's policy with regard to terrorism.

The second premise is:

> Bring terrorists to justice for their crimes.

We are in the midst of sending 16 of them from prison out into the population, again with no real assurance—in fact, we have already seen some signs that they would not recant terrorist activities.

The President, in a rather tortured effort to explain—that these folks were not the ones who actually dropped the bomb or fired the weapon has already been alluded to by Senator HATCH, chairman of the Judiciary Committee—what they are trying to do is set degrees. Under that theory, bin Laden, responsible for planting the bombs in Kenya and Tanzania, would somehow be in a more favorable position. To put it another way, if you are a successful terrorist, you are going to be in a lot more trouble than an unsuccessful terrorist because you were captured by the FBI before you set off the bomb.

In this very booklet published by the administration, it gives a definition of terrorism: ''The term terrorism means premeditated''—we have concluded that—''politically motivated violence''—we have concluded that was the case—''perpetrated against noncombatants''—and I met the son who was 9 years old when his father was killed when he was simply having lunch in New York as a noncombatant—''by subnational groups or clandestine agents usually intended to influence an audience.''

The point I am making is, all 16 whose sentences were commuted fit this definition to a T. They are terrorists. What does not match is the President's violation of the terms of how we deal with such people when it says ''make no concessions'' and he did, it says ''and strike no deals'' and he did. We can only hope and pray that law enforcement officers who were involved with this, families who were involved with this, are not now in harm's way, or the judge who sat in the adjudication of these cases and who was threatened to be assassinated by these people as he conducted the trial of the 16.

What a massive incongruity we face. We will shortly vote on this resolution. I very much hope this will be as successful as in the House so that international terrorists, law enforcement officials who put their lives on the line every day, and the victims of these terrorists will understand that the people's branch, the legislative branch of the U.S. Government, thinks these are the rules of the road when you deal with terrorists, that you do not make concessions, that you do not make deals, and that they are apprehended and, if apprehended, they are subsequently harshly dealt with and imprisoned accordingly.

The Presiding Officer is signaling me that my time is up.

The PRESIDING OFFICER (Mr. CRAPO). Time has expired.

Mr. COVERDELL. That being the case, and no Senator from the other side is here to speak on their version of the issue, I suggest the absence of a quorum.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. Does the Senator withhold his request?

Mr. COVERDELL. I withdraw my request.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized to speak as in morning business for up to 10 minutes.

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

Mr. INHOFE. I thank the Chair.

GRANTING CLEMENCY TO TERRORISTS

Mr. INHOFE. Mr. President, I had been presiding and listened intently to the debate that has been taking place. I have a couple of thoughts which I think have not been addressed.

For one thing, we recognize that this has to have been politically inspired, that you do not offer clemency to known terrorists without some type of motivation to do so. If one has been watching the media and if one has been listening to this debate, one has to come to the conclusion that it was politically motivated. There can be no doubt about that. Of course, there are a lot of Puerto Ricans in the United States and in some of the States such as New York, New Jersey, and Florida, perhaps, who could determine the outcome of a vote. So we have politicians catering to them.

I suggest to you, Mr. President, that while this is onerous enough, this is not happening in a vacuum because at the same time people are going after this voting block by offering clemency, something else is going on right now, something that not many people are aware of, and that is, for the last 57 years we have been able to use an island called Vieques off the shores of Puerto Rico as a bombing range, as an amphibious training base. This is classified and characterized by the Navy, as well as the ground troops, as an imperative area for our training and our readiness.

I guess what I am saying is, there is no place else in the Western Hemisphere we can use for this kind of training. It is high-altitude bombing training and also amphibious training. What this also means is when we are about to deploy a ship such as the U.S.S. *Eisenhower* they will not be able to train because of a moratorium on training on Vieques.

How does that relate to this subject at hand? It relates directly in that the reason we are having problems with the range which we have used successfully for 57 years and which is an imperative part of our state of readiness is that it is unique, but they have stopped us from doing it through a moratorium because of the people of the island of Vieques. There are only 9,000 residents on this island who are saying, all of a sudden: Well, we decided we don't want to have bombing on the far end of this island.

This island is over 20 miles long. The bombing range is way over on one side. There is a buffer zone in between that is a national park on which we have spent literally millions of dollars to satisfy that handful of people who want us to abandon the range.

What do we have going on right now? We have people who are running for high office—and I do not think there is any reason to mention who they are at this time—going in and holding press conferences in Puerto Rico, saying: We want to stop the bombing that is taking place on this range; we want to deactivate the range.

Those individuals who are running for office in Puerto Rico are going one step further. Right now, there are four groups of protesters. These protesters are down on the firing range, walking around where there are live ordnances on the ground, picking them up, throwing them around, and someone is going to get killed. Consequently, having witnessed this, when I came back I wrote a letter and made a phone call to Janet Reno, our Attorney General, to insist she apply the law to these trespassers to stop them from doing that.

I do not know what her motivation is, but she refuses to do it, and she is selectively interpreting and enforcing the law. I suggest that the Senator from Utah was correct when he said the Attorney General is asleep at the switch while the White House is running the Justice Department. We are allowing the White House to run the Justice Department insofar as clemency is being offered to these terrorists, but also running the Justice Department by not enforcing the law in getting these people out of harm's way.

I can stand on the Senate floor today and say that I believe someone is going to be killed, and when that someone is killed, it is going to be the fault of our Attorney General and her boss, the President, because they are selectively not enforcing the law at this time.

While it is bad enough we allow terrorists to go unpunished—we turn them loose on society; we somehow fall into this mindset that punishment is not a deterrent to crime for political purposes—it is even worse, in my opinion, to take away the one thing that is necessary, the most significant, an important training area, from our military in order to prepare to defend America.

So I think this thing has gone far enough, and I do believe it is politically inspired. I do believe that was the reason for the offer of clemency. I do believe that is the reason so many politicians right now are saying: Fine, we'll go ahead and close the range.

One last thing on the range. I know this message will get out to the right places when I say it. It is true that the people and the citizens of the island of Puerto Rico would like to have this range deactivated. But they also at the same time want to keep our facilities that are so significant in making contributions to their economies, such as Roosevelt Roads.

As chairman of the Readiness Subcommittee of the Senate Committee on Armed Services, I went out and told them I am going to do everything within my power—if they deactivate this range; and are successful in doing this, through the White House and the President's efforts—to do what we can to move those functions that take place in Roosevelt Roads, to deactivate that and bring those back to various installations in the United States that are only partially utilized.

So that is going out as a warning. I think it is time we take this whole thing very seriously and try, just for a while, to get politics out of this process which we have been discussing.

Lastly, yes, it is significant. We are talking about a President who has offered clemency to a bunch of people, some terrorists, who have inflicted crime on American citizens. When you stop and think about how the young people of America are looking at this and saying, ''Well, I guess there's not anything wrong with participating in this kind of activity,'' this is morally wrong, and it should be stopped.

I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. I ask unanimous consent to speak up to 5 minutes in morning business.

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

Mr. CRAIG. Mr. President, the other morning on the ''Today'' show—which many of us wake up and listen to as it relates to the morning news or the late-breaking events—there was a Puerto Rican terrorist who the day before had just been released from prison under the clemency that President Clinton had granted him.

During that interview, he was consistently asked if he was remorseful, if he was concerned about the lives of American law enforcement officers that had been taken by him and other terrorists such as himself. In all instances, he did not answer.

He went on to speak of the cause and the movement and why independence was more important than anything else—independence as it relates to the Commonwealth of Puerto Rico, not his personal independence. But never once did he speak in any tone that would suggest he was sorry, only that he was glad to be free. I think anyone who had been imprisoned by a court and found guilty would want that.

I listened to him and grew increasingly more angry—and I must use that word ''anger''—at a President who is at this instant once again trying to have it both ways on an issue that I know the Presiding Officer and I are very concerned about—and that is the misuse of second amendment rights in our country by citizens of our country. And oh, by the way, that Puerto Rican terrorist is an American citizen, is a citizen of the United States by birth in the Commonwealth of Puerto Rico. He was not a foreigner who knew nothing about our law; he was an American citizen who violated a Federal firearms statute.

When I say I speak with a certain amount of anger in me that we have a President who is living up to his double standard reputation once again in the twilight days of his administration, he is coming to the American people and saying: Give me more Federal firearms laws so I can enforce them and make the streets of America safer. If we have

heard it once, we have heard it five times from the bully pulpit of the White House in the last 6 months: And oh, by the way, to all you Americans who did not catch my sleight of hand, I want to release a bunch of terrorists who were accused and found guilty of violating Federal firearms laws and give them clemency.

Mr. President, the American people and this Congress are simply not that dumb. We know you live a double standard and that you speak it oftentimes for political purposes. And on this one you got caught. But, because of the power of the office, you moved ahead and done it anyway.

For that I am sorry and wish we could pull that back. But at least, as a Senate, we can speak loudly, as the House did, and force this President to be honest with the American people, if not for just a moment because he has not been honest with us.

So, Mr. President, if you want to offer clemency, when somebody is found guilty of the misuse of Federal firearms laws, then do not come to this Senator or this Senate and ask for more Federal firearms laws with which you can play.

I find myself on the floor more often than I would like defending the second amendment. But I find it necessary and responsible as a Senator who takes an oath of office to uphold our Constitution because I believe the second amendment is, in fact, a constitutional right in this country. But I have been very cautious in directing or steering the Senate in the crafting of new Federal firearms laws to make sure that we do not take away from those fundamental constitutional rights, and yet the President wants sweeping new power in those areas and then wants to arbitrarily and politically decide when to forgive and forget.

Sorry, Mr. President, this time you do not get it both ways. Fool me once, my fault; fool me twice, no, I think not. That is what is happening. I am glad the American people have finally caught on.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

DEPLORING THE ACTIONS OF THE PRESIDENT CLINTON REGARDING GRANTING CLEMENCY TO FALN TERRORISTS—Continued

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the time during the future quorum calls be charged to the minority side.

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

Mr. HUTCHINSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. COVERDELL. Mr. President, I ask for the yeas and nays on S.J. Res. 33.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER (Mr. SANTORUM). The joint resolution having been read the third time, the question is, Shall the joint resolution, as modified, pass?

The yeas and nays have been ordered. The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from New Hampshire (Mr. GREGG) are necessarily absent.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM) is necessarily absent.

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 273 Leg.]

YEAS—95

Abraham	Enzi	Lugar
Allard	Feingold	Mack
Ashcroft	Feinstein	McConnell
Baucus	Fitzgerald	Mikulski
Bayh	Frist	Moynihan
Bennett	Gorton	Murkowski
Biden	Gramm	Murray
Bingaman	Grams	Nickles
Bond	Grassley	Reed
Boxer	Hagel	Reid
Breaux	Harkin	Robb
Brownback	Hatch	Roberts
Bryan	Helms	Rockefeller
Bunning	Hollings	Roth
Burns	Hutchinson	Santorum
Byrd	Hutchison	Sarbanes
Campbell	Inhofe	Schumer
Chafee	Inouye	Sessions
Cleland	Jeffords	Shelby
Cochran	Johnson	Smith (NH)
Collins	Kennedy	Smith (OR)
Conrad	Kerrey	Snowe
Coverdell	Kerry	Specter
Craig	Kohl	Stevens
Crapo	Kyl	Thomas
Daschle	Landrieu	Thompson
DeWine	Lautenberg	Thurmond
Dodd	Leahy	Torricelli
Domenici	Levin	Voinovich
Dorgan	Lieberman	Warner
Durbin	Lincoln	Wyden
Edwards	Lott	

NAYS—2

Akaka	Wellstone

NOT VOTING—3

Graham	Gregg	McCain

The joint resolution (S.J. Res. 33), as modified, was passed.

The preamble, as modified, was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 33

Whereas the Armed Forces of National Liberation (the FALN) is a militant terrorist organization that claims responsibility for the bombings of approximately 130 civilian, political, and military sites throughout the United States;

Whereas its reign of terror resulted in 6 deaths and the permanent maiming of dozens of others, including law enforcement officials;

Whereas 16 members of the FALN were tried for numerous felonies against the United States, including seditious conspiracy;

Whereas at their trials, none of the 16 defendants contested any of the evidence presented by the United States;

Whereas at their trials none expressed remorse for their actions;

Whereas all were subsequently convicted and sentenced to prison for terms up to 90 years;

Whereas not a single act of terrorism has been attributed to the FALN since the imprisonment of the 16 terrorists;

Whereas no petitions for clemency were made by these terrorists, but other persons sought such clemency for them;

Whereas on August 11, 1999, President William Jefferson Clinton offered conditional clemency to these 16 terrorists, all of whom have served less than 20 years in prison;

Whereas the Federal Bureau of Investigation, the Federal Bureau of Prisons, and 2 United States Attorneys all reportedly advised the President not to grant leniency to the 16 terrorists;

Whereas the State Department in 1998 reiterated two longstanding tenets of counter terrorism policy that the United States will: ''(1) make no concessions to terrorists and strike no deals''; and ''(2) bring terrorists to justice for their crimes'';

Whereas the President's offer of clemency to the FALN terrorists violates longstanding tenets of United States counterterrorism policy; and

Whereas the release of terrorists is an affront to the rule of law, the victims and their families, and every American who believes that violent acts must be punished to the fullest extent of the law: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That making concessions to terrorists is deplorable and that President Clinton should not have granted clemency to the FALN terrorists.

Mr. SMITH of Oregon addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that I be allowed to speak briefly as in morning business.

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

THE PEOPLE OF RURAL OREGON AND THE STEENS MOUNTAIN

Mr. SMITH of Oregon. Mr. President, last week I spoke in this Chamber of the damage that has been inflicted by this administration upon the people and communities of rural Oregon. I spoke specifically about communities such as John Day and Roseburg, communities where the failure of this administration to keep its word with regard to timber harvests has brought

great harm to families, communities, schools, and to their roads.

I am grateful to this Senate and the Senator from Washington for his leadership on this issue and voting last week to put the interests of children and families above a survey of fungus, snails, and slugs.

I return to the floor today to share with my colleagues a story about another rural Oregon community, one that is facing an uncertain future because of possible actions by this administration.

I traveled this past weekend to the community of Burns, OR, in Harney County. Harney County is small in population and large in area. About 8,000 people live in this county. It is roughly the size of the State of Massachusetts. It includes part of the largest Ponderosa pine forest in the whole Nation. It includes over 100,000 head of beef cattle on vast open ranges. It includes the Steens Mountain.

I would like to speak to you about the Steens Mountain and what this administration proposes to do with it.

Let me begin by saying that to fly over the Steens Mountain, and to tour it on the ground and from the air, as I did last Saturday, is to see some of the most breathtaking scenery in this country or any other; and to stand on the ridgetops of the Steens is to view unspoiled vistas of the Kiger Gorge, the Alvord Desert, and other true national treasures. From its peak you can see the States of Idaho, Nevada, California, and nearly all of Oregon. It is a very special place.

The Steens Mountain has remained unspoiled for one simple reason: The people of Burns and Harney County love Steens Mountain. Through unique partnerships between the Bureau of Land Management and private land owners, who own almost 30 percent of the mountain, they have found a formula that has worked. Harney County residents take great pride in their stewardship of the mountain that one rancher referred to, to me, as a ''tough old girl.'' At the heart of their stewardship is the commonsense principle of multiple use.

Their pride is very justifiable. According to the Bureau of Land Management, over the past 30 years essentially 100 percent of upland and riparian conditions on the Steens Mountain that needed improvement has, in fact, been improved.

I traveled to the Steens in response to a trip that Secretary of the Interior Bruce Babbitt made there several weeks ago. After touring the mountain and praising what had been accomplished by local citizens, Secretary Babbitt also announced that only Uncle Sam could be trusted with the future of the mountain. He said that before this administration left office, he wanted to designate the mountain as a national conservation area or as a national monument; no matter what had been done before and how well it looked, still we cannot trust local citizens; we need to trust those with the wisdom of the bureaucracy in the beltway. Such a designation, as he proposed, would have far-reaching impacts, not only on the future of the mountain but on the future of those who live and work in its shadow.

Such an announcement would run counter to the significant efforts of the Southeastern Oregon Resource Advisory Council. It is known locally as the RAC. The council is made up of individuals from conservation groups, resource groups, public bodies, and Federal agencies that have assumed the responsibility of exploring the proposal for a Steens Mountain National Conservation Area. This cooperative approach is the type of open and public process that I support and one that should be supported by this administration. But this group now labors under the certainty that, no matter what they decide, a decision has already been made here that the administration will make a designation.

I plan to meet with Secretary Babbitt in the very near future. I hope to do it with my colleague from Oregon and Congressman WALDEN who represents this area. When we do, we will share the frustrations expressed to each of us by citizens of Harney County when we have visited there. They have asked me why this administration is trying to impose a solution where there is no problem. The old adage that this is ''a solution looking for a problem'' has never been more true than when applied to the Steens Mountain.

They asked me why this administration does not trust them to continue with their excellent management techniques and innovative practices that have been at the heart of their stewardship. They asked me why this administration would be promoting a designation that would undoubtedly bring more visitors to the area, thereby harming the very environment they supposedly seek to protect. And they asked me if the Secretary's promise to work with them in the months ahead was real or whether this administration has already made up its mind.

I would also like to put on the Record the taunting that is being made to the administration by some members of the environmental community from organizations that support more Federal involvement on the Steens Mountain. It was said in the open, in the presence of the media, that Secretary Babbitt and this administration were being urged to find a legacy other than the impeachment scandal. They were literally saying: Grab private land, and you can grab a better legacy for yourself. They were urging a version of a domestic ''wagging of the dog.''

I pray that this is not so because this is not the basis for good land management. Oregon does not need such an insult as was being urged upon this administration by some in the environmental community.

The bottom line is that I believe the future of the Steens Mountain in Harney County is in much better hands with the folks who live there—folks such as County Commissioner Dan Nichols and ranchers such as Fred Otley and Stacey and Elaine Davies—than it is, than it ever will be, in the hands of Federal bureaucrats who reside within the beltway.

Mr. President, I yield the floor.

Mr. GORTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent for 5 minutes as in morning business.

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

THE ''13TH MONTH''

Mr. SMITH of New Hampshire. Mr. President, earlier today, there was quite a bit of colorful rhetoric and blustering on the floor by the Democratic Party about reports in the Washington Post today that Republicans were going to create a ''13th month'' to allow more spending on education and other programs.

Lest I be accused of partisanship, I think many of you know I am an Independent. So those who say I am going to speak on behalf of Republicans, I guess, would technically be wrong. I don't pretend to speak for the Republicans, and I am not privy to what was said in any meetings with the Republicans regarding the so-called 13th month. But let me speak for myself as an Independent and say I don't support a 13th month for any fiscal year.

But in their effort to be partisan and embarrass Republicans over what was probably a mischaracterization, in my view, in a liberal newspaper, my Democrat colleagues failed to address the key issue, which is, where do you come up with the money to fund all of these programs?

In their zeal to make partisan points and poke fun—and they did have a good time—they failed to offer any constructive solution. If you are going to poke fun and make jokes about the 13th month headline, what are your alternatives? My guess is they would prefer to use the same budget tactics they have been using for about 50 years. The result of those budget tactics over the past 50 years has been to run up the national debt to where it is almost $6 trillion, raid the Social Security trust fund, and in order to do it all raise taxes.

Every year, we do this. Every year, the train comes down the track and usually has a wreck. We spend, spend, spend, spend, and then we get to the

end of the year and we act as though there is some magic budgetary goblin running around eating up money and we invent these tricks to try to figure out how to break the budget, while we still tell constituents we balance it. It is pretty outrageous. We use every budgetary gimmick we can find: forward funding, emergency designation, baseline budgeting. You name it, you have heard it. Now we have ''13th month.''

For those of you who may be listening or watching right now, when you hear those terms, my advice would be to hang on tightly to your wallet because the story is, if a Democrat has a vision, it is probably focused right on your wallet, and that is what is happening now. They are having fun with this 13th month, but they have that luxury because they are in the minority. I suppose you can say, technically, so am I, but on this point I am siding with the Republicans. They didn't invent budgetary gimmickry.

Insofar as this Congress intends to use smoke and mirrors to secretly fund more rather than less unconstitutional programs, I don't intend to be a part of it. Our Founding Fathers would be ashamed of this whole debate for several reasons:

No. 1, they didn't intend for us to balance our budget using accounting tricks and elongated fiscal years.

No. 2, they didn't intend for us to burden our children with trillions of dollars in debt—trillions.

No. 3, they didn't intend for us to spend billions of dollars on education programs that should be handled at the State and local level.

My colleague, Senator GORTON, has been very instrumental on initiatives to try to bring that spending back to the State and local level where it belongs. So as perhaps the only nonpartisan person in the Senate right now, let me offer a solution. It is pretty simple. I have a way that we can support the Constitution, balance the budget, and not use any budgetary tricks at all. It is very simple: Don't spend the money.

The Department of Education is billions of dollars worth of unconstitutional infringements on State and local authority. Don't spend the money, if the Democrats don't want the Republicans using budgetary tricks, the Republicans don't want to break the budget caps, and the founders don't want us funding unconstitutional programs. So let's abolish the Department of Education. Then we can go back home to our school districts and say: You now have the constitutional authority you had in the first place to educate your children the way you choose—home school, private school, public school, whatever. By the way, you have more money to spend and the budget is balanced.

Very simple. Nothing complicated. So let me say the best way to end all the budgetary gimmickry is don't spend the money.

Mr. President, I yield the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

PRIVILEGE OF THE FLOOR

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that Denise Matthews, a fellow on the staff of the Appropriations Committee, be granted the privilege of the floor during the debate on H.R. 2084 and the conference report thereon.

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

Mr. LAUTENBERG. Thank you, Mr. President, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Continued

Mr. GORTON. Mr. President, I have now cleared the following request.

I ask unanimous consent that no further amendments be in order to the pending Interior bill other than the managers' amendment or amendments on motions relative to the Hutchison royalties amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GORTON. Mr. President, I should like to make the following announcement. We will have that managers' amendment—I think there is only one that is possible; it may be in two sections—ready within the next half hour or so to present. It does represent an accommodation of the requests of many Members, with the understanding of all Members.

I think it will take only a very few minutes to present and to have it accepted. At that point, we will have only the Hutchison amendment outstanding. The majority leader has reserved the right to ask for reconsideration of the cloture motion that was defeated yesterday. I suspect when he chooses to do that, we will in a relatively short period of time finish debate and dispose of the Hutchison amendment one way or another and then go to final passage of the Interior appropriations bill.

That means, as far as I am concerned, I am going to vacate the floor at this point. Whenever the chairman of the Subcommittee on Transportation wants to start his bill, he can do so. I will ask him for the right to interrupt at some point when I am ready with the managers' amendment and present it then. I see no reason to keep the Senate from moving forward now.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—H.R. 2084

Mr. SHELBY. Mr. President, I ask unanimous consent that the Chair lay before the Senate H.R. 2084, the House-passed fiscal year 2000 Transportation appropriations bill, that all after the enacting clause be stricken, and the text of S. 1143, as modified by striking sections 321 and 339, be inserted in lieu thereof, that the amendment be considered as original text for the purpose of further amendment, and that points of order against any provision added thereby be preserved.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I object temporarily. I believe strongly that this legislation impinges in the area of jurisdiction of the Environment and Public Works Committee, and we will be discussing that further on. I do thank Senator SHELBY for the time he has given us in connection with this overlapping jurisdiction—I should not even say overlapping jurisdiction—we think is impinging upon the areas that belong within the jurisdiction of the Environment and Public Works Committee.

However, despite the fact that we have had numerous meetings—our staffs with his staff, myself to some extent with Senator SHELBY—we have not been able to resolve these issues. I believe the unanimous consent request that the Senator has just propounded will solve the problem as far as moving into the major difficulty in jurisdiction I will outline later.

I know the ranking member of the Environment and Public Works Committee is here, and he also has some difficulties with the jurisdiction that has been assumed by the Transportation Appropriations Subcommittee.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, reserving the right to object, and I will not, I appreciate the indulgence of the Chair and my colleagues for a very brief statement.

Those of us who were here and those of us who were not here but certainly

have an idea about it remember the effort that was put into passing TEA 21, the highway bill, a couple of years ago. Many Senators worked very long and hard.

I see the ranking member of the subcommittee, Senator LAUTENBERG; the chairman of the Subcommittee on Transportation, Senator SHELBY; Senator BYRD mightily helped put together a massive highway bill, otherwise known as TEA 21; Senator WARNER of Virginia; and, of course, the chairman of the committee, Senator CHAFEE. I assisted; Senator MOYNIHAN helped a lot; the majority leader, Senator LOTT. We had many meetings in Senator LOTT's office trying to put together all the provisions of the highway bill.

As one might guess, it is extremely complex. There were the Northeast States that had a certain point of view as to how the dollars should be allocated; the Western States thought they did not get a fair deal in the previous 6-year highway bill known as ISTEA; the Southern States. Then there were donee and donor States. There were groups that wanted more so-called CMAQ money. That is money that goes to areas to help them mitigate against pollution in their cities caused by automobiles and trucks. There were enhancement funds. Enhancement funds are for bikeways and other associated highway programs. There was research and development. There were intelligent highway systems. There were public lands. There were discretionary funds. There was park money. You name it. There were lots of competing interests that were put together a couple of years ago.

We finally put together a highway bill, and it passed on a bipartisan basis, a large vote: 89 Senators voted for it after much gnashing of teeth about what we were going to do with the 4.3 cents that was otherwise set aside for debt reduction in a previous Congress. We finally decided that was going to go to the highway program.

Our basic principle we agreed to was that all Federal gasoline taxes paid would go to the highway fund, and from the highway fund that money all goes back out to the States in the form of related highway programs, all funded with the gasoline tax. That was a major statement that TEA 21 made, the highway bill we passed a couple years ago.

It has worked quite well. On average, States got about a 40-percent increase each year compared with the previous 6 years; some States a little more, some less; but in the whole scheme of things it worked out quite well: On average, a 40-percent increase each year compared to the prior year.

This year we are considering the Transportation appropriations bill, the appropriations bill which basically says: OK, this money that is in the highway program, although there is contract authority that says the money has to be spent on highways, still, the Transportation Appropriations Committee basically just spends it. That is what it does.

There is a provision in the highway bill, TEA 21, which says this: Any additional money that comes into the highway trust fund—unanticipated additional money, presumably on account of a growing economy; and our economy has grown—will then be allocated, to the degree it is allocated, back to the States in the same way the highway bill itself was put together; that is, a certain percent under CMAQ, a certain percent under service transportation, a certain percent under minimum guarantees, a certain percent to public lands, et cetera; and in the same way.

It turns out that because of the additional gasoline taxes in the last year as a consequence of a prosperous economy, there is an additional $1.5 billion that is to be allocated under the highway bill according to the way the highway bill was put together. So there are no changes.

It turns out, with all due respect to the Transportation Appropriations Subcommittee, they have decided to change the highway bill, to rewrite it, and, rather than to have the money spent as provided for in the highway bill, to instead take all of that money—instead of, say, 10 percent as provided for under the highway bill under certain discretionary programs and 90 percent under the core highway programs—they take it all and put it under the core highway programs. I think that is very dangerous. It is a very dangerous precedent.

First of all, it is legislation on an appropriations bill. It is rewriting, adding legislation on an appropriations bill. Second, it is a precedent of the Appropriations Committee of, in effect, rewriting the program.

I grant you, this is a small matter. As a consequence of the Appropriations Committee's action, instead of $1.4 billion going to the core programs, $1.5 billion is going to the core programs. The additional that is going to the core programs does not go to the various programs I mentioned.

You might ask: Gee, what is the big deal? That is only about $120 million. The big deal is this. First of all, it is not much money, $1.5 billion versus $1.4 billion. Second, it is a big principle, because once we start down this slippery slope of the Transportation Appropriations Committee rewriting the highway bill and how dollars are allocated among States, then we are going to be tempted in following Congresses to take a bigger bite of the apple to redistribute even more.

Why is that a problem? That is a problem because highway programs take time. State highway departments must plan ahead. It takes 2 or 3 years, from conception to design, to bid letting, to construction, to build highways or to resurface. It is not a spigot you just turn on and off yearly. It takes time.

Second, here is another real concern I have. If the Appropriations Committee is rewriting the highway bill, then it is going to become political; the majority party is going to be determining the provisions in the highway bill. There will not be a bipartisan allocation of highway dollars; it will be a majority party allocation of highway dollars.

With all due respect, this is not an abstraction; this has happened in the concrete. In fact, the bill that was about to come to the floor did just what I feared would happen; namely—not the highway part but the mass transit part—the committee rewrote the bill, which took many dollars away from two States, California and New York. It does not take much imagination to figure out whether the Senators from those two States are in the majority party or the minority party.

I am just very concerned we are going to set the precedent of the Transportation Appropriations Subcommittee, A, rewriting the highway bill, which is bad because it takes a long time to plan these projects, and upsetting the apple cart which took a lot of effort to put together—I mentioned Senators BYRD, WARNER, CHAFEE, LOTT, and all of us—to try to work to put all the pieces together, but also because the majority party is going to be sorely tempted to be political; that is, to give dollars to the States of the majority party but not dollars to the States of the minority party. That might change. It might be the Democrats who are in the majority. Then that precedent will be set. That is not a good precedent. We should instead just do what is right.

I will sum up by saying it is true that every State will get a few more dollars under the rewrite by the Appropriations Committee. It averages about .35 percent. Gee, every State is getting a few more dollars—not many—so why not support it? My point is, it is only a few dollars. It is not going to really affect the States much at all. But it is the principle of going down the slippery slope of rewriting the highway bill without hearings, without any field hearings and hearings here in the Senate. The EPW Committee has not had hearings on this subject. The Appropriations Committee has not had hearings on this subject.

Just basically, it is political. I will not object at this point, but at the appropriate time various Senators will be making this point. I very much hope that when the point is made at the proper time, the Senators will very deeply consider this in a thoughtful way, because sometimes what you do in the short term, for short-term gratification, comes back and is harmful in the long run. I do think in this case it is better to think a little bit more about the purpose of the bill.

I thank the Senators for indulging me.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Is there objection?

Mr. SHELBY. I would like, first, to modify my unanimous consent request. I think it might be best that I restate it, if I may.

The PRESIDING OFFICER. Go right ahead.

Mr. SHELBY. Mr. President, I ask unanimous consent that the Chair lay before the Senate H.R. 2084, the House-passed fiscal year 2000 Transportation appropriations bill, that all after the enacting clause be stricken and the text of S. 1143, as modified by striking section 321, be inserted in lieu thereof—being amendment No. 1624—that the amendment be considered as original text for the purpose of further amendment, and that points of order against any provision added thereby are preserved.

The PRESIDING OFFICER. Is there objection?

Mr. CHAFEE. A question, if I might.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, it is my understanding that this is the language that has been worked out with our side.

Mr. SHELBY. That is exactly right.

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

(The text of amendment No. 1624 is printed in today's RECORD under ''Amendments Submitted.'')

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative assistant read as follows:

A bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

The Senate proceeded to consider the bill.

Mr. SHELBY. Mr. President, just for a few minutes I would like to address some of the overview, as I see it, of this Transportation appropriations bill.

Mr. President, after being delayed by the objection to the Transit Equity Provision, I am pleased that the Senate will finally have the opportunity to consider the fiscal year 2000 transportation appropriations bill. Although the subcommittee's funding allocation is tight, I believe we are presenting the Senate with a balanced approach to meeting our Nation's transportation needs by providing adequate funding for all modes of transportation.

At the same time, the senior Senator from New Jersey, Mr. LAUTENBERG, and I have gone to great lengths to craft a bill that I believe accommodates the requests of Members and funds their priorities.

The current fiscal constraints were especially felt in the transit account, where demand for mass transit systems is growing in every State. But funding is fixed by the TEA 21 firewall. My proposal for managing an account in which Members' requests were more than 20 times the available funds was the Transit Equity Provision.

This measure, which I included in the original subcommittee mark of the bill, would have limited the amount of transit capital funds any single State could receive in fiscal year 2000 to no more than 12½ percent of the total.

The two states that receive the lion's share of national transit funds—30 percent of the total in fiscal year 1999—are California and New York.

The provision would have redistributed any transit capital funds appropriated to these two states in excess of 12½ percent to the remaining 48 states. This would have resulted in approximately $5 million more for every other state, for their own transit programs—while New York and California would still have received more than $693 million each.

Last Thursday, however, the Senate failed to reach cloture on the motion to proceed to the transportation appropriations bill if it included the Transit Equity Provision, and I have agreed to strip the provision from the bill in order to move this legislation forward.

The equity provision is not central to the appropriations bill. The total program funding levels, which are set at the TEA–21 firewall limits, remain unchanged. I included the provision to help create more room within those totals for the national transit program.

My colleagues have written to me with new start project requests totaling $2.84 billion and with bus project requests totaling $1.8 billion.

If the appropriations bill honors all the current and anticipated full funding grant agreement projects and the bus earmarks for fiscal year 2000 that were included in the TEA–21 authorization, we have left only $96 million in new starts funding and $235 million in bus funding—to accommodate not only the billions of dollars' worth of requests from my colleagues in the Senate, but also the earmarks that have been included in the House transportation appropriations bill.

This task is beyond challenging: It is impossible. There is no way to begin to satisfy the demand for discretionary transit capital funds. I do not want this fact to catch my colleagues by surprise.

I bring this bill to the Senate floor today without the Transit Equity Provision. By engaging in a lengthy and public debate on this issue, as well as a recorded cloture vote, I hope that my colleagues are now more aware of the pressures on this account nationally, and that they better understand why I have so actively sought a way to provide funds for what I thought were my colleagues' transit priorities.

The bill honors our commitment to increase the flow of federal funds for construction to improve infrastructure throughout the nation.

Within the framework of a $49.5 billion total bill, $37.9 billion is provided for infrastructure investment in highways, transit systems, airports, and railroads. This is 6 percent more than last year's level of funding and is greater than the administration's request.

This bill respects the Highway and Transit firewalls that TEA–21 imposed. I would like to point out to my colleagues that we adhered strictly to the TEA–21 firewalls, even though outlays will be greater than the amount anticipated when Congress enacted TEA–21.

By providing the funds above the firewall level, there were fewer dollars available to fund other priorities within the subcommittee's jurisdiction, including the Coast Guard and FAA.

I believe this illustrates the pitfalls of trying to manage annual outlays in multi-year authorization legislation and is one of many reasons the Senate should reject a proposal to establish more budgetary firewalls around trust fund accounts.

I yield to my colleague under the unanimous consent agreement, the senior senator from New Jersey, the ranking member of the Transportation Appropriations Subcommittee.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, first, I thank my colleague and friend, Senator SHELBY, for having managed a very difficult problem with, frankly, less money than the amount we think transportation in this country deserves. We are entering a new century. It is hoped that we are going to be able to continue the prosperous and vigorous economy we now see. I think if there is one place where our funding allocations are deficient—and I believe they are deficient in many—transportation heads the list. It is necessary to have the kind of infrastructure that will propel us into continuing leadership in the 21st century, starting with transportation.

We see crowding in every mode of transportation—aviation; the skies are jammed. The highways are congested. They are spewing contaminated air all over the place, and our transit systems are operating well above capacity. So I approach this bill with less than total satisfaction because we, frankly, could have used more funds. I will discuss those for a minute.

I have served on the Transportation Appropriations Subcommittee for more than 14 years. As they say, time flies when you are having fun. I chaired the subcommittee for 8 years, and I have also had the pleasure of serving under other subcommittee chairmen including Mark Andrews, Mark Hatfield, who was a dear friend and inspired leader, and, most recently, RICHARD SHELBY.

Senator SHELBY, as his predecessors, has been attentive to the issues. He has consulted carefully with the minority members of the subcommittee. When it comes to funding levels included in this bill, Senator SHELBY has done the best he could, given the very limited resources allocated to this subcommittee. And though I wish we had more money, I am supporting this bill,

even with the limitations placed upon us, because of the efforts by Senator SHELBY.

When you consider the fact that this appropriations bill is going to usher in our national transportation agenda in the next century, it is clear that we are still not making the kind of investments we have to make to ensure continued leadership, economically and functionally, in the next millennium.

That is not the fault of the chairman. Rather, it is the fault of our overall budgeting process—and I say that both as the ranking member of this subcommittee and the ranking member of the Budget Committee.

The bill before us is almost $700 million below the level requested by the President in his budget.

The President's proposed transportation budget for fiscal year 2000, for the first time, exceeds $50 billion. This bill, however, is funded at less than $49.5 billion.

While the dollar amount in this bill does exceed the total provided for in fiscal year 1999, the growth is to be found in the highway and transit programs that enjoy firewalled funding under TEA–21.

The funding provided in this bill for other modal transportation which do not benefit from funding guarantees is severe. Funding for the Coast Guard is well below the President's request. Fortunately, we were able to include funding for the Coast Guard in the Kosovo supplemental appropriations bill. These funds will remain available and enable the Coast Guard to better meet its needs next year.

Funding for the Federal Aviation Administration is more than 6.5 percent below the President's request.

Funding for Amtrak: We are now approaching a time when Amtrak is about to step in, hopefully, to the 21st century, but it is at least starting to catch up in the 20th century even as we leave it. High-speed rail is around the corner—delayed, unfortunately, a little bit more than we expected it to be. But it is on its way. It is going to make an enormous difference. By way of example, if we didn't have the investment in Amtrak's Northeast Corridor to keep it going, we would need, as a substitute, 10,000 flights every year—10,000 new flights between the Boston area and the Washington area, including New York. That would be something beyond comprehension in terms of the crowded skies—200 new flights a week.

Funding for the critical highway safety functions, or the National Highway Traffic Safety Administration, is cut by more than $50 million, or 15 percent below the level requested by the administration. A large part of the problem is that, when we marked up appropriations bill in May, we were capped by the low authorization levels in TEA–21. Since that markup, the House and the Senate passed, and the President signed, a sizable increase in these authorization levels for highway safety. But now that the authorization levels have been increased, there is no funding in the subcommittee's allocation to fund even part of them.

These are difficult funding cuts. But despite these cuts, I support this bill. Frankly, I am putting some hope in the fact that the bill as passed by the House of Representatives had an allocation that was more than $0.5 billion larger than the allocation granted to the Senate Transportation Subcommittee.

As we approach conference on this bill, I expect to work closely with Chairman SHELBY and the chairman of the Appropriations Committee with the goal of bringing back a transportation conference report that better meets the needs of the FAA, the National Highway Traffic Safety Administration, the Coast Guard, and the other critical functions of the Department of Transportation.

Mr. President, I emphasize once more that the reason this bill is so tight is not because Chairman SHELBY doesn't want to fund the necessary parts of the transportation bill's requirements but, rather, we are caught by the funding caps that have controlled the Appropriations process.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1625

(Purpose: To make available funds for the investigation of unfair or deceptive practices and unfair methods of competition by air carriers, foreign air carriers, and ticket agents involving the failure to disclose information on the overbooking flights)

Mr. WYDEN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon (Mr. WYDEN) for himself, Mr. LAUTENBERG, and Mr. SHELBY, proposes an amendment numbered 1625.

Mr. WYDEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 65, line 22, before the period at the end of the line, insert the following: '': *Provided,* That the funds made available under this heading shall be used to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers, foreign air carriers, and ticket agents: *Provided further,* That, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' include the failure to disclose to a passenger or a ticket agent whether the flight on which the passenger is ticketed or has requested to purchase a ticket is overbooked, unless the Secretary certifies such disclosure by a carrier is technologically infeasible''.

Mr. WYDEN. Mr. President, first I express my thanks to the bipartisan leadership of the committee, Chairman SHELBY, who has been extraordinarily helpful on this matter, which is a critical issue of protecting the rights of airline passengers in this country, and I also thank my longtime friend, Senator LAUTENBERG, who has spent a great deal of time with me on this issue over the last few months. The bipartisan leadership of this committee stands out in the Congress in terms of trying to ensure that airline passengers get a fair shake. It is high time, Mr. President, and colleagues.

Last year, we saw an unprecedented increase in the number of complaints by airline passengers about shoddy service. In the first 6 months of this year, we have seen another unprecedented increase in complaints by passengers of airline service.

This is the first of two amendments I intend to offer with the chairman of the subcommittee, Mr. SHELBY, and the ranking minority member, Mr. LAUTENBERG, to try to balance the scales and ensure that the passengers get a fair shake and, in particular, get information about key services, such as the lowest fare, and accurately be told when a flight is overbooked.

I emphasize to my colleagues that I am not proposing the Congress establish a constitutional right to a fluffy pillow on an airplane flight or a jumbo bag of peanuts. But I think airline passengers have a right to timely and accurate information.

The purchase of an airline ticket today in America is like virtually no movie choice. Unlike movie theaters that sell tickets to a movie or a store that sells soccer balls, the airline industry provides no real assurance that they will be able to use the product as intended. They have made a variety of voluntary pledges to try to turn around this situation. But what we have seen in the last few days as a result of a study by the GAO and a study by the Congressional Research Service is that these voluntary pledges by the airline industry aren't worth much more than the paper they are written on.

I am very pleased to offer this first amendment to try to ensure that passengers can be informed when an airline is overbooked.

Again, I thank the bipartisan leadership of the committee. In addition to Senators SHELBY and LAUTENBERG, Senators CAMPBELL and FEINGOLD have also been supportive in finally holding these airlines accountable with respect to making sure passengers are informed when a flight is overbooked. That is the problem today in America with overbooking. If you call an airline right now and they are overbooked, they won't tell you that before they sell you a ticket. The public has a right to know. The passengers have a right to know. These voluntary pledges aren't going to do it.

For example, the voluntary pledge the airline industry has made on overbooking is, and I quote:

They will disclose to passengers upon request whether the flight on which the passenger is ticketed is overbooked if within the usual and ordinary scope of such employee's work, the information is available to the airline employee to whom the request is made. -

In plain English, that means if you are lucky and happen to ask the right employee you may get a straight answer on overbooking.

In plain English, that means if you are lucky and happen to ask the right employee you may get a straight answer on overbooking.

This bipartisan amendment says the Department of Transportation inspector general can and should investigate as a deceptive trade practice the failure to inform the consumer when a flight is overbooked. In 1997, the Department of Transportation reported the airlines bumped more than 1 million passengers. Since that time, more than 100,000 passengers have been bumped involuntarily. This means more than 100,000 passengers are paying for seats they never sat in.

I think it is time to make sure the public's right to know is protected. This first bipartisan amendment gives Members that opportunity.

My thanks to my senior colleague, the chairman, and the ranking minority member. I urge the Senate to adopt this amendment.

I yield the floor.

Mr. SHELBY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. LAUTENBERG. Mr. President, I commend our colleague for this amendment and for the substance of the amendment.

There has been constant pressure on the airlines to provide seats and make accommodations available. For those who think they are going on a journey—some emergencies, some recreational, some for routine work—it matters not. The fact of the matter is, when someone makes a reservation on an airplane, they ought to know whether or not there is a pretty good chance they will arrive at their chosen destination. We know there is not a way to positively predict this. However, the passengers who have paid for their tickets should have a pretty good chance of arriving when the flight is scheduled to arrive.

I think this is positive amendment. It is pretty simple. The Senator from Oregon deals with the problem of airlines continuing to sell tickets on oversold flights and refusing to divulge that fact to their customers.

I consider myself a friend of aviation. I have worked very hard with the FAA and the airlines to make sure we offer reliable and safe service. With all of the crowding, our system is still remarkably safe. It handles far more flights than we ever expected. Are we up to date in everything we can do? I say absolutely not; the requirements far exceed the capacity.

The least we ought to do is tell passengers if there is a reasonable chance that they will get to their destination. The person who travels from Cincinnati to New York, perhaps to catch a flight overseas, arrives with their baggage. They have a 2-hour connection or an hour-and-a-half at Kennedy or Newark Airport on their way to Rome. The only problem is, they arrive 3 or 4 hours later because they were bumped off the flight and they miss their flight to Rome.

I had an experience a couple of weeks ago. This is probably a good story for democracy. I got to the airport, and they said the flight was sold out. I had made a reservation, given a credit card number. I arrived at the airport, and they said the airplane was filled. I got there 15, 20 minutes before flight time. I said: What do you mean, it is filled? They said: Yes, that seat is sold. I said: The seat was sold twice, and the first one who got there got it.

No one told me the rules, that a passenger had to beat the other guy to the starting line to guarantee the seat for which they paid.

Needless to say, I was a little annoyed. I didn't jump over the counter and threaten anybody, but it was not a pleasant experience. Instead of taking one direct flight back home, I had to take two—first flying north before I could fly south. All I could get was, ''Sorry, we sold the seat.'' It is an unpleasant experience.

When they took the reservation which I made personally and gave my credit card number, they said fine and gave me a confirmation number. When I got to the gate to get on this airplane, the clerk behind the desk said: This airplane has been sold out. But they took my money anyway.

The Senator from Oregon is standing behind the passenger who is not getting a lot of attention these days. The airlines handle a lot more traffic than they expected. They are also making a lot more money and I'm glad that they are. But they must also provide the service in a manner that is respectful of their passengers.

What the Senator from Oregon is asking for is simple: If you are going to sell a ticket to him, to me, to anybody, please tell them if the flight is oversold. Then passengers can plan for it or figure out a backup instead of being innocently led to a blind wall where they can't go farther.

So I support this amendment. I support it enthusiastically.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1626

(Purpose: To make available funds for the investigation of unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers involving denying airline consumers access to information on the lowest fare available)

Mr. WYDEN. Mr. President, I ask unanimous consent to set aside the pending amendment and send another amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for himself, Mr. LAUTENBERG, and Mr. SHELBY, proposes an amendment numbered 1626.

Mr. WYDEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 65, line 22, before the period at the end of the line, insert the following: '': *Provided*, That the funds made available under this heading shall be used (1) to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers, (2) for monitoring by the Inspector General of the compliance of air carriers and foreign carriers with respect to paragraph (1) of this proviso, and (3) for the submission to the appropriate committees of Congress by the Inspector General, not later than July 15, 2000, of a report on the extent to which actual or potential barriers exist to consumer access to comparative price and service information from independent sources on the purchase of passenger air transportation: *Provided further*, That, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' mean the offering for sale to the public for any route, class, and time of service through any technology or means of communication a fare that is different than that offered through other technology or means of communication''.

Mr. WYDEN. Mr. President, this amendment I also offer with the bipartisan leadership of the subcommittee, Chairman SHELBY and Senator LAUTENBERG. Again, I express my thanks to both of them. As you could tell from Senator LAUTENBERG's excellent statement, he has strong views on this matter. They go back a long time.

One of the areas I most admire about Senator LAUTENBERG has been his extraordinary work on tobacco control. The fact of the matter is, Senator LAUTENBERG for years led that effort to make air flights healthier in our country. That is just one of the many contributions he has made in public service. We thank him for it.

This amendment as well is supported by the chairman of the subcommittee, Chairman SHELBY, and the ranking minority member, Senator LAUTENBERG. As I have sought to do with respect to overbooking, again this amendment would ensure there were teeth behind this so-called pledge by the airlines to make information about the lowest possible fare available to the consumer. Finding the lowest air fare in America is now one of the great mysteries of Western life.

On any given flight there may be as many different fares as there are passengers on the plane. One of the things that experts in aviation have said for some time is if you want to start a brawl on an air flight, ask the passengers to compare notes with respect to how much they paid for a ticket because there will be remarkable differences, even among people who made the same sort of arrangements to fly.

The purpose of this bipartisan amendment is to make sure, no matter

how a customer contacts an airline—at the ticket counter, over the telephone, or at an airline's web site—the customer would get the same information about the lowest fare. Again, the airlines in these voluntary pledges that they have made have a lot of lofty rhetoric about telling the consumer about the lowest fare, but the harsh reality is that it is business as usual. This amendment would hold the airlines accountable to their pledge to actually make available to the consumer, in an understandable way, information about the lowest fare available.

The pledge to offer the lowest fare available as it stands now, in the voluntary package from the airline industry, is, again, sort of more hocus-pocus, as far as the consumer is concerned. In effect, what the airlines are now saying is that if a consumer uses the phone to call an airline and asks about a specific flight on a specific date in a specific class, the airline will tell the consumer the lowest fare, as they are already required to do by law. Not only will the airlines not provide the consumer relevant information about lower fares on other flights on the same airline, they will not even tell the consumer about lower fares that are probably on the airline's web page—and for obvious reasons. Once they have you on the phone and they can get you at a higher price, they might not be so interested in letting you know about something else that is available on the web page.

Recently a Delta agent quoted a consumer over the telephone a round trip fare to Portland, my hometown, of $400, and 5 minutes later the consumer found a price of $218 for the exact same flight on Delta's web page.

What this amendment stipulates, again, as with the bipartisan effort with respect to overbooking, is that the passenger has a right to know. The public has a right to know. We are not setting up any new Government agencies. We are not calling for some micromanaged, run-from-Washington kind of operation. We are saying the passenger deserves a fair shake with respect to accurate information on the lowest fares that are available.

So this amendment, that I am proud to offer again with the chairman of the subcommittee, Chairman SHELBY, and Senator LAUTENBERG, would stipulate the Department of Transportation could investigate as a deceptive trade practice the failure on the part of an airline to tell the passenger the lowest fare that is available, no matter how the customer contacts the airline. Under the voluntary pledge, again, the airlines are going to be in a position to withhold information about the lowest fares from customers, information that they have, as Senator LAUTENBERG noted in his previous statement, and information that ought to be supplied to the consumer so the consumer can make accurate choices.

All we are talking about in both of these amendments is access to information, full disclosure, the public's right to know. But the failure to do it, the failure to inform the consumer, ought to be treated seriously by this Congress.

These two amendments provide that opportunity to do so by saying the Department of Transportation can investigate as a deceptive trade practice the failure to inform the public, in this case of the lowest fare available, in the previous case information about overbooking.

I know time is short and there is much to do with respect to this important legislation. I thank Senator SHELBY and Senator LAUTENBERG for their support. I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. SHELBY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. ROCKEFELLER. I thank the Presiding Officer.

CONGESTION AND DELAYS IN AIR TRAFFIC SYSTEM

Mr. ROCKEFELLER. Mr. President, there is a very famous line that we all know from the heroic astronauts of *Apollo 13*. The line is: ''Houston, we have a problem.''

Today, many of us who have spent the August recess traveling to our home States and various places across the country also realize that we ''have a problem'' in the air. This problem is not only in Houston, it is in Atlanta, it is in Chicago, it is in Cleveland, it is in Detroit and in nearly every other city across the country.

Over the last month, there have been very troubling reports of unprecedented increases in congestion and delays in our national air traffic system—long hours of delay. I have not heard a speech in this Chamber about this in the last several months. We spent most of yesterday having, I guess, basically a political debate about the Puerto Rican clemency situation, but this is urgent in a very different way because it involves life and death, the national economy, and congestion which is beyond the scope of thinking of many of our fellow citizens.

We are not talking about merely an inconvenience. We are talking about a potential crippling of the national economy and, if ignored, we are talking about extremely serious safety issues.

I happen to be an admirer of FAA Administrator Jane Garvey. I think she is very good, and I think she is tough. She ran an airport in Boston. That is a tough thing to do. I have a lot of confidence and faith in her. She canceled her own summer vacation plans because the crisis was so bad. She stayed in Washington to work with the controllers and with the airlines on this enormous congestion problem on which I will elaborate in a minute.

Beginning in mid-July, the FAA and the carriers conducted an on-the-spot evaluation of about 33 different facilities across the country in the air traffic control system. That is the one which routes our planes hither and yon; they better be right.

In this evaluation, they came up with a short-term plan for reducing delays and for improving some inconveniences. It is really too soon to say how effective it will be. I am glad they did it, but we cannot draw any final conclusions from it.

Everybody involved with the plan seems to agree that these short-term fixes are nothing more than that—short-term fixes. They are meant to address symptoms of an underlying problem which we in Congress consistently fail to address, which is an air traffic control system that must be modernized—but we will not do it, nor put up the money for it—restructuring within the FAA and other areas in order to meet surging travel demands and remain viable, as they say, into the next century.

Of course, while this serious problem-solving effort was going on at the FAA and its facilities during this summer, we in the Congress, and especially we in the Senate, have largely or virtually—totally, I should say—stood by. We have watched. We have not even commented. We have simply watched or in some cases even looked the other way. Lack of concern? Too complicated? I do not know.

We continue in this same vein that we have approached aviation for more than a year now, ignoring the problem, ignoring the cost, ignoring the solutions, ignoring the complexity, by avoiding the issue and refusing to make the time to debate it in a serious way.

We left for the August recess without even bringing up FAA reauthorization or the airport improvement program reauthorization. That is our most basic aviation responsibility. That is our bottom line. We failed to do it. In fact, we all went home knowing that the airport funding program was going to lapse. And, of course, on August 6 it did.

Some would have you believe that the FAA reauthorization bill is so mired in controversy that we just cannot do it—not a matter of not wanting to do it; we cannot do it. I am here to tell you—and to implore you—that most of the bill is entirely resolved and that the remaining issues require only some healthy debate, a measure of compromise; and if we will only make the time, we can certainly get all of this done and need to this month.

I understand that the majority leader and the Democratic leader have been working very closely on this matter, on doing just exactly that, having us work on it, finding the time to bring the FAA bill to the floor. It used to be that an FAA bill did not have all that much significance. Actually, that is probably not a true statement. Today it has overwhelming complexity and significance to it.

Senators HOLLINGS, MCCAIN, GORTON, and I are doing our very level best to work out as many of the remaining issues as we possibly can so the bill will go smoothly and quickly on the floor. And we believe that it can, if given a chance.

But the important thing is that we get going, is that we do something, is that we bring it here, is that we discuss it, is that we are educated by it, by some of the facts that surround it because the consequences of inaction are growing very dangerous.

Some facts:

The Air Transport Association reports that air traffic control delays were up 19 percent from January through July of 1999 and 36 percent from May through June of 1999 as compared to the same periods in 1998.

With an average of 1,358 aircraft delayed each day from May through July as a result of something called air traffic control, and an average of 106 passengers per aircraft, the Air Transport Association estimates that 140,000 passengers were delayed in America each day from May through July of this year—140,000 passengers each and every day.

For the first 5 months of 1999, as compared to the same period in 1998—a 1-year difference—delays increased at Detroit 267 percent; at Las Vegas, 168 percent; at Chicago Midway, 158 percent; at Cincinnati, 142 percent; at Dallas/Fort Worth, 131 percent.

ATA reports that 625 million in passenger minutes of passenger delay each year costs the economy over $4 billion annually and results in passengers being delayed 28,500 hours each day on average—with the numbers going up every month.

And 72 percent of the delays are weather-related, they say—it may be true, it may not be—but that does not mean that the weather is so bad that we cannot avoid gridlock on our part.

We can, and we must, continue to invest money in training and staffing, in paying for advanced automation tools to enable controllers to work around bad weather and minimize disruption to the extent that, in fact, they would be able to if we were willing to fund them and to give them the possibility of doing that. This technology and this capability exists at this instant and should be improved upon for tomorrow.

Before we jump to blame the FAA for all these current problems, I should be very clear that I believe the carriers also share some responsibility, as do we in Congress, again, particularly in the Senate.

FAA reports that traffic increases are greatest in the Northeast. That is not a surprise; that is where a lot of people live. And it appears to be the result of several factors: a stronger economy; the influx of regional jets, which fly at the same altitude but not nearly as fast as the big jets, so it complicates the way planes can be maneuvered; significant deliveries of new aircraft to major carriers that have to keep them flying—they have no economic choice to begin to recoup their investment, even if fewer flights would meet their customers' actual needs—the efforts by a couple of the major airlines to develop low-cost/low-fare operations along the eastern seaboard to compete with Southwest on point-to-point routes; and in some cases excessive airline scheduling.

For example—and I see my good friend, the senior Senator from New Jersey—only 48 arrivals are possible each hour at Newark Airport in very good weather. But for marketing purposes, individual carriers are scheduling 55 to 60 arrivals at Newark Airport during the exact same hours. This happens at hub airports all across the country and effectively guarantees delay no matter what the FAA, no matter what the controllers might want to do.

Allow me to begin to finish with a quote from the latest major study of the system, the broad system, by the National Civil Aviation Review Commission in 1998. The Commission's warning is compelling and has been affirmed by the industry, affirmed by the Department of Transportation, the FAA, the National Transportation Safety Board, and the Gore Commission on Security and Safety, and everybody else who works in or on or with aviation.

Their quote:

> [W]ithout prompt action the United States' aviation system is headed for gridlock shortly after the turn of the century. If this gridlock is allowed to happen, it will result in a deterioration of aviation safety, harm the efficiency and growth of our domestic economy, and hurt our position in the global marketplace. Lives [will] be endangered, the profitability and strength of the aviation sector could disappear, and jobs and business opportunities far beyond aviation could be foregone.

So given all of this, I say that we do not just have a problem at Houston but we have a problem all over America.

What more do we need to know before we are inspired to act? Must we wait until the gridlock is upon us? Are we waiting for some catastrophic event? Are we waiting to be shot out of our inertia? That is what we have been doing here in the Senate for some time. And does it have to come to unnecessary deaths? Sometimes that happens in America. People don't pay attention until there is something so horrible that they want action.

That is not what we want to happen in the Senate. We are given the responsibility for aviation policy—our section of it. We have an authorizing and appropriating process. We have not been exercising it. We have been consistently underfunding the most basic aspects of our aviation system. We know it, we will not change it, and we do not talk about it.

We simply cannot continue to sit on our hands, waiting until it is ''convenient'' to start the debate. We are underinvesting in our system to the tune of at least $6 billion each year—$4 billion short on air traffic equipment and technology, an instrument of safety, and $2 billion short on airport infrastructure and capacity improvements. These are just the funds needed to keep us going at the current, entirely unacceptable rate and not to improve our situation but just to keep us where we are. I trust my words have convinced my colleagues that I do not believe that is sufficient.

So closing this $6 billion annual funding shortfall doesn't even begin to modernize and do what we need to do in the aviation system. That is a sensitive subject, and $6 billion is a lot of money. We don't like to talk about spending that, but we will get nowhere in aviation without it.

Without getting too much into some especially contentious differences between the House and Senate aviation bills, let me state the obvious about this apparent funding gap. We all know there is money in the aviation trust fund that could and should be used. There are any number of ways to do it. We could take the trust fund off budget; we could firewall the revenues; we could simply spend more on the discretionary side for critical and growing needs in our aviation infrastructure. The point is that we have to make a commitment to fix and improve this system, and it is going to take money to do it. We cannot avoid that.

So today, I say to colleagues, it is time to talk about the needs of the FAA, time to talk about the needs of the aviation system. We cannot simply go on to conference on a blank bill, and I don't think that is the intention anymore. We can't write the bill in conference. We can't do this without debate or without input from this body. Thankfully, this week I am beginning to feel cautiously optimistic about our ability to work together to get this bill to the floor. Frankly, we owe it to the traveling public and to the tireless air traffic controllers. I don't know how many of you have watched these folks work and looked at the equipment with which they have to work. It is a shocker. In some cases it is stunningly wonderful, and in some cases it is shockingly poor.

At some point, underinvestment in something as important as what will carry a billion passengers in 6 or 7 years—our aviation system—will catch up with us. I fear that day is already upon us. The consequences of continued inaction are terribly real—real for public safety and real for our national economy. So let's go forward and take

the work that our majority and minority leaders are now talking about and get to this bill.

I thank the Chair and yield the floor.

Mr. SHELBY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT—Continued

Mr. SHELBY. Mr. President, I ask unanimous consent that the time on two amendments that have been offered by Senator Wyden relative to airline reporting be limited to 1 hour of total debate, to be equally divided in the usual form. I further ask that votes occur on or in relation to the Wyden amendments in the order in which they were offered, beginning at 11 a.m. on Wednesday, tomorrow, with 2 minutes for explanation between each vote and no additional amendments in order prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SHELBY. Mr. President, in light of this agreement, there will be no further votes this evening, and the next votes will occur at 11 a.m. Wednesday, tomorrow.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I want to commend the distinguished Senator from West Virginia for an excellent statement with respect to the air traffic control system. It seems to me what the Senator from West Virginia has pointed out is that our country, to some extent, wants a 21st century air traffic control system and they want to figure out how to do it on a 19th century budget.

The Senator from West Virginia, it seems to me, is saying it is time for all of us in the Congress to, in effect, put our dollars where our mouth is with respect to safety. If you are serious about improving safety, you have to fund this woefully inadequate air traffic control system.

The fact of the matter is, the Senator from West Virginia has spent many years battling to strengthen the air traffic control system, as has the distinguished ranking minority member of the Senate Commerce Committee, Senator HOLLINGS. I think the Senator from West Virginia has given an extremely important address this afternoon in terms of highlighting how critical it is to the safety agenda of the American people. You cannot do what is needed to improve safety for airline passengers in this country without following the recommendations of the Senator from West Virginia. I wanted him to know that his remarks were heard, and heard clearly, by this junior member of the Commerce Committee.

I will wrap up this afternoon by thanking again Senator SHELBY and Senator LAUTENBERG for their support of the two amendments I am offering that will be voted on in the morning. They are simple, straightforward amendments calling for disclosure with respect to overbooking of airline flights, making sure the passengers can actually know about the lowest fares that are available, whether it is over the telephone or on a web site.

As we wrap up this afternoon, my understanding is that we will have additional time to discuss this on the floor of the Senate tomorrow morning. I am very proud to have the support of the chairman of the subcommittee, Mr. SHELBY, and the ranking minority member, Mr. LAUTENBERG, on the two amendments that will come up tomorrow morning with respect to disclosure. I also thank their staffs and the staffs of the Commerce Committee, who have been working to make it possible, procedurally, for the Senate to consider these in the morning.

With that, I yield the floor.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I thank the Senator from Oregon for his contribution in the form of these amendments. We work together on the Budget Committee, and on other matters. He is always thoughtful on the matters he brings to the Senate.

Before the Senator from West Virginia leaves the room, I want to say to him that one of the things he talked about, sort of indirectly, in terms of getting the FAA up to the point that it should be in order to take care of the volume of traffic we have—we must make air travel more user friendly. You do that by providing an infrastructure that can accommodate the volume of traffic we have. I commend the Senator from West Virginia. He works very hard on matters of aviation. We are grateful to him for his contribution.

I would like to say this. One of the things that kind of pervades the discussion that has gone on here for the last while by the Senator from Oregon and the Senator from West Virginia is that there has to be a change in attitude, in my view.

The airlines have to understand that they have a precious commodity when they have license to offer the services that they do. They are not unlike the doctor who provides excellent service who uses the hospital operating room for his or her work.

We provide airspace—limited airspace. We provide huge investment in technology to have a system operate better. We provide airports. We provide facilities. And all of this is not designed to punish. My conversation is not designed to punish the airlines but to make sure it is remembered that they are serving the public, with the permission of the Government indirectly, by providing the kinds of facilities that can accommodate the number of flights and the routes that are being used. It is user friendly.

I recently proposed something in New Jersey that has some people in government a little nervous. I suggested that when someone has to wait to pay a toll and it gets beyond a certain point, the drivers be permitted to go through free. I call it a deadline, Don't Encumber Drivers—DED—because otherwise those toll road authorities just collect their money. It just takes them a little while longer. But the one who pays and gets less service is the driver. You sit there in all of that smog, fog, and congestion. You miss your appointment, you don't get to work, you don't get to school, you don't get to the doctor, and shopping is not done on time.

Why is it that the user is the one always pays the price?

You go into a well operated supermarket, and they open more lanes so you can pay your bills faster because they know you don't want to stand around there to have to give them your money. So it is also, I think, with the airlines.

I don't want to see them punished. This isn't designed to be punitive. What we are suggesting here is designed to make it fairer for the traveling passenger. Rather than bumping people, there ought to be other ways to deal with it, so that if someone is bumped, the airline also feels the pressure—not just the passenger if the airline chose to oversell the seats.

I don't want to see the airlines flying with empty seats. That is not a mission at all. Maybe they have to come up with a different scheme. Maybe there has to be a deposit when you make an airline reservation. I have talked to lots of people who would make two or three reservations on airplanes on different flights so they could do it at their convenience, which means that someone else could not fly because they have blocked these seats. Maybe there has to be a deposit when the reservation is made to be used either for a trip or as a cost for doing business.

If you want to have furniture delivered to your house, you can't get it delivered without suffering some kind of a penalty if they deliver it and nobody is home and they have to turn around and take it back, or if you want to cancel midstream. Try buying a car without a deposit. They will tell you no. You can't have your wash done without having a laundry ticket.

In any event, I yield the floor.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT 2000—Continued

AMENDMENTS NOS. 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, AND 1636

Mr. GORTON. Mr. President, I send a package of amendments to the desk and ask unanimous consent they be numbered separately. These amendments have been cleared on both sides.

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

Mr. GORTON. For anyone who is listening, these amendments include one by the Senator from North Dakota, Mr. DORGAN, on National Forest-dependent rural communities; two by myself, one technical and one with respect to a Plum Creek land exchange; one by Senator KYL of Arizona with respect to funding for tribal school operations; two by Senator REID of Nevada on conveyances in that State; one by Senators MURKOWSKI, BINGAMAN, and COCHRAN with respect to Federal energy use, to which is appended a statement by Senator COCHRAN; and one by Senators BREAUX and LANDRIEU with respect to Fish and Wildlife Service authority to retain and use certain fees.

Mr. GORTON. Mr. President, I ask unanimous consent those amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments agreed to en bloc are as follows:

AMENDMENT NO. 1628

(Purpose: To make technical corrections to the National Forest-Dependent Rural Communities Economic Diversification Act of 1990)

On page 132, between lines 20 and 21, insert the following:

SEC. 3___. NATIONAL FOREST-DEPENDENT RURAL COMMUNITIES ECONOMIC DIVERSIFICATION.

(a) FINDINGS AND PURPOSES.—Section 2373 of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6611) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''national forests'' and inserting ''National Forest System land'';

(B) in paragraph (4), by striking ''the national forests'' and inserting ''National Forest System land'';

(C) in paragraph (5), by striking ''forest resources'' and inserting ''natural resources''; and

(D) in paragraph (6), by striking ''national forest resources'' and inserting ''National Forest System land resources''; and

(2) in subsection (b)(1)—

(A) by striking ''national forests'' and inserting ''National Forest System land''; and

(B) by striking ''forest resources'' and inserting ''natural resources''.

(b) DEFINITIONS.—Section 2374(1) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6612(1)) is amended by striking ''forestry'' and inserting ''natural resources''.

(c) RURAL FORESTRY AND ECONOMIC DIVERSIFICATION ACTION TEAMS.—Section 2375(b) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6613(b)) is amended—

(1) in the first sentence, by striking ''forestry'' and inserting ''natural resources''; and

(2) in the second and third sentences, by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(d) ACTION PLAN IMPLEMENTATION.—Section 2376(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6614(a)) is amended—

(1) by striking ''forest resources'' and inserting ''natural resources''; and

(2) by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(e) TRAINING AND EDUCATION.—Paragraphs (3) and (4) of section 2377(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6615(a)) are amended by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(f) LOANS TO ECONOMICALLY DISADVANTAGED RURAL COMMUNITIES.—Paragraphs (2) and (3) of section 2378(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6616(a)) are amended by striking ''national forest resources'' and inserting ''National Forest System land resources''.

AMENDMENT NO. 1629

(Purpose: To make a technical correction to a U.S. Code cite)

On page 14, line 6, strike ''(22 U.S.C. aa–1)'' and insert ''(22 U.S.C. 2799aa–1)''

AMENDMENT NO. 1630

Insert at the end of Title III in H.R. 2466:

SEC. . INTERSTATE 90 LAND EXCHANGE.

(a) Section 604(a) of the Interstate 90 Land Exchange Act of 1998, 105 Pub. L. 277, 12 Stat. 2681–326 (1998) is hereby amended by adding at the end of the first sentence: ''except title to offered lands and interests in lands described in section 605(c)(2)(Q, R, S, and T) must be placed in escrow by Plum Creek, according to terms and conditions acceptable to the Secretary and Plum Creek, for a three year period beginning on the later of the date of enactment of this Act of consummation of the exchange. During the period the lands are held in escrow, Plum Creek shall not undertake any activities on these lands, except for fire suppression and road maintenance, without the approval of the Secretary, which shall not be unreasonably withheld.''

(b) Section 604(b) of the Interstate 90 Land Exchange Act of 1998, 105 Pub. Law 277, 12 Stat. 2681–326 (1998), is hereby amended by inserting after the words ''offered land'' the following: ''as provided in section 604(a), and placement in escrow of acceptable title to the offered lands described in section 605(c)(2)(Q, R, S, and T).''

(c) Section 604(b) is further amended by adding the following at the end of the first sentence: ''except Township 19 North, Range 10 East, W.M., Section 4, Township 20 North, Range 10 East, W.M., Section 32, and Township 21 North, Range 14 East, W.M., W½W½ of Section 16, which shall be retained by the United States.'' The appraisal approved by the Secretary of Agriculture on July 14, 1999 (the ''Appraisal'') shall be adjusted by subtracting the values determined for Township 19 North, Range 10 East, W.M., Section 4 and Township 20 North, Range 10 East, W.M., Section 32 during the Appraisal process in the context of the whole estate to be conveyed.

(d) After adjustment of the Appraisal, the value of the offered and selected lands, including the offered lands held in escrow, shall be equalized as provided in section 605(c) except that the Secretary also may equalize values through the following, including any combination thereof:

(1) conveyance of any other lands under the jurisdiction of the Secretary acceptable to Plum Creek and the Secretary after compliance with all applicable Federal environmental and other laws; and

(2) to the extent sufficient acceptable lands are not available pursuant to paragraph (1) of this subsection, cash payments as and to the extent funds become available through appropriations, private sources, or, if necessary, by reprogramming.

(e) The Secretary shall promptly seek to identify lands acceptable for conveyance to equalize values under paragraph (1) of subsection (d) and shall, not later than May 1, 2000, provide a report to Congress outlining the results of such efforts.

(f) As funds or lands are provided to Plum Creek by the Secretary; Plum Creek shall release to the United States deeds for lands and interests in land held in escrow based on the values determined during the Appraisal process in the context of the whole estate to be conveyed. Deeds shall be released for lands and interests in lands in the exact reverse order listed in section 605(c)(2).

(g) Section 606(d) is hereby amended to read as follows: ''the Secretary and Plum Creek shall make the adjustments directed in section 604(b) and consummate the land exchange within 30 days of enactment of the Interstate 90 Land Exchange Amendment, unless the Secretary and Plum Creek mutually agree to extend the consummation date.''

SEC. . THE SNOQUALMIE NATIONAL FOREST BOUNDARY ADJUSTMENT ACT OF 1999.

(a) IN GENERAL.—The boundary of the Snoqualmie National Forest is hereby adjusted as generally depicted on a map entitled ''Snoqualmie National Forest 1999 Boundary Adjustment'' dated June 30, 1999. Such map, together with a legal description of all lands included in the boundary adjustment, shall be on file and available for public inspection in the Office of the Chief of the Forest Service in Washington, District of Columbia. Nothing in this subsection shall limit the authority of the Secretary of Agriculture to adjust the boundary pursuant to section 11 of the Weeks Law of March 1, 1911.

(b) RULE FOR LAND AND WATER CONSERVATION FUND.—For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundary of the Snoqualmie National Forest, as adjusted by this subsection (a), shall be considered to be the boundary of the Forest as of January 1, 1965.

Mr. GORTON. Mr. President, I will comment further on that amendment. A number of objections from people in the vicinity of a portion of that land exchange were made both to me and to my colleague, Senator MURRAY. The letter responds to many of those concerns, and others will be responded to by the Plum Creek Company itself.

I would like to say a number of those objections were valid objections and deeply concerned this Senator, and we hope they will largely be alleviated by the prompt response of Plum Creek.

Mr. President, I ask unanimous consent a letter addressed to me from Plum Creek be printed in connection with the Plum Creek land exchange amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PLUM CREEK TIMBER CO.,
Seattle, WA, September 14, 1999.

Hon. SLADE GORTON,
U.S. Senate,
Washington, DC.

DEAR SENATOR GORTON: We greatly appreciate your continuing efforts to resolve the issues created by the discovery of marbled murrelets on lands to be acquired by Plum Creek as part of the I–90 Land Exchange. Plum Creek agrees with the legislative language worked out by your office and the U.S. Forest Service to accommodate the new lands package and we are prepared to assist in any way that we can.

We are aware that some opposition has developed over the lands near Randle, Washington, that Plum Creek would receive in the exchange. The opponents have painted a dismal scenario of what Plum Creek might do when the exchange is complete and we want to assure you of the facts.

First, Plum Creek has an excellent reputation of including neighbors and local communities in the planning process. We have not yet developed any specific plans for the Randle area, and will not until we have met with community leaders and heard first-hand their concerns. We are prepared to consider any options that will help to resolve the issues.

Second, our own standards and the strict forest practice rules of the state of Washington require that great care be taken to identify and avoid any areas of geological concern, such as unstable soils and steep slopes. Indeed, after extensive public study and comment, nearly 10,000 acres of U.S. Forest Service land was removed from consideration early in the exchange process for just this reason. The land that remains in the exchange has been thoroughly studied and can, with careful planning, be managed in a thoughtful and appropriate manner.

Third, any Plum Creek operations will be strictly governed by our own Environmental Principles and the standards of the American Forest and Paper Association's Sustainable Forestry Initiative.

Plum Creek is willing to continue to work with local citizens, the U.S. Forest Service, and the Delegation to resolve important issues upon completion of the I–90 Land Exchange. We continue to believe the Exchange is a fair deal for Plum Creek and a great deal for the public.

BILL BROWN.

Mrs. MURRAY. Mr. President, included within the Manager's amendment to the FY 2000 Interior Appropriations bill is a technical fix to last year's legislated I–90 Land Exchange. The amendment to the legislation was necessary to address to discovery of nesting marbled murrelets on two parcels of Forest Service land originally set to be exchanged to Plum Creek Timber Company. The language in the amendment is agreeable to both the Forest Service and Plum Creek.

Other issues, particularly that of potential landslides on parcels of land being transferred to Plum Creek near the town of Randle, Washington, have recently arisen. Members of the community are fearful that if some of these lands are harvested by Plum Creek that dangerous landslides are possible. I believe this a legitimate concern and have begun discussions with the Forest Service, Plum Creek, Congressman Baird and Senator Gorton as to possible solutions. I believe, however, that the land exchange is a benefit to the people of Washington and should proceed as we continue to work on the issue of concern to Randle residents.

I ask unanimous consent to have printed in the RECORD a letter to me from Plum Creek regarding the company's commitment to protecting the welfare of local communities, the forest land it acquires, and willingness to work with all parties to address the issues in Randle. I hope, that if a solution to the issues of concern to Randle residents is found in time, that such a solution be placed into the Interior bill at conference.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PLUM CREEK TIMBER CO.,
Seattle, WA, September 14, 1999.

Hon. PATTY MURRAY,
U.S. Senate,
Washington, DC.

DEAR SENATOR MURRAY: We greatly appreciate your continuing efforts to resolve the issues created by the discovery of marbled murrelets on lands to be acquired by Plum Creek as part of the I–90 Land Exchange. Plum Creek agrees with the legislative language worked out by your office and the U.S. Forest Service to accommodate the new lands package and we are prepared to assist in any way that we can.

We are aware that some opposition has developed over the lands near Randle, Washington, that Plum Creek would receive in the exchange. The opponents have painted a dismal scenario of what Plum Creek might do when the exchange is complete and we want to assure you of the facts.

First, Plum Creek has an excellent reputation of including neighbors and local communities in the planning process. We have not yet developed any specific plans for the Randle area, and will not until we have met with community leaders and heard first-hand their concerns. We are prepared to consider any options that will help to resolve the issues.

Second, our own standards and the strict forest practice rules of the state of Washington require that great care be taken to identify and avoid any areas of geological concern, such as unstable soils and steep slopes. Indeed, after extensive public study and comment, nearly 10,000 acres of U.S. Forest Service land was removed from consideration early in the exchange process for just this reason. The land that remains in the exchange has been thoroughly studied and can, with careful planning, be managed in a thoughtful and appropriate manner.

Third, any Plum Creek operations will be strictly governed by our own Environmental Principles and the standards of the American Forest and Paper Association's Sustainable Forestry Initiative.

Plum Creek is willing to continue to work with local citizens, the U.S. Forest Service, and the Delegation to resolve important issues upon completion of the I–90 Land Exchange. We continue to believe the Exchange is a fair deal for Plum Creek and a great deal for the public.

BILL BROWN.

AMENDMENT NO. 1631

(Purpose: To clarify that a Bureau-funded school may share a campus with a school that offers expanded grades and that is not a Bureau-funded school)

On page 33, line 18, after the period, insert the following: ''Funds made available under this Act may be used to fund a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)) that shares a campus with a school that offers expanded grades and that is not a Bureau-funded school, if the jointly incurred costs of both schools are apportioned between the 2 programs of the schools in such manner as to ensure that the expanded grades are funded solely from funds that are not made available through the Bureau.''.

AMENDMENT NO. 1632

(Purpose: To direct the Secretary of the Interior to convey certain land to Nye County, Nevada, and for other purposes)

At the end of title I, insert the following:

SECTION 1. CONVEYANCE TO NYE COUNTY, NEVADA.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term ''County'' means Nye County, Nevada.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(b) PARCELS CONVEYED FOR USE OF THE NEVADA SCIENCE AND TECHNOLOGY CENTER.—

(1) IN GENERAL.—For no consideration and at no other cost to the County, the Secretary shall convey to the County, subject to valid existing rights, all right, title, and interest in and to the parcels of public land described in paragraph (2).

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following:

(A) The portion of Sec. 13 north of United States Route 95, T. 15 S. R. 49 E, Mount Diablo Meridian, Nevada.

(B) In Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(i) W ½ W ½ NW ¼.

(ii) The portion of the W ½ W ½ SW ¼ north of United States Route 95.

(3) USE.—

(A) IN GENERAL.—The parcels described in paragraph (2) shall be used for the construction and operation of the Nevada Science and Technology Center as a nonprofit museum and exposition center, and related facilities and activities.

(B) REVERSION.—The conveyance of any parcel described in paragraph (2) shall be subject to reversion to the United States, at the discretion of Secretary, if the parcel is used for a purpose other than that specified in subparagraph (A).

(b) PARCELS CONVEYED FOR OTHER USE FOR A COMMERCIAL PURPOSE.—

(1) RIGHT TO PURCHASE.—For a period of 5 years beginning on the date of enactment of this Act, the County shall have the exclusive right to purchase the parcels of public land described in paragraph (2) for the fair market value of the parcels, as determined by the Secretary.

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following parcels in Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(A) E ½ NW ¼.

(B)E ½ W ½ NW ¼.

(C) The portion of the E ½ SW ¼ north of United States Route 95.

(D) The portion of the E ½ W ½ SW ¼ north of United States Route 95.

(E) The portion of the SE ¼ north of United States Route 95.

(3) USE OF PROCEEDS.—Proceeds of a sale of a parcel described in paragraph (2)—

(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

(B) shall be available for use by the Secretary—

(i) to reimburse costs incurred by the local offices of the Bureau of Land Management in

arranging the land conveyances directed by this Act; and

(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

AMENDMENT NO. 1633

(Purpose: To give the city of Mesquite, Nevada, the right to purchase at fair market value certain parcels of public land in the city)

At the end of title I, insert the following:

SEC. ___. CONVEYANCE OF LAND TO CITY OF MESQUITE, NEVADA.

Section 3 of Public Law 99–548 (100 Stat. 3061; 110 Stat. 3009–202) is amended by adding at the end the following:

''(e) FIFTH AREA.—

''(1) RIGHT TO PURCHASE.—For a period of 12 years after the date of enactment of this Act, the city of Mesquite, Nevada, shall have the exclusive right to purchase the parcels of public land described in paragraph (2).

''(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are as follows:

''(A) In T. 13 S., R. 70 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 27 north of Interstate Route 15.

''(ii) Sec. 28: NE ¼, S ½ (except the Interstate Route 15 right-of-way).

''(iii) Sec. 29: E ½ NE ¼ SE ¼, SE ¼ SE ¼.

''(iv) The portion of sec. 30 south of Interstate Route 15.

''(v) The portion of sec. 31 south of Interstate Route 15.

''(vi) Sec. 32: NE ¼ NE ¼ (except the Interstate Route 15 right-of-way), the portion of NW ¼ NE ¼ south of Interstate Route 15, and the portion of W ½ south of Interstate Route 15.

''(vii) The portion of sec. 33 north of Interstate Route 15.

''(B) In T. 14 S., R. 70 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 5: NW ¼.

''(ii) Sec. 6: N ½.

''(C) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 25 south of Interstate Route 15.

''(ii) The portion of sec. 26 south of Interstate Route 15.

''(iii) The portion of sec. 27 south of Interstate Route 15.

''(iv) Sec. 28: SW ¼ SE ¼.

''(v) Sec. 33: E ½.

''(vi) Sec. 34.

''(vii) Sec. 35.

''(viii) Sec. 36.

''(3) NOTIFICATION.—Not later than 10 years after the date of enactment of this subsection, the city shall notify the Secretary which of the parcels of public land described in paragraph (2) the city intends to purchase.

''(4) CONVEYANCE.—Not later than 1 year after receiving notification from the city under paragraph (3), the Secretary shall convey to the city the land selected for purchase.

''(5) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.

''(6) USE OF PROCEEDS.—The proceeds of the sale of each parcel—

''(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

''(B) shall be available for use by the Secretary—

''(i) to reimburse costs incurred by the local offices of the Bureau of Land Managment in arranging the land conveyances directed by this Act; and

''(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

''(f) SIXTH AREA.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall convey to the city of Mesquite, Nevada, in accordance with section 47125 of title 49, United States Code, up to 2,560 acres of public land to be selected by the city from among the parcels of land described in paragraph (2).

''(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are as follows:

''(A) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 28 south of Interstate Route 15 (except S ½ SE ¼).

''(ii) The portion of sec. 29 south of Interstate Route 15.

''(iii) The portion of sec. 30 south of Interstate Route 15.

''(iv) The portion of sec. 31 south of Interstate Route 15.

''(v) Sec. 32.

''(vi) Sec. 33: W ½.

''(B) In T. 14 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 4.

''(ii) Sec. 5.

''(iii) Sec. 6.

''(iv) Sec. 8.

''(C) In T. 14 S., R. 68 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 1.

''(ii) Sec. 12.

''(3) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.''.

AMENDMENT NO. 1634

At the end of Title III, insert the following:

SEC. . Section 1770(d) of the Food Security Act of 1985 (7 U.S.C. 2276(d)) is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

''(10) section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e));''.

AMENDMENT NO. 1635

(Purpose: To prevent expenditure of funds that may be used to circumvent or contradict existing law and policy regarding the Federal Government's energy efficiency programs)

Insert at the end of Title III the following new section:

''SEC. . None of the funds appropriated or otherwise made available by this Act may be used to implement or enforce any provision in Presidential Executive Order 13123 regarding the Federal Energy Management Program which circumvents or contradicts any statutes relevant to Federal energy use and the measurement thereof, including, but not limited to, the existing statutory mandate that life-cycle cost effective measures be undertaken at federal facilities to save energy and reduce the operational expenditures of the government.''.

Mr. COCHRAN. Mr. President, I support the energy efficiency amendment contained in the package of amendments managed by the chairman of the subcommittee.

This amendment, which I have sponsored along with Senators MURKOWSKI and BINGAMAN, clarifies, with respect to the measurement of energy use by the Federal government, that the directives contained in Presidential Executive Order 13123 cannot circumvent or contradict any relevant statues.

The Appropriations Committee addressed this matter last year, when Senator MURKOWSKI and Senator BYRD worked to clarify the intent of Congress with respect to energy use and energy measurement. As a result of their efforts, the conference report on the Omnibus Appropriations bill included language that has the same effect as the amendment we propose today—that is, the federal government shall obey existing laws, that proposed changes to the law are subject to the jurisdiction of the Senate Committee on Energy and Natural Resources, and that the law cannot be changed by committee report language, executive order or any other mechanism that would circumvent the jurisdiction of the authorizing committee.

Mr. President, this amendment will remedy flaws in the Executive Order, most of which represents a laudable effort to save taxpayer dollars by increasing energy efficiency in federal buildings.

I thank Chairman GORTON, Energy Committee Chairman MURKOWSKI, ranking member BINGAMAN, and their staffs for working to resolve this issue.

AMENDMENT NO. 1636

(Purpose: To authorize the Fish and Wildlife Service to retain and use fees collected for certain damages caused to national wildlife refuge lands in Louisiana and Texas to assess and mitigate or restore the damaged resources, and monitor and study the recovery of such damaged resources)

On page 12, line 12, before the final period, insert the following: ''*: Provided further,* That all funds received by the United States Fish and Wildlife Service from responsible parties, heretofore and through fiscal year 2000, for site-specific damages to National Wildlife Refuge System lands resulting from the exercise of privately-owned oil and gas rights associated with such lands in the States of Louisiana and Texas (other than damages recoverable under the Comprehensive Environmental Response, Compensation and Liability Act (26 U.S.C. 4611 et seq.), the Oil Pollution Act (33 U.S.C. 1301 et seq.), or section 311 of the Clean Water Act (33 U.S.C. 1321 et seq.)), shall be available to the Secretary, without further appropriation and until expended to: (1) complete damage assessments of the impacted site by the Secretary; (2) mitigate or restore the damaged resources; and (3) monitor and study the recovery of such damaged resources''.

AMENDMENTS NOS. 1371, 1408, 1587, 1593, 1595, 1600, 1601, 1610, AND 1613

Mr. GORTON. Mr. President, I send a package of numbered amendments to the desk with modifications and ask unanimous consent that these amendments be adopted en bloc. They have been cleared on both sides.

The PRESIDING OFFICER. Without objection, the amendments will be appropriately numbered.

Mr. GORTON. Mr. President, again, the same explanation. These amendments include one from the Senator

from Maine, Ms. COLLINS, with respect to St. Croix Island International Historic Site; one by the Senator from Utah, Mr. HATCH, with respect to Lake Powell; one from Senator MURKOWSKI with respect to inspection fees for imported skins and furs; one from Senators MURKOWSKI, CAMPBELL, INOUYE, and JOHNSON with respect to the Indian Trust Asset and Accounting Management System; one from Senator CAMPBELL with respect to pine beetle eradication; one from Senator BRYAN and Senator REID of Nevada with respect to Grand Canyon overflights; one from Senator BURNS with respect to grizzly bear reintroduction—Senator CRAIG is a cosponsor of Senator BURNS' amendment—one from Senator STEVENS with respect to Haines Borough in Alaska; and one from Senator DURBIN with respect to Shawnee National Forest.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments agreed to en bloc are as follows:

AMENDMENT NO. 1371

(Purpose: To place a requirement on the use of funds for development of a resource management plan and for timber sales in the Shawnee National Forest, Illinois)

At the end of the bill add the following:

SEC. 3 . SHAWNEE NATIONAL FOREST, ILLINOIS.

None of the funds made available under this Act may be used to—

(1) develop a resource management plan for the Shawnee National Forest, Illinois; or

(2) make a sale of timber for commodity purposes produced on land in the Shawnee National Forest from which the expected cost of making the timber available for sale is greater than the expected revenue to the United States from the sale.

AMENDMENT NO. 1408 AS MODIFIED

(Purpose: To prevent the physical reintroduction of grizzly bears into the Selway-Bitterroot Wilderness of Idaho and Montana in FY2000 and to allow for greater public involvement in the project)

Insert in general provisions, Title III, the following:

None of the funds made available by this Act may be used for the physical relocation of grizzly bears into the Selway-Bitterroot Wilderness of Idaho and Montana.

Mr. CHAFEE. Mr. President, I wish to discuss an amendment originally offered by my colleague from Montana to prohibit the reintroduction of the grizzly bear in the Selway-Bitterroot area of Idaho and Montana. This language is being included in the managers' amendment.

I strongly support reintroduction of the grizzly bears under the Endangered Species Act. Presently in the lower 48 States, there are only 800 to 1000 bears in scattered pockets of habitat in Idaho, Montana and Washington. Large species such as the grizzly are most vulnerable when they are limited to small populations and confined to small portions of habitat. Because grizzlies are not likely to migrate beyond the pockets in which they now exist, they are not likely to find their own way to the Selway-Bitterroot area, even though it is an area they once inhabited. The reintroduction of grizzlies in this area will greatly bolster efforts to recover grizzlies in the lower 48 States.

The current proposal by the Fish and Wildlife Service establishes a Citizen Management Committee to make the primary decisions on reintroduction and management. This committee would consist of 15 members, with 7 chosen by the Governor of Idaho, 5 chosen by the Governor of Montana, one chosen by the Nez Perce Tribe, one chosen by the Chief of the Forest Service and one chosen by the Director of the Fish and Wildlife Service. The committee would have authority to establish specific recovery goals, determine areas for reintroduction, and establish land-use standards.

This proposal has been developed after tremendous public involvement and outreach. Since 1992, with the formation of a citizens' group, local individuals and industries have been involved in the decisions relating to grizzly bear recovery in Idaho and Montana. Preparation of both the draft and final Environmental Impact Statements provided significant opportunity for public comment. In sum, the proposal has been developed with painstaking effort and deliberation.

The result is a coalition of supporters among timber companies, ranchers, and environmental groups. Governor Racicot of Montana has long backed the reintroduction plan. While Governor Kempthorne opposes the plan, he recently stated that he wants Idaho to take a strong leadership role if the reintroduction is going to happen. Numerous newspapers in both states have endorsed the plan.

Nevertheless, there continues to be opposition to the proposal among numerous local citizens, particularly within the Valley in Montana along the eastern border of the Selway-Bitterroot area. I strongly encourage both the Fish and Wildlife Service and Forest Service to continue their outreach and education efforts, and to address the concerns of these citizens.

Mr. President, you may recall that this Chamber has seen fierce opposition to the reintroduction of other species in an effort to recover them under the ESA. Specifically, we have debated reintroductions of the red wolf in North Carolina in 1995 and the gray wolf in Yellowstone in 1996. What has come of those programs? Nothing but tremendous success. Both species are close to full recovery. Both programs resulted in less livestock depredation than originally predicted. Both programs cost less to the Federal taxpayer than originally estimated. Have there been occasional problems with individual wolves? Of course. But each program had provided for such occasions, and problems were addressed efficiently and expeditiously.

With the care and attention that has been poured into the grizzly bear program from not just the Fish and Wildlife Service and the Forest Service, but local citizens, industries, conservation groups and of course the States, I have no doubt that this program will also be a success.

Indeed, I will venture to say that, in hindsight, we will marvel at the ability of Nature to take over the grizzly bear program—as it has with the Yellowstone gray wolves and North Carolina red wolves—and run its own course smoothly, with nothing more than a little encouragement from us. All we need to do is to provide that encouragement.

I do not oppose the amendment adopted today by the managers of the bill, but that is only because it is narrowly limited to a prohibition of funds for physical relocation of bears in the Selway-Bitterroot area. The Service does not intend to relocate bears into the area before FY 2001. The language does not prohibit completion of the EIS and the Record of Decision, publication of a rulemaking under section 10(j) of the ESA, or activities to provide outreach and to set up the citizen's committee. It will not prevent activities in FY 2000 in support of reintroduction, short of physically relocating grizzlies in the area. Because the language does not prohibit what the Service would otherwise do in FY 2000, I do not oppose the language.

I yield the floor.

AMENDMENT NO. 1587 AS MODIFIED

(Purpose: to establish the scientific basis for noise standards applied to the Grand Canyon National Park)

At the end of Title I, add the following new section:

SEC. . No funds appropriated under this Act shall be expended to implement sound thresholds or standards in the Grand Canyon National Park until 90 days after the National Park Service has provided to the Congress a report describing (1) the reasonable scientific basis for such sound thresholds or standard and (2) the peer review process used to validate such sound thresholds or standard.

AMENDMENT NO. 1593

(Purpose: To provide for increased funding of certain programs of the Smithsonian Institution and the Indian Health Service)

At the appropriate place insert the following new section:

SEC. . Notwithstanding any other provision of law, the Secretary of the Interior shall use any funds previously appropriated for the Department of the Interior for Fiscal Year 1998 for acquisition of lands to acquire land from the Borough of Haines, Alaska for subsequent conveyance to settle claims filed against the United States with respect to land in the Borough of Haines prior to January 1, 1999; *Provided further*, That the Secretary of the Interior shall not convey lands acquired pursuant to this section unless and until a signed release of claims is executed.

AMENDMENT NO. 1595, AS MODIFIED

(Purpose: To require the Forest Service to use appropriated or other funds to improve the control or eradication of pine beetles in the Rocky Mountain region of the United States)

At the end of Title III, insert the following:

SEC. . The Forest Service shall use appropriations or other funds available to the Service to—

(1) improve the control or eradication of the pine beetles in the Rocky Mountain region of the United States; and

(2)(A) conduct a study of the causes and effects of, and solutions for, the infestation of pine beetles in the Rocky Mountain region of the United States; and

(B) submit to Congress a report on the results of the study, within 6 months of the date of enactment of this provision.

AMENDMENT NO. 1600, AS MODIFIED

(Purpose: Making contingent funding plans)

At the end of Title I insert the following new section:

None of the funds provided in this Act shall be available to the Department of the Interior to deploy the Trust Asset and Accounting Management System (TAAMS) in any Bureau of Indian Affairs Area Office, with the exception of the Billings Area Office, until 45 days after the Secretary of the Interior certifies in writing to the Committee on Appropriations and the Committee on Indian Affairs that, based on the Secretary's review and analysis, such system meets the TAAMS contract requirements and the needs of the system's customers including the Bureau of Indian Affairs, the Office of Special Trustee for American Indians and affected Indian tribes and individual Indians.

The Secretary shall certify that the following items have been completed in accordance with generally accepted guidelines for system development and acquisition and indicate the source of those guidelines: design and functional requirements; legacy data conversion and use; system acceptance and user acceptance tests; project management functions such as deployment and implementation planning, risk management, quality assurance, configuration management, and independent verification and validation activities. The General Accounting Office shall provide an independent assessment of the Secretary's certification within 15 days of the Secretary's certification.

AMENDMENT NO. 1601, AS MODIFIED

(To assist small exporters of certain animal products)

At the end of Title I of the bill, insert the following:

SEC. . None of the funds appropriated or otherwise made available in this Act or any other provision of law, may be used by any officer, employee, department or agency of the United States to impose or require payment of an inspection fee in connection with the import or export of shipments of furbearing wildlife containing 1000 or fewer raw, crusted, salted or tanned hides or fur skins, or separate parts thereof, including species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora done at Washington, March 3, 1973 (27 UST 1027).

AMENDMENT 1610, AS MODIFIED

(Purpose: To ban the use of public funds for the study of decommissioning the Glen Canyon Dam or the draining of Lake Powell)

At the end of Title I insert the following:

SEC. . No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

AMENDMENT NO. 1613, AS MODIFIED

(Purpose: Expressing the sense of the Senate that the National Park Service should begin planning for the quadricentennial commemoration of the Saint Croix Island International Historic Site)

On page 62, between lines 3 and 4, insert the following:

SEC. 1___. QUADRICENTENNIAL COMMEMORATION OF THE SAINT CROIX ISLAND INTERNATIONAL HISTORIC SITE.

(a) FINDINGS.—Congress finds that—

(1) in 1604, 1 of the first European colonization efforts was attempted at St. Croix Island in Calais, Maine;

(2) St. Croix Island settlement predated both the Jamestown and Plymouth colonies;

(3) St. Croix Island offers a rare opportunity to preserve and interpret early interactions between European explorers and colonists and Native Americans;

(4) St. Croix Island is 1 of only 2 international historic sites comprised of land administered by the National Park Service;

(5) the quadricentennial commemorative celebration honoring the importance of the St. Croix Island settlement to the countries and people of both Canada and the United States is rapidly approaching;

(6) the 1998 National Park Service management plans and long-range interpretive plan call for enhancing visitor facilities at both Red Beach and downtown Calais;

(7) in 1982, the Department of the Interior and Canadian Department of the Environment signed a memorandum of understanding to recognize the international significance of St. Croix Island and, in an amendment memorandum, agreed to conduct joint strategic planning for the international commemoration with a special focus on the 400th anniversary of settlement in 2004;

(8) the Department of Canadian Heritage has installed extensive interpretive sites on the Canadian side of the border; and

(9) current facilities at Red Beach and Calais are extremely limited or nonexistent for a site of this historic and cultural importance.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) using funds made available by this Act, the National Park Service should expeditiously pursue planning for exhibits at Red Beach and the town of Calais, Maine; and

(2) the National Park Service should take what steps are necessary, including consulting with the people of Calais, to ensure that appropriate exhibits at Red Beach and the town of Calais are completed by 2004.

Mr. GORTON. I now move to reconsider the vote by which both of those sets of amendments were adopted, and I move to table my own motion.

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 1359, 1362, 1367, 1493, 1572 1573, 1575, 1578, 1582, 1590, 1592, 1597, 1606, 1612, 1615, AND 1637 THROUGH 1657

Mr. GORTON. I now send a package of amendments to the desk and ask unanimous consent they be considered and agreed to en bloc and numbered separately. All of these amendments have been agreed to and cleared by both sides.

The PRESIDING OFFICER. Without objection, the amendments will be appropriately numbered.

Mr. GORTON. This last large package includes a Gorton-Levin-DeWine amendment with respect to Great Lakes fish and wildlife restoration and spartina grass research; one by Senator COCHRAN and others with respect to the National Endowment for the Humanities; one by Senator BENNETT and others with respect to the National Endowment for the Arts; one from Senator LIEBERMAN with respect to the Weir Farm National Historic Site; one by Senator ABRAHAM with respect to Isle Royale National Park; one from Senator JEFFORDS with respect to weatherization assistance grants and State energy conservation grants; one by Senators CRAPO and BURNS with respect to cold water fish habitat conservation plans in Idaho and Montana; one from Senator TORRICELLI with respect to Fredericksburg and Spotsylvania National Military Park; one from Senator JOHNSON, Senator BURNS, and others with respect to tribally controlled community colleges; one from Senator SHELBY with respect to a wildlife data system in Alabama; one from Senator INOUYE and others with respect to the Franklin Delano Roosevelt Memorial; one from Senator BINGAMAN with respect to the Youth Conservation Corps; another from Senator BINGAMAN with respect to Indian post-secondary schools and changes to the Federal funding formula; one from Senator KOHL with respect to UK development LLC; one from Senator EDWARDS with respect to Lake Logan, NC; one from Senator ABRAHAM and others with respect to payments in lieu of taxes; one from Senator MURKOWSKI and others with respect to the Land and Water Conservation Fund stateside program; one from Senator STEVENS with respect to the Smithsonian Institution and Indian Health Service; one from Senator LEVIN with respect to the Keweenaw National Historic Park in Michigan; one from Senator COLLINS with respect to the St. Croix Island International Historic Site; one from Senator FEINSTEIN with respect to Forest Service reimbursement; one from Senator BINGAMAN with respect to municipal energy management; one from Senator BYRD with respect o the Wheeling National Heritage Area; one from myself with respect to the Forest Service/Weyerhaeuser Huckleberry land exchange; one from Senator REID of Nevada with respect to the Weber Dam in Nevada and feasibility study for a tribally operated trout fish hatchery on the Walker River; one from Senator STEVENS with respect to timber pipeline supply on the Tongass National Forest; one from Senator LOTT with respect to Civil War battlefields; one from the two Senators from Minnesota respecting a Minnesota science center; one from Senator KERREY of Nebraska with respect to the Boyer Chute National Wildlife Refuge land acquisition; one from Senator BOND with respect to Wilson's Creek National Battlefield; one from Senator HOLLINGS with respect to Fort Sumter National Monument land acquisition; one from Senator ABRAHAM with respect to a Michigan community development database; one from Senator WARNER with respect to sand and gravel; one from Senator

TORRICELLI with respect to UPARR; and a final amendment of my own, a manager's amendment with respect to the setoffs necessary to pay for the other amendments we have adopted or are about to adopt.

The PRESIDING OFFICER. The amendments have been agreed to.

The amendments agreed to en bloc are as follows:

AMENDMENT NO. 1359

On page 79, line 19 of the bill, strike ''under this Act or previous appropriations Acts.'' and insert in lieu thereof the following: ''under this or any other Act.''

AMENDMENT NO. 1362, AS MODIFIED

(Purpose: To provide funding for the acquisition of the Weir Farm National Historic Site in Connecticut, with an offset)

On page 18, line 19, before the period, insert the following: '', and of which not less than $2,000,000 shall be used to acquire the Weir Farm National Historic Site in Connecticut''.

AMENDMENT NO. 1367, AS MODIFIED

(Purpose: To provide funding for facilities maintenance at Isle Royale National Park)

On page 17, line 25, after the colon insert the following: ''*Provided further,* That $1,000,000 shall be made available for Isle Royale National Park to address visitor facility and infrastructure deterioration:''.

AMENDMENT NO. 1493, AS MODIFIED

(Purpose: To provide additional funding for the National Endowment for the Arts)

On page 94, line 7, strike, ''$86,000,000'' and insert ''$90,000,000''.

Mr. REED. Mr. President, I rise in support of the Bennett-Jeffords-Reed amendment. For the past 34 years, the National Endowment for the Arts has served the public good by nurturing the expression of human creativity, supporting the cultivation of community spirit, improving our children's education, and fostering the recognition and appreciation of our nation's artistic accomplishments.

The arts and humanities have an immense positive impact on the lives of all Americans. Children and adolescents in particular benefit tremendously from artistic expression. Studies show again and again that comprehensive arts education programs in schools with at-risk student populations improve academic achievement; student self-assurance; creative and critical thinking skills; attendance; as well as student and parent attitudes about school.

And yet, we as a society have consistently underfunded arts education and community arts programs at the local, state and federal level. In recent years, Congress has exacerbated this situation by dramatically reducing funding to the National Endowment for the Arts.

The NEA has not seen a budget increase in 8 years—not since 1992, when the agency had a budget of $175.9 million. In 1996, the NEA's budget was slashed by 40% to $99 million, and it has remained near that level ever since.

This year, the President requested an increase of $52 million for the NEA, nearly all of which would have been used to pay for a major new initiative called Challenge America. A priority of Challenge America would be to get NEA funds to areas of the country that have not received sufficient funds in the past. Challenge America would focus on outreach projects for education, after-school programs using the arts, historic preservation, and upgrading the arts infrastructure in our communities. In effect, Challenge America would put the arts at the center of family and community life.

Mr. President, by reaching out to new communities and new regions of the country, the Challenge America program would directly address the concerns that members of this body have expressed with regard to the distribution of NEA funds.

Unfortunately, the Interior spending bill before us contains no funding for the Challenge America initiative. The Appropriations Committee's report indicates, however, that the lack of funds for Challenge America ''should not be interpreted as a lack of support by the Committee for the Endowment's proposal.''

The problem, of course, is the budget. The distinguished Interior Subcommittee Chairman and Ranking Member have done an outstanding job to report a bill within the tight allocations provided to them. I commend them for their effort and fully appreciate the constraints within which they operate.

However, I believe we can, and should, find the money to make the Challenge America program a reality and to allow the NEA to do what so many members of this body want it to do. At a time when we are considering an $800 billion tax cut, I think it is not unreasonable to provide a small increase to an agency that has such a meaningful impact in communities across the country. This amendment, which would provide $4 million in additional funding to the NEA in fiscal year 2000, would permit the NEA to get the Challenge America initiative off the ground. Every dime of additional money would be used for project grants—mostly the small, expedited grants that will get funding to previously underserved areas of the country.

Mr. President, the NEA is under new management. Chairman Bill Ivey has worked hard to reform the Endowment's operations and to respond to the concerns expressed by members of Congress in recent years.

It is time we gave the NEA a chance to show that it has changed. Let's give it the opportunity to do what we've asked it to do—to get more grants to new rural and urban areas, to do more in the area of arts education, and to help us rebuild our cities and make them more attractive places for people to live and work.

I urge my colleagues to support this important amendment.

Mr. BENNETT. Mr. President, a number of my colleagues and I have advocated a small increase in funding for the National Endowment for the Arts. I also want to commend Senator COCHRAN's efforts to increase funds for the National for the Humanities. Neither endowment has received a significant increase since their budgets were cut by nearly 40 percent in fiscal 1996. I believe a $4 million increase is warranted given the reforms intended to make the endowments more efficient and more accountable have been implemented and we have seen results.

While a positive story could be told about the National Endowment for the Arts, I believe the real story of the NEA and NEH is a local story. And in my case, a Utah story. In previous years, I have outlined the origins of the strong arts and humanities tradition in Utah. The arts flourished in Utah before Utah was even a state. Utah also had one of the first publicly funded arts councils in America.

Today, I would like to tell two stories of traveling exhibition programs in the arts and humanities. Both benefit rural areas. Both provide communities with opportunities that might not be available otherwise. These types of programs make a strong case for a small federal investment in the arts and humanities.

For the last 35 years, the Utah Arts Council's Traveling Exhibition Program, supported in part by the National Endowment for the Arts, has toured visual arts exhibitions all over Utah. In some areas, particularly in the more rural regions of the state, the exhibition is the only source of visual arts programming. Utah's San Juan county bussed children from surrounding communities to view these exhibitions. Another rural county boasted a 100-percent citizen participation for one of the exhibits.

The Utah Arts Council's Traveling Exhibition Program serves more than 150,000 people in all but two counties of the state each year. Every year the Utah Arts Council receives more than 250 requests for the program, but is only able to satisfy half. Each Traveling Exhibition includes educational materials that emphasize not only the artistic aspects of the exhibits, but also its connections to other aspects of the curriculum.

Denise Hoffman, a librarian at the Green River Library and participant in the program, made this comment:

> We are a very small and isolated town in rural Utah. Almost every student in the grade school comes to the library on a weekly basis. A vast majority of our students will never be exposed to the arts. We use the traveling exhibitions as a basis for learning. By making these displays easily affordable, you cannot count the young lives that have been touched, or guided into the arts. Please consider dollar for dollar what we are getting with this program. It is critical to us.

Another program that benefits rural areas is a collaborative project between the Smithsonian Institution Traveling Exhibition Services (SITES)

and state humanities councils. Its goal is to give small rural museums access to Smithsonian resources. What resulted was a small traveling program with Smithsonian type exhibits called ''Museum on Main Street.'' The two projects developed under this program are ''Produce for Victory: Posters on the American Homefront 1941–1945'' and ''Barn Again! Celebrating an American Icon.'' The Utah Humanities Council spearheaded this effort and the following communities have participated in this program: Castle Dale, population 1,704; Vernal, population 6,644; Kanab, population 3,289; Wellsville, population 2,206; Monticello, population 1,806; Delta population 2,998; Ephraim, population 3,363; Heber, population 4,362; and Payson, population 9,510.

Castle Dale, Kanab, Payson, Vernal, and Delta hosted their first Smithsonian exhibit using ''Produce for Victory'' as a basis for the communities to remember what was occurring in America during the years 1941 through 1945. Each community developed local programs including USO dances, ration recipe luncheons, reunions of women who worked in munitions industries (''Rosie the Riveter''), discussions of the 1930s and 1940s movies and newsreels, and exhibitions of local artifacts.

Kanab had activities all year commemorating World War II. Events included a poster exhibit from the Smithsonian, World War II movies from Brigham Young University's film collection, and countless other very personal contributions from many of the town's people who had directly participated in the war or were relatives of those who had.

An immediate result of various groups working together on this project was to make young people aware of those whose lives were directly touched by World War II. Many of the local youth had no idea that they were living next door to people who had first-hand knowledge of this historic event. Grandchildren were talking to grandparents and asking questions about the war. Many teens were surprised to learn that some of those serving in the armed services were no older than their big brothers or themselves. During the celebration, those who had contributed their possessions from that period stood by their displays, ready to describe each artifact.

These types of activities help us remember our history, the individual sacrifices that were made for freedom, how individuals coped with difficult times, and how America emerged stronger. Understanding this legacy through these types of exhibits is a worthwhile pursuit.

The traveling exhibits that I have described today are in keeping with the goal of bringing our historical and cultural heritage to areas that would not otherwise have the opportunity. Much of the criticism of the NEA has been anecdotal and has painted an ugly picture. Utah's story is anything but. The state arts and humanities councils, assisted by the National Endowments, and the Smithsonian, has demonstrated how arts and humanities can be a positive influence in our communities.

Mr. President, I believe a continued federal arts and humanities partnership is worthwhile, and encourage my colleagues to support a small increase.

I would also like to thank Chairman GORTON for his leadership on this bill. He has had to balance several competing priorities and has done an admirable job. I appreciate very much his attention to the details of so many important issues.

Mr. KENNEDY. Mr. President, one of the most important provisions in this bill is its support for the National Endowments for the Arts and Humanities. These agencies provide essential Federal support for cultural activities in communities across America. The arts and humanities are a central part of our democracy, our history and our heritage and they eminently deserve this federal support.

It is important for the federal government to create an environment which supports the arts and humanities in our nation. The Endowments have done an outstanding job in providing this needed support. They have provided assistance to theaters, museums, dance companies, and a wide range of cultural activities in communities and neighborhoods in every state.

The federal role is not an isolated one. It functions in partnership with local and state governments and the private sector. Across the country, mayors have been among the strongest supporters of the arts, because they know that a strong cultural community attracts families and businesses to our cities. Cultural tourism is a growth industry in states throughout the country.

Federal support provides needed assistance to cultural institutions, and it also provides critical support in schools. Today's schools face a broad range of challenges, and a compelling body of research demonstrates a strong correlation between study of the arts and academic achievement. The arts are ''the Fourth R,'' and they deserve to have a significant role in the educational experience of all children.

In 1998, students with course work in music scored 52 points higher on the verbal portion and 36 points higher on the math portion of the SAT. With results like these, it is clear that we should find effective ways to integrate arts education into the classroom curriculum so that music, painting, drama and other arts can enrich the educational experience of all students.

The Endowments have often been the subject of criticism over the last several years. But Congress has imposed reforms that have virtually eliminated controversy over grant awards.

The Arts Endowment has worked hard to improve its operations and to respond to the concerns expressed by members of Congress. Its current chair, Bill Ivey, has proposed a major new initiative, Challenge America, that will emphasize outreach projects for education, including after-school programs involving the arts, historic preservation and measures to develop the arts infrastructure in communities. He has also implemented ''ArtsReach'' which will encourage applications and grants to states that have received few grants in the past.

The Humanities Endowment has undertaken a leadership role to improve teacher training using the Internet and other technologies to ensure that new public programs in the humanities reach classrooms in as many communities as possible.

These agencies are doing all that they can to expand the scope of cultural activities in America. It is essential that we provide them with the resources necessary to carry out their important mission. I support efforts to increase funding for the agencies, so that they can more fully achieve their important goals. As the statute creating the agencies emphasized, the United States cannot afford to limit its efforts to science and technology alone, but should give fair and full support to the other great branches of scholarly and cultural endeavors in our society, in order to achieve a better understanding of the past, a better analysis of the present, and a better vision of the future.

I urge my colleagues to support funding for these agencies, and I hope that at long last we can give them the support that they have earned.

Mr. JEFFORDS. Mr. President, on behalf of myself and Senators BENNETT, CHAFEE, KENNEDY, MOYNIHAN, and REED, I am pleased that the Managers of the bill have agreed to support our proposal for a funding increase for the National Endowment for the Arts and the National Endowment for the Humanities.

First let me commend Senators GORTON and BYRD for starting this discussion out on the right foot. They provided modest increases for the NEA, NEH and IMLS under very difficult circumstances. I applaud the leadership they have shown in recognizing the important role that each of these agencies play in strengthening our nation's cultural institutions and expanding opportunities for participation in cultural activities.

My support for these agencies runs deep because I know that the grants that they make have a positive impact on the state of Vermont and nearly all who live there. The NEA and NEH make it possible for more Vermonters to have access to the arts and humanities in their many different forms and shapes—literature, art history, dance, music, folkarts, history and theater.

In number terms, the positive impact of the arts and the humanities is statistically significant. It can be measured in terms of increased academic

achievement and better outlook on life for those school-aged children that have the opportunity to participate in the arts or humanities experience.

In terms of education, students of the arts outperform their ''non-arts'' peers on the SAT. Even when one takes into consideration the economic status of a family, kids from low-income families that participate in the arts had higher grades in English, were less likely to drop out by grade 10, were less ''bored'' in school, had a higher ''self concept,'' and placed a higher value on volunteerism than their low-income peers with low arts involvement.

The arts have demonstrated effectiveness in making a difference for youth at-risk by decreasing truancy and increasing enthusiasm for learning. Students engaged in the learning process are less likely to get into trouble and the arts have proven themselves are one of our best tools in this effort. The hard data backs up these claims.

In other instances, the positive impact of the arts and humanities can be ''measured'' by a smile that grows on the face of a person listening to the music of the Vermont Symphony at a free summer concert; it can be ''quantified'' by the deeper understanding one gains about storytelling and the New England folk culture thanks to programs sponsored by the Vermont Folklife Center; it can be ''gauged'' by a young person's spirit that soars to new heights from imagining worlds beyond their own while daydreaming at the Fairbanks Museum and Planetarium in St. Johnsbury.

We must recognize and acknowledge the ways in which the arts expand the imagination of young people; broaden their interest in creating; introduce them to other worlds, other people, and other cultures; make learning other subjects generally more ''fun;'' and build their skills of cooperation that they must practice when performing a play, playing in a band, or singing in a choir. The NEA and NEH make these opportunities possible for the people of Vermont. With a little investigation, many of you will find that these agencies are doing the same in your home states.

Because of the consideration shown by the Chairman of this subcommittee, each of the three agencies will be able to extend their grant programs more broadly. With the additional money that we are requesting today, NEA and NEH could further expand their outreach efforts with an eye towards introducing more Americans, many for the first time to the beauty of dance, the spectacle of theater, the enchantment of reading and the magic of the museum.

We have new, visionary leaders at the NEA and NEH. Bill Ivey and Bill Ferris are Chairmen who have their ears to the ground and they are prepared to respond to the cultural needs of the people of this nation, regardless of where they live. They have made it their business to involve the grassroots. They fundamentally understand where congress is coming from both in terms of its support for the agencies and with regard to the criticisms of ''elitism'' and favoritism.

To address concerns, they have focused on grassroots initiatives like: ''Challenge America,''—an effort to target grant dollars to communities that lack a significant arts presence and invest in arts education, preservation of cultural heritage and after school programming for young people-at-risk;

''Our History is America's History''—a program that will encourage all Americans to explore our family's history and stories, enter these stories to the Internet and connect these personal histories to the broad sweep of American and world history; and

''ED-sitement''—a partnership involving the NEH, MCI corporations and others designed to help humanities teachers use the Internet effectively in their teaching.

Each of these programs better connect the local community with its rich and vibrant local history and cultural offerings. They draw upon the rich cultural heritage and traditions of a region and share those treasures and stories widely with our nation's community. I am anxious to support their efforts. It is due to their leadership and the leadership of my own Vermont Arts Council, Vermont Humanities Council and all of Vermont's museums and cultural institutions that I stand with confidence behind these agencies and call for a modest increase in their budgets.

The National Endowment for the Arts and the National Endowment for the Humanities are agencies with small budgets that provide extraordinary service to the people of this nation. I encourage my colleagues to support each of these agencies.

In closing, I would like to applaud the leadership of my colleague from Mississippi, Senator COCHRAN for his unwavering support for the NEH. In addition, I would like to publicly state my support for the Institute for Museum Services and hope that during conference negotiations with the House, we will adopt the highest appropriation possible for that important agency.

Finally, I would like to thank Senator GORTON and Senator BYRD for their leadership on this issue and thank my colleagues for supporting this modest increase for NEA and NEH.

AMENDMENT NO. 1572, AS MODIFIED

(Purpose: To provide funding to carry out the Urban Park and Recreation Recovery Act of 1978, with an offset)

On page 16, line 25, strike ''$49,951,000'' and insert $51,451,000, of which not less than $1,500,000 shall be available to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.)''.

AMENDMENT NO. 1573, AS MODIFIED

(Purpose: To provide funding for the Fredericksburg and Spotsylvania National Military Park, with an offset)

On page 18, line 16, strike ''$84,525,000'' and insert ''$87,725,000''.

On page 18, line 19, before the period, insert the following: '', and of which not less than $3,000,000 shall be available for the Fredericksburg and Spotsylvania National Military Park''.

AMENDMENT NO. 1575, AS MODIFIED

(Purpose: To provide funding for tribally controlled colleges and universities)

At the appropriate place in title I, insert the following:

SEC. 1 . (a) In addition to any amounts otherwise made available under this title to carry out the Tribally Controlled College or University Assistance Act of 1978, $1,500,000 is appropriated to carry out such Act for fiscal year 2000.

AMENDMENT NO. 1578 AS MODIFIED

(Purpose: To make funds available to the Secretary of the Interior to develop a pilot wildlife data system for the State of Alabama)

On page 62, between lines 3 and 4, insert the following:

SEC. 1. PILOT WILDLIFE DATA SYSTEM.

From funds made available by this Act to the U.S. Fish and Wildlife Service, the Secretary of the Interior shall use $1,000,000 to develop a pilot wildlife data system to provide statistical data relating to wildlife management and control in the State of Alabama.

AMENDMENT NO. 1582 AS MODIFIED

(Purpose: To provide funding for modifications to the Franklin Delano Roosevelt Memorial, with an offset)

On page 3, line 18, strike ''$287,305,000'' and insert ''$283,805,000''.

On page 17, line 19, strike ''$221,093,000'' and insert ''$227,593,000''.

On page 17, line 22, before the colon, insert the following: '', of which not less than $3,500,000 shall be available for modifications to the Franklin Delano Roosevelt Memorial''.

AMENDMENT NO. 1590, AS MODIFIED

Before the period at the end of the ''Construction'' account of the Bureau of Indian Affairs, insert the following: '': *Provided further*, That in return for a quit claim deed to a school building on the Lac Courte Oreilles Ojibwe Indian Reservation, the Secretary shall pay to U.K. Development, LLC the amount of $375,000 from the funds made available under this heading''.

Mr. KOHL. Mr. President, the amendment I am offering would compensate a company that built a school building for the Lac Courte Oreilles Tribe in my state of Wisconsin. It would also clarify ownership of the building. The educational program of the school, as well as the operation and maintenance funding are provided to the Tribe through a grant from the Bureau of Indian Affairs.

When a number of classrooms were condemned, the BIA provided a grant to the school to lease temporary space while the classrooms were replaced. Rather than lease space, the Tribe entered into a lease/purchase agreement with a contractor for construction of an 8,400 square foot building. When the

Bureau learned that the Tribe had not used the initial grant payment to lease space, they declined to provide additional money to the tribe for this project since the BIA was, at the same time, providing about $2 million for the tribe to replace the condemned classrooms. All of this and more is detailed in an audit report issued by Interior's Inspector General last March.

It is my understanding that this amendment will have no impact on construction projects which are to begin in fiscal year 2000. To that end, I would urge the chairman to call on BIA to identify before conference any potential negative impact associated with this amendment.

AMENDMENT NO. 1592, AS MODIFIED

(Purpose: To provide funds for the Forest Service to acquire lands at Lake Logan, NC)

On page 65, line 18, strike ''$37,170,000'' and insert ''$38,170,000''.

AMENDMENT NO. 1597

(Purpose: To provide an additional $4,000,000 for the National Endowment for the Humanities)

On page 95, line 5, strike ''$97,550,000'' and insert ''$101,000,000''.

On page 95, line 13, strike ''$14,150,000'' and insert ''$14,700,000''.

On page 95, line 14, strike ''$10,150,000'' and insert ''$10,700,000''.

AMENDMENT NO. 1606, AS MODIFIED

(Purpose: To provide funding for the acquisition of new properties in Kenweenaw National Historic Park, Michigan, with an offset)

On page 18, line 19, before the period, insert the following: '', and of which not less than $1,700,000 shall be available for the acquisition of properties in Keweenaw National Historical Park, Michigan''.

AMENDMENT NO. 1612, AS MODIFIED

(Purpose: To make funds available for planning and development of interpretive sites for the quadricentennial commemoration of the Saint Croix Island International Historic site, with an offset)

On page 17, line 22, insert the following before the colon: ''and of which $90,000 shall be available for planning and development of interpretive sites for the quadricentennial commemoration of the Saint Croix Island International Historic Site, Maine including possible interpretive sites in Calais, Maine''.

Ms. COLLINS. Mr. President, I rise in support of two amendments I have filed in connection with the Interior appropriations bill for fiscal year 2000.

My amendments, which are cosponsored by Senator SNOWE, are expected to be accepted as part of the managers' package, which the chairman of the subcommittee will be sending to the desk shortly.

I want to take this opportunity to thank the subcommittee chairman, Senator GORTON, and the ranking minority member, Senator BYRD, for their assistance and support of my proposals.

The amendments I am proposing will provide funding and National Park Service support for projects of great historical and international significant to my State and our country. Yet probably only a few of our colleagues have ever heard of St. Croix Island, nestled in the St. Croix River that separates Maine from Canada, or this island's place in the history of the United States and Canada and in the hearts of North Americans of French descent.

We have all probably heard of the Pilgrims' landing at Plymouth Rock in 1620, or the English colonial settlement at Jamestown in 1607, but few know the story of an even older settlement, dating back to 1604, when French nobleman Pierre Dugua Sieur de Mons, accompanied by a courageous group of adventurers that included Samuel Champlain, landed on St. Croix Island and quickly set about to construct a settlement. They cleared the island, planted crops, dug a well, and built houses, fortifications, public buildings, and gun emplacements. In the process, they were aided by Native peoples who made temporary camps on the island and assisted in various ways. At the same time, Samuel Champlain undertook a number of reconnaissance missions from the island. On one, he found and named Mount Desert Island, now the home to Acadia National Park.

By October, the settlement was ready. But the Maine winter was more than the seventy-nine settlers had bargained for. By winter's end, nearly half had died and many others were seriously ill.

The spring brought relief from the harsh weather. Sieur de Mons relocated his colony to Port Royal in what is now Nova Scotia and, in 1608, Champlain and a company of men founded Quebec.

According to the National Park Service, the French settlement on St. Croix Island in 1604 and 1605 was the first and ''most ambitious attempt of its time to establish an enduring French presence in the 'New World.' '' Many view the expedition that settled on St. Croix Island in 1604 as the beginning of the Acadian culture in North America. This rich and diverse culture spread across the continent, from Canada to Louisiana, where French-speaking Acadians came to be known as ''Cajuns.''

The rich history and cultural significance of the 1604 settlement at St. Croix Island are beyond question. Yet, with only four years remaining before the 400th anniversary of the settlement, there is still much to prepare for a proper and appropriate commemoration of this historical event.

Let me try to put the occasion in perspective. For the 300th anniversary of the settlement, U.S., British, and French naval ships, flagged out for the occasion, steamed up the St. Croix River and anchored off the historic island. Speakers at the ceremony honoring the anniversary included the consul general of France and the famous U.S. general and Maine patriot, Joshua Chamberlain.

Several thousand people attended the celebration.

In 1996, the U.S. National Park Service and Parks Canada agreed to ''conduct joint strategic planning for the international commemoration [of the St. Croix Island], with a special focus on the 400th anniversary of settlement in 2004.'' For its part, Parks Canada constructed an exhibit in New Brunswick overlooking St. Croix Island. The exhibit uses Champlain's first-hand accounts, period images, updated research, and custom artwork to tell the compelling story of the settlement.

The National Park Service, on the other hand, has plans to expand a small, existing site located just south of Calais, Maine. The Park Service plan envisions a modest, but appropriate outdoor exhibit overlooking St. Croix Island and exhibits in an indoor visitor center, preferably located in nearby Calais. These plans are intended to commemorate in an appropriate way one of only two international historic sites in the U.S. national park system and, as far as they go, the plans are a welcome first step. The next steps have yet to be taken and time is growing short. That is why I offered two amendments to this appropriations bill.

The first amendment makes $90,000 available in FY 2000 to finish pre-construction planning for and begin development of the outdoor site at Red Beach and to plan for the possible location of interpretive exhibits in Calais, Maine. Currently, no money is scheduled to be appropriated for the Red Beach site until FY 2002, and National Park Service officials in Maine and in the Northeast Regional Office agree with me that the funding schedule provides for too little too late. This money is needed now in order to ensure that the project is completed in time for the 400th anniversary celebration.

My second amendment asks the National Park Service to work with the people of Calais to make an indoor visitors center—known as the ''Downeast Heritage Center—a reality. The people of Calais and surrounding areas have worked tirelessly to move the project towards completion. They need the assistance of the National Park Service—which already has endorsed the concept—but which now must help with planning and financial assistance to bring the project from a dream to reality. My amendment asks and directs the Park Service to work with the people of Calais on this project and to ensure that appropriate exhibits are completed in time for the 400th anniversary celebration.

I further request that the Park Service include in its fiscal year 2001 budget submission funds for both the Red Beach site and the Downeast Heritage Center in downtown Calais.

My amendments seeks only a small commitment of funds that are designed to commemorate a 1604 settlement of enormous historical significance.

I again want to thank Senator GORTON and Senator BYRD for their assistance in helping our country prepare for a terrific 400th anniversary celebration of the early French settlement at St. Croix Island.

I yield the floor.

AMENDMENT NO. 1615, AS MODIFIED

On page 76, between lines 18 and 19, insert the following:

''The Forest Service is authorized through the Forest Service existing budget to reimburse Harry Fray for the cost of his home, $143,406 (1997 dollars) destroyed by arson on June 21, 1990 in retaliation for his work with the Forest Service.''

AMENDMENT NO. 1637

(Purpose: To provide funds to the U.S. Fish and Wildlife Service Resource Management account for grants under the Great Lakes Fish and Wildlife Restoration Program and for spartina grass research)

On page 10, line 15, strike ''$683,519,000'' and insert ''$684,019,000''.

On page 10, line 16, after ''herein,'' insert the following: ''of which $400,000 shall be available for grants under the Great Lakes Fish and Wildlife Restoration Program, and of which $300,000 shall be available for spartina grass research being conducted by the University of Washington, and''.

AMENDMENT NO. 1638

(Purpose: To increase funding for weatherization assistance grants and state energy conservation grants, with an offset)

On page 78, line 16, strike ''$682,817,000'' and insert ''$684,817,000''.

On page 78, line 19, strike ''$166,000,000'' and insert ''$168,000,000''.

On page 78, line 24, strike ''$133,000,000'' and insert ''$135,000,000''.

AMENDMENT NO. 1639

(Purpose: To set aside funding for development of a habitat conservation plan for cold water fish in the States of Idaho and Montana)

On page 10, line 16, after ''herein,'' insert ''of which $500,000 of the amount available for consultation shall be available for development of a voluntary-enrollment habitat conservation plan for cold water fish in cooperation with the States of Idaho and Montana (of which $250,000 shall be made available to each of the States of Idaho and Montana), and''.

Mr. BAUCUS. Mr. President, I rise to support the amendment proposed by Senator CRAPO, along with myself, Senator BURNS, and Senator CRAIG, to provide funding for the development of a habitat conservation plan for the recovery of the bull trout and other cold water fish in Montana and Idaho.

By way of background, the bull trout favors cold, high-mountain streams with lots of cover. Some are resident, remaining in the same tributary all year round. Most, however, are migratory, heading upstream spawn in the spring, when the water starts to get warm.

Historically, bull trout were found throughout the Northwest, from California to the Yukon Territory. Today, they are found primarily in Idaho and Montana. The Montana population is located in the Clark Fork River and in Lake Kookanusa, above the Libby Dam.

There are many reasons for the decline in the bull trout population, including timber harvesting, road building, farming and grazing, and dam construction. Ironically, efforts to help recover various salmon species in the lower part of the Columbia River system may actually have harmed the bull trout in the upper part of the system, by reducing water levels in the upper reservoirs.

In any event, in 1998, the Fish and Wildlife Service listed the bull trout as a threatened species under the Endangered Species Act.

For years, the State of Montana has been working hard to recover the bull trout. This work has intensified since the listing. For example, last year, Montana spent $568,000 on recovery efforts: things like improving stream channels, stabilizing stream banks, fencing, monitoring, educating anglers, and preventing poaching. But, to get the job done, we need to do more. And we need more help from the Fish and Wildlife Service.

The amendment that we are offering today takes an important additional step. It sets aside $500,000, from the Fish and Wildlife Service budget, to help the states of Montana and Idaho develop a voluntary habitat conservation plan for the bull trout and other cold water fish, including the westslope cutthroat trout, for which a listing petition has been filed.

The idea of the HCP is to provide guidance, to small landowners, particularly owners of woodlots, farms, and ranches. For example, the HCP might set standards re-channelizing streams. Or for timber harvesting and road building to prevent sedimentation. Compliance will be completely voluntary, but landowners who follow the guidance will know that they are in full compliance with the Endangered Species Act.

This can encourage the kind of voluntary, cooperative efforts that can go a long way towards recovering the bull trout. Let me give you an example. A few years ago, I spent the day at the Foote Ranch, along the Blackfoot River, in Ovando, in Northwest Montana. Geoff Foote and others were restoring Bull Trout habitat. Years ago, a stream had been straightened. This had the indirect effect of reducing the amount of mud that gathered along the sides of the stream, where bull trout spawn. So Geoff and others were re-channelizing the stream.

We cut logs, hauled them by horse, and placed the logs and large rocks so that the stream would meander and, by doing so, provide better bull spawning habitat.

It was a cooperative effort, involving folks from the Fish and Wildlife Service, the Montana Department of Fish, Wildlife, and Parks, local farmers and ranchers, and members of local environmental organizations. Our amendment will encourage further efforts, along these same lines.

The amendment does not modify the substantive provisions of the Endangered Species Act in any way. Nor does it implicate any of the controversies surrounding the standards for HCPs.

But it does provide funding to help Montana and Idaho continue their work to recover the bull trout. That's important, in it's own right.

Moreover, it will help our State highway programs. The listing of the bull trout has caused concern about the potential effect on highway construction. By providing clear guidance, the HCP should go a long way to ensuring that the bull trout and our highway programs both can thrive.

I commend the sponsor of the amendment, Senator CRAPO, the Chairman of the Fisheries, Wildlife, and Drinking Water Subcommittee of the Environment and Public Works Committee, for his leadership on this issue. I also commend the other members of the delegation, Senators BURNS and CRAIG. I look forward to working further with them, Governors Racicot and Kempthorne, and Fish and Wildlife Service Director Clark to help recover the bull trout in Montana and Idaho in a reasonable, responsible way.

AMENDMENT NO. 1640

(Purpose: To increase funding for Post Secondary Schools funded by the Bureau of Indian Affairs, and for other purposes)

On page 27, line 22, strike ''$1,631,996,000'' and insert ''$1,632,596,000''.

On page 29, line 10, after ''2002'' insert '': *Provided further*, That from amounts appropriated under this heading $5,422,000 shall be made available to the Southwestern Indian Polytechnic Institute and that from amounts appropriated under this heading $8,611,000 shall be made available to Haskell Indian Nations University''.

On page 62, between lines 3 and 4, insert the following:

SEC. _____. BIA POST SECONDARY SCHOOLS FUNDING FORMULA.

(a) IN GENERAL.—Any funds appropriated for Bureau of Indian Affairs Operations for Central Office Operations for Post Secondary Schools for any fiscal year that exceed the amount appropriated for the schools for fiscal year 2000 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Post Secondary Funding Formula adopted by the Office of Indian Education Programs and the schools on May 13, 1999.

(b) APPLICABILITY.—This section shall apply for fiscal year 2000 and each succeeding fiscal year.

AMENDMENT NO. 1641

(Purpose: To direct the Secretary of Agriculture and the Secretary of the Interior to increase the number of youth employed during the summer to accomplish conservation projects)

At the appropriate place, insert the following new section:

SEC. . YOUTH CONSERVATION CORPS AND RELATED PARTNERSHIPS.

(a) Notwithstanding any other provision of this Act, there shall be available for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by Public Law 91–378, or related partnerships with non-Federal youth conservation corps or entities such as the Student Conservation Association, in order to increase the number of summer jobs available for youth, ages 15 through 22, on Federal lands:

(3) $4,000,000 of the funds available to the Forest Service under this Act; and

(4) *** of the funds available to the Bureau of Land Management under this Act.

(b) Within six months after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior

shall jointly submit a report to the House and Senate Committees on Appropriations and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives that includes the following:

(i) the number of youth, ages 15 through 22, employed during the summer of 1999, and the number estimated to be employed during the summer of 2000, through the Youth Conservation Corp, the Public Land Corps, or a related partnership with a State, local, or nonprofit youth conservation corps or other entity such as the Student Conservation Association;

(ii) a description of the different types of work accomplished by youth during the summer of 1999;

(iii) identification of an problems that prevent or limit the use of the Youth Conservation Corps, the Public Land Corps, or related partnerships to accomplish projects described in subsection (a);

(iv) recommendations to improve the use and effectiveness of partnerships described in subsection (a); and

(v) and analysis of the maintenance backlog that identifies the types of projects that the Youth Conservation Corps, the Public Land Corps, or related partnerships are qualified to complete.

AMENDMENT NO. 1642

(Purpose: To increase funding for payments in lieu of taxes, with offsets)

On page 5, line 13, strike ''$130,000,000,'' and insert ''$135,000,000''.

AMENDMENT NO. 1643

Purpose: To provide funds for the land and water conservation fund stateside program, with offsets.

On page 18, line 19, strike ''program.'' and insert ''program, and in addition $20,000,000 shall be available to provide financial assistance to States and shall be derived from the Land and Water Conservation Fund.

Mr. MURKOWSKI. Mr. President, I rise today to offer an amendment with Senator LAUTENBERG and 25 other Senators to provide $20 million for the stateside Land and Water Conservation Fund or LWCF matching grant program.

Too often we forget that—in addition to a National Park System—we have national system of parks which includes tens of thousands of State and local parks. More than 37,000 of these State and local parks and recreation facilities have received a stateside LWCF matching grant, but there is a problem. The stateside LWCF program has been shut down because Congress hasn't funded it. Yet O.C.S. revenues currently are at $4 billion.

Over 30 years ago, in a bipartisan effort, Congress created the Land and Water Conservation Fund. The LWCF is funded with Federal revenues from off-shore oil and gas leasing which now exceed $4 billion a year. LWCF money can be used for two purposes:

(1) Acquisition of land by the four Federal land management agencies; and (2) matching grants to State and local governments for recreation facilities, parks, playgrounds, and campgrounds. The LWCF Act envisions a balance: between the Federal and State and local parks; between the needs of rural and urban populations; and between easterners and westerners.

Mr. President, I now want to refer to a ''LWCF Authorization/Appropriation'' chart. As this chart shows, the balance has been lost. FY1995 was the last year the LWCF stateside matching grant program was funded. In that year, over $600 million was requested and only $25 million was appropriated. Despite the past successes and growing demand, Washington pulled the rug out from under the stateside program. Four years ago, Congress and the administration zeroed out the stateside program. That was a serious mistake. Washington was being penny-wise and pound foolish. The promise to Americans set forth in the LWCF Act was broken.

When the offshore oil leasing program began, a portion of the receipts were pledged to recreation and conservation of America's great outdoors. I see no reason not to meet that pledge. I see many reasons to keep it. As the chart shows, 2 years ago was a record year for the Land and Water Conservation Fund when over $900 million was appropriated. Out of the total, the Senate appropriated $100 million for the stateside matching grant program.

Unfortunately, the good work of the Senate went for naught. This money was lost in conference. None of this money went to the stateside grant program. Every appropriated dollar went to Federal land acquisition and maintenance of Federal land.

This year the mistake of closing down this program is being recognized. The administration requested $150 million for a State land conservation grants program and $50 million for open space planning grants to States and local governments as part of their Lands Legacy proposal. As Chairman of the Senate Energy and Natural Resources Committee, I had to oppose the administration's proposal because these programs are not authorized by the LWCF Act.

The President's Land Legacy proposal sought to fundamentally restructure the stateside matching grant program authorized by the LWCF Act. The LWCF stateside program is a formula grant program which provides monies to State and local communities for the planning, acquisition, and development of parks and recreation facilities. The President proposed to replace this program with a competitive grant program to the States for the purchase of land and open space planning. This proposal would have changed the focus of the stateside program and undercut the federalism inherent in the existing program.

Nonetheless, I was encouraged that the President, after 4 years, recognized the importance of sharing LWCF moneys with State and local governments. More progress in restoring stateside was made last month when the House appropriated $30 million for the program.

With this amendment, the Senate is doing its part. With tough budget targets, it was not easy to find $20 million in such a lean bill; however, we were able to find offsets from a variety of programs. These are difficult choices, but well worth it.

I wish we could have provided more money for this important program. However, it is a start. I will do all I can do to ensure that in conference the Senate recede to the House and provide $30 million for the stateside matching grant program. I also will continue to seek permanent funding for this program so that we do not have to fight this annual appropriations battle.

Our system of government works best when all levels of government work together with the private sector to pursue shared goals. Few goals are as worthy as recreation for families and communities. Recreation is not a child's play. It is more than a hobby. It is a necessary component of our lives. It boosts the economy. It helps build stronger families and communities. And it encourages conservation efforts and helps preserve open space.

So why deny communities matching funds for recreation from proceeds of our offshore leasing program? I support offshore leasing and the use of some proceeds for stateside LWCF matching grants to State and local governments.

This amendment gives us a good reason to focus on the value of recreation to our lives and how we can do a better job encouraging people of all ages to enjoy America's natural splendor. Trips to national parks are remembered for a lifetime, but most day-to-day recreation takes place close to home and demand for local recreation resources is high and increasing. We must restore the LWCF stateside program; it is a good investment. This amendment is a start.

Mr. LAUTENBERG. Mr. President, I rise today in support of the amendment to the Interior Appropriations bill that I am offering with my colleague from Alaska, Mr. MURKOWSKI.

I would like to thank our broad range of bipartisan cosponsors: Senators BOXER, CHAFEE, DODD, ROTH, SESSIONS, FEINGOLD, KERRY of Massachusetts, LEAHY, LANDRIEU, LINCOLN, FRIST, GRAHAM, COLLINS, SMITH of New Hampshire, GREGG, MOYNIHAN, WARNER, BAYH, MCCAIN, AKAKA, FEINSTEIN, JEFFORDS, and HAGEL.

Mr. President, this amendment would restore funds to a program that has helped protect open space in every State in the Nation through the State grants section of the Land and Water Conservation Fund. This amendment restores $20 million in fiscal year 2000 for these matching grants to States.

This ''Stateside'' program can be used to fund a variety of public open space efforts, including State and county parks, State forests, boating and swimming areas, and a variety of other recreational sites.

Mr. President, the House of Representatives saw fit to include the program at $30 million in its Interior Appropriations bill.

We hope to come to their level in conference after our initial funding at $20 million.

Over the past 30 years, through the stateside program, over $3 billion has been provided to the States, and through them, to local governments, on a matching basis, to preserve approximately 37,000 park and recreation areas.

Mr. President, the decision to fund open space programs through the Land and Water Conservation Fund is one of the wisest investments we can make. Open spaces are more than just undeveloped land. We all know that protecting open spaces can guard sensitive drinking water supplies and preserve wildlife habitat.

Open spaces are also a lasting legacy we pass on to our children and grandchildren.

But there is another equally important benefit of open spaces.

In my State of New Jersey—the most densely populated State in the Nation—open spaces provide working families of limited means a place to enjoy the outdoors at little or no cost. A day at the beach or a picnic in the park or a hike in the woods is a day well spent.

Mr. President, open space is extremely valuable in my State. In a poll last year by Quinnipiac College published in the Newark Star-Ledger, 70 percent of New Jersey residents said that preserving open space and farmland is more important than commercial growth and development in rural areas.

Mr. President, it is extremely gratifying when members of both parties can join together in support of a program that has provided untold benefits for millions of Americans. I want to thank Senator MURKOWSKI and my other colleagues who support this amendment. I ask all of my colleagues to join us to preserve open space for America's families.

Mr. CHAFEE. Mr. President, I am extremely pleased to cosponsor the bipartisan amendment, offered by my colleague from Alaska, regarding the Land and Water Conservation Fund. The amendment provides $20 million for matching grants to States under the Land and Water Conservation Fund, which, for almost 30 years, had enabled small communities throughout the Nation to establish local parks, build sports fields, acquire green ways and trails, and support community gardens.

The stateside program under the LWCF is a worthwhile conservation program that for too long has been without any funding at all. It has received nothing since 1995, and States have been strapped to find money for their own conservation efforts without any Federal assistance. As pressures for development and sprawl increase in many parts of the Nation, it is more important than ever to help States protect the open and green spaces that are crucial for a healthy community.

And with the recent ballot initiatives to promote conservation that have been approved by voters across the Nation, States now have money available to match Federal dollars through the stateside program. It is now up to Congress to make the Federal money available. For those who criticize the program as a form of pork, let me stress that States must put up 50 percent of the money for their projects. This is not a hand-out. This is a fiscally sound program that makes land and water conservation for thousands of small communities around the country a national priority.

The stateside program has been supported by mayors, county officials, governors, civic associations, outdoor recreation groups, land conservancy groups, conservation groups—the list goes on and on.

I add myself to that list as a strong proponent of the LWCF, including the stateside program. The Federal Government, in my opinion, plays a vital role in assisting State and local governments establish local parks and protect open and green space. Indeed, when I was Governor of Rhode Island, I started the Green Acres Program in 1964 for this purpose, and the Federal Government matched some of the money to help get the program going.

Earlier this year, Senator LEAHY and I circulated a letter to our fellow Senators, asking them to support full funding for the LWCF. Thirty-six of our colleagues in the Senate endorsed that letter and signed it. What a tremendous showing of bipartisan support!

I am very pleased that the managers of the bill have agreed to this amendment.

Mrs. BOXER. Mr. President, I am pleased to join the Senator from Alaska, Mr. MURKOWSKI, and the Senator from New Jersey, Mr. LAUTENBERG, in offering this important bipartisan amendment to provide much needed funding for the stateside program of the Land and Water Conservation Fund.

Additional co-sponsors include Senators CHAFEE, ROTH, DODD, LANDRIEU, SESSIONS, FEINGOLD, LINCOLN, LEAHY, FRIST, KERRY, GRAHAM, COLLINS, SMITH of New Hampshire, GREGG, MOYNIHAN, WARNER, BAYH, MCCAIN, AKAKA, FEINSTEIN, JEFFORDS, and HAGEL.

The stateside program has, once again (since fiscal year 1995) been zeroed-out. Our amendment provides $20 million for this popular program.

As the 21st century approaches, we must renew our commitment to our natural heritage. That commitment must go beyond a piecemeal approach. It must be a comprehensive, long-term strategy to ensure that when our children's children enter the 22d century, they can herald our actions today, as we revere those of President Roosevelt.

And preservation in the 21st century goes beyond protection of such wonders as Yosemite and Yellowstone. It must include an urban park in East Los Angeles where children can play basketball, a farm in Tulare County that can continue to grow oranges or a historic building in Orange County that can be restored.

Today, our natural heritage is disappearing at an alarming rate. Each year, nearly 3 million acres of farmland and more than 170,000 acres of wetlands disappear. Each day, over 7,000 acres of open space are lost forever.

Across America, parks are closing, recreational facilities deteriorating, open spaces vanishing, historic structures crumbling.

Why is this happening? Because there is no dedicated funding source for all these noble purposes—a source which can be used only for these noble purposes.

I have offered a comprehensive bill—Resources 2000—that provides the most sweeping commitment to protecting America's natural heritage in more than 30 years. It will establish a dedicated funding source for resource protection.

But until such legislation is enacted, we must do what we can to fund these important programs now. This amendment does just that.

This amendment will provide $20 million for the stateside portion of the Land and Water Conservation Fund.

This is an important amendment for the future of our local communities, our quality of life, the recreational opportunities of our families and the preservation of our important lands.

The Land and Water Conservation Fund is a fund that was developed out of a bargain between the development of the offshore oil and the preservation of nonrenewable assets in our communities and throughout our Nation.

Since 1965, we have appropriated some $3 billion to local governments, States and local governments, to help them protect and conserve these assets. States and local governments have matched that with an additional $3 billion. That match tells us the kind of priority that our local communities place upon this program.

Unfortunately, in 1995 it all stopped and Congress failed to appropriate money for the program. One of the most successful programs that we have at the Federal level stopped. Since that time, if had provided the money that this program was truly entitled to, there would have been an additional $2.5 billion that would have then been matched by another $2.5 billion in nonfederal dollars. That would be $5 billion going toward improving quality of life and protecting and conserving natural resources based upon the priorities of those local communities.

Mr. President, every state across the Nation benefits from this program. I have here a book put together by the National Recreation and Park Association listing hundreds of projects in every state that are in dire need of this funding.

In my State of California, we have used stateside funding to team up with local sponsors to purchase areas of

Redwoods State Park, the Santa Monica Mountains, Lake Tahoe and San Deguito Park. But there is still more that needs to be done.

One project that I requested funding for this year is the Urban Nature Center and Sanctuary in Ernest Debs Park in Los Angeles. This Park would provide nature experiences for some of the city's most underserved children and their families.

The National Audubon Society in cooperation with the City of Los Angeles, is developing a model Urban Nature Center in Ernest Debs Regional Park in Northeast Los Angeles. This surprisingly natural, 195-acre site, run by the City's Recreation and Parks Department, is five miles northeast of downtown Los Angeles. It rises above some of the city's densest urban neighborhoods, yet is home to more than 80 species of birds and other wildlife. Within two miles of the park, there are more than 30,000 children, mostly Latino, attending school for whom the park and the nature center could be a giant outdoor classroom.

The Nature Center is an exciting opportunity to bring together Audubon's traditional sources of support for conservation education with city, state and federal funds for parks, trails and habitat restoration. For its part in this innovative public/private partnership, the City of Los Angeles will dedicate $1 million in existing County bond funds for habitat enhancement. The Audubon Society is dedicated to raising $4 million in private contributions. I requested $1 million for the federal contribution for this project, but nothing was provided.

Mr. President, this is the kind-of thing we are always pushing for—federal/non-federal, public/private collaboration on important projects. And while others are contributing their share, the federal government is doing nothing. This must change.

Mr. President, this amendment is a small step toward fulfilling our commitment to the Land and Water Conservation Fund. I urge my colleagues to support this amendment.

AMENDMENT NO. 1644

(Purpose: To provide for increased funding of certain programs of the Smithsonian Institution and the Indian Health Service, with an offset for National Park Service)

S. 1292 is amended by the following:

On page 17, line 19, strike ''$221,093,000'' and insert in lieu thereof ''$216,153,000''.

On page 82, line 13, strike ''$2,135,561,000'' and insert in lieu thereof ''$2,138,001,000''.

On page 90, line 3, strike ''$364,562,000'' and insert in lieu thereof ''$367,062,000.''

AMENDMENT NO. 1645

On page 78, line 17, insert after the comma ''of which $1.6 million shall be for grants to municipal governments for cost-shared research projects in buildings, municipal processes, transportation and sustainable urban energy systems, and''.

AMENDMENT NO. 1646

(Purpose: To provide funding for Wheeling National Heritage Area)

On page 17, line 22, strike ''$4,000,000'' and insert ''$5,000,000''.

AMENDMENT NO. 1647

(Purpose: Provide funding for an environmental impact statement to be prepared by the Forest Service, as mandated by the 9th Circuit Court of Appeals)

On page 63, line 6, strike the period and insert in lieu thereof the following: '': *Provided*, That of the amount provided under this heading, $750,000 shall be used for a supplemental environmental impact statement for the Forest Service/Weyerhaeuser Huckleberry land exchange, which shall be completed by September 30, 2000.''

AMENDMENT NO. 1648

(Purpose: To strike section 129 in its entirety and replace with language that directs a review of possible alternatives to the Weber Dam on the Walker River Paiute Reservation in Nevada without requiring completion of an Environmental Impact Statement. The new language directs $200,000 to complete the review. This amendment retains the $125,000 for an analysis of the feasibility of establishing a Tribally operated Lahontan Cutthroat trout fish hatchery on the Walker River within the Reservation, but identifies a different source for funding. $175,000 of the funds appropriated in this amendment shall be made available through a corresponding reduction in Bureau of Land Management Wildland Fire Management Account. $150,000 of the funds appropriated in this amendment shall be made available through a corresponding reduction in the Water Resources Investigations Program of the U.S. Geological Service. Within this program, $250,000 was directed for hydrologic monitoring to support implementation of the Truckee River Water Quality Settlement Agreement (Senate Report 106–99, page 43), and $150,000 was directed to complete an endocrine disruption study in the Las Vegas Wash (Senate Report 106–99, page 43). This amendment would reduce the Truckee River item by $100,000 and the Las Vegas Wash endocrine disruption study by $50,000)

Starting on page 60, line 20 and continuing through page 62, line 3, strike SEC. 129 in its entirety and insert:

''SEC. 129. WALKER RIVER BASIN.—$200,000 is appropriated to the U.S. Fish and Wildlife Service in FY 2000 to be used through a contract or memorandum of understanding with the Bureau of Reclamation, for: (1) the investigation of alternatives, and if appropriate, the implementation of one or more of the alternatives, to the modification of Weber Dam on the Walker River Paiute Reservation in Nevada; (2) an evaluation of the feasibility and effectiveness of the installation of a fish ladder at Weber Dam; and (3) an evaluation of opportunities for Lahontan Cutthroat Trout restoration in the Walker River Basin. $125,000 is appropriated to the Bureau of Indian Affairs in Fiscal Year 2000 for the benefit of the Walker River Paiute Tribe, in recognition of the negative effects on the Tribe associated with delay in modification of Weber Dam, for an analysis of the feasibility of establishing a Tribally-operated Lahontan cutthroat trout hatchery on the Walker River as it flows through the Walker River Indian Reservation: *Provided*, That for the purposes of this section: (i) $100,000 shall be transferred from the $250,000 allocated for the U.S. Geological Survey, Water Resources Investigations, Truckee River Water Quality Settlement Agreement; (ii) $50,000 shall be transferred from the $150,000 allocated for the U.S. Geological Survey, Water Resources Investigations, Las Vegas Wash endocrine disruption study; and (iii) $175,000 shall be transferred from the funds allocated for the Bureau of Land Management, Wildland Fire Management.''

AMENDMENT NO. 1649

(Purpose: To provide funds for timber pipeline supply on the Tongass National Forest)

On page 76, line 12 of the bill, insert the following before the paragraph beginning with the word ''Of'': ''From any unobligated balances available at the start of fiscal year 2000, the amount of $11,550,000 shall be allocated to the Alaska Region, in addition to the funds appropriated to sell timber in the Alaska Region under this Act, for expenses directly related to preparing sufficient additional timber for sale in the Alaska Region to establish a three year timber supply.''

AMENDMENT NO. 1650

(Purpose: To set aside funding for a feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail)

On page 17, line 22, insert before the colon the following: '', and of which not less than $1,000,000 shall be available, subject to an Act of authorization, to conduct a feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail, and''.

AMENDMENT NO. 1651

At the end of Title I, insert the following:

SEC. . Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–14, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696, U.S.C., 460zz.

AMENDMENT NO. 1652

On page 13, line 9, after the word ''expended'' include: ''of which not to exceed $1,000,000 shall be available to the Boyer Chute National Wildlife Refuge for land acquisition.''

On page 13, line 8, strike ''$55,244,000'' and insert ''56,244,000''.

AMENDMENT NO. 1653

On page 17, line 22 insert before the colon the following: '', of which $500,000 shall be available for the Wilson's Creek National Battlefield,''.

AMENDMENT NO. 1654

On page 18, line 19 before the period insert the following: ''and of which $200,000 shall be available for the acquisition of lands at Fort Sumter National Monument''.

AMENDMENT NO. 1655

On page 10, line 16, after ''herein,'' insert ''of which $150,000 shall be available to Michigan State University toward creation of a community development database, and''.

AMENDMENT NO. 1656

On page 24, at the end of line 10 insert the following before the colon: ''*Provided further*, That not to exceed $198,000 shall be available to carry out the requirements of Section 215(b)(2) of the Water Resources Development Act of 1999''.

AMENDMENT NO. 1657

At the end of Title III of the bill, add the following:

''SEC. . Each amount of budget authority for the fiscal year ending September 30, 2000,

provided in this Act for payments not required by law, is hereby reduced by .34 percent: *Provided*, That such reductions shall be applied ratably to each account, program, activity, and project provided for in this Act.''

AMENDMENT NO. 1359

Mr. GORTON. Mr. President, finally, I ask unanimous consent that the pending technical amendment No. 1359 be adopted and the motion to reconsider be laid upon the table.

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

The amendment (No. 1359) was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote on the last set of collective amendments, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PRESERVATION OF FOSSILS COLLECTED FROM PUBLIC LANDS

Mr. DASCHLE. Mr. President, last year I worked closely with my colleagues Senator BYRD and Senator GORTON to place language in the report accompanying the Fiscal Year 1999 Department of Interior appropriations bill directing the Secretary to report to Congress on the need for a uniform federal policy guiding the collection of fossils from public lands. This was an important step that was long overdue.

Public lands such as those administered by the Forest Service, Bureau of Land Management and other agencies are some of our nation's finest repositories of fossils. By studying fossils, paleontologists learn information that is vital to understanding the Earth and the history of life on this planet. Unfortunately, the variety of policies used by federal agencies to guide the collection of fossils from these lands are confusing to the public, do not ensure that scientists have a full opportunity to study valuable specimens, and do not ensure that fossils are adequately preserved for the future. I believe it is time that we developed such a policy and implemented measures to maximize access to and preservation of important fossil specimens.

I am very pleased that the Department has undertaken a serious review of this issue and is consulting with all stakeholders to ensure that it provides Congress with the best information and recommendations possible. It is my hope that this report will be completed expeditiously so that we can work with the administration on any follow-up measures that may be required.

In the meantime, it is my hope that the administration will move forward with one important way that it can immediately make fossils more readily available to the public. New information technology has given us the ability to send vast amounts of data anywhere in the world almost instantaneously. I believe the administration should begin immediately to explore ways to utilize this capability to make data about critical fossils available to scientists worldwide. For example, the South Dakota School of Mines and Technology has the capability to use CT scans to create high-resolution, three-dimensional images of a fossil and its internal structure that can be accessed by scientists over the next generation Internet. I strongly urge the administration to fund initiatives of this type in its fiscal year 2001 budget, and to move forward as quickly as possible with steps that can improve public access to these fossils.

Mr. GORTON. I agree with the Senator from South Dakota that it is important that the Secretary complete this study expeditiously and explore ways to use information technology to maximize the ability of paleontologists to study scientifically significant fossils.

Mr. BYRD. I also agree with the Minority Leader. The Department of the Interior should provide the results of its analysis to Congress quickly and support funding for initiatives that will use new technology to make important scientific data available.

PILOT PROGRAM FOR TRIBAL PRIORITY ALLOCATION IN THE BIA

Mr. DOMENICI. Mr. President, the Tribal Priority Allocation (TPA) Program of the Bureau of Indian Affairs (BIA) has been an issue of controversy for several years. For next year, the Senate Interior appropriations bill provides $693 million for TPA. This money is used by local tribal governments to operate a wide range of programs like public safety, resources management, education, economic development, and human services.

Many tribes are not able to relate TPA funds to their own tribal needs with any specificity. As a result, the BIA simply does not know, and is not able to relate TPA spending to actual tribal needs. We are not saying that tribes misuse these funds. We are saying that there is precious little information about how TPA funds are directed toward tribal needs as determined by the tribes themselves.

Mr. GORTON. Mr. President, I concur with this observation about the poor BIA oversight and management of locally operated TPA programs. The BIA has not been able to tell the Senate just how these funds are spend by tribal governments. Other than broad categories, the tribes themselves do not have to report how these funds are meeting trial needs and goals. There are so many eligible uses for these funds that tribes do not report TPA spending to the BIA with any specificity. In public safety, for example, TPA funds can be spend for police cars. Natural resource funds can be spent on growing blue corn or improving a fish hatchery.

The BIA has little information about how tribal goals are being met with TPA funds, and TPA funds make up almost half of the entire BIA operations budget for Indian programs. Any effort to help us clarify the precise use of TPA funds will be a major step forward in accountability for both tribes and the BIA. I welcome a pilot effort to move toward that goal.

Mr. DOMENICI. Mr. President, Chairman GORTON and I have both discussed the TPA accountability issue with Kevin Gover, the Assistant Secretary for Indian Affairs at the BIA. Mr. Gover has recommended a pilot project at Eight Northern Pueblos Agency in New Mexico. The purpose of this pilot program would be to demonstrate the ability of tribes to assess their own needs and then develop TPA budgets that allow the BIA to track just how TPA funds are being used to achieve specific results for tribes.

Mr. GORTON. I was glad to see this pilot program recommended in the TPA report I have recently received from the BIA. We required this report in last year's appropriations bill. I have also noted that Nambe Pueblo has gone through a long process of local meetings to catalog their needs and organize their plans for using TPA funds. They have persevered in developing a model needs based budget process.

Mr. DOMENICI. Yes, Mr. Chairman, Nambe Pueblo leaders have broken new ground in developing budgets to meet their own needs. Nambe Pueblo is a small pueblo with 633 members. It is located about 20 miles north of Santa Fe. Their Governor, David Perez, and Councilman Tony Vigil and many others at Nambe have spent hours, days, and nights developing a very thorough description of their precise needs. They have worked closely with Eight Northern Indian Pueblos (ENIP) Executive Director Bernie Teba and ENIP Chairman Walter Dasheno, who is also Governor of Santa Clara Pueblo, to document their needs in several key categories.

In the area of Land Resources, for example, Nambe Pueblo has identified a solid waste disposal system, flood and erosion control needs, and an agricultural land recovery plan. For community services, they have identified youth services and senior citizen services. Their facility needs have been catalogued, and their economic and tourism plans have been laid out.

Mr. GORTON. This sounds like a very thorough effort. I would like to join Senator DOMENICI in commending the Nambe Pueblo for their hard work in developing a needs data base system that will enable them to track the use of TPA funds.

Mr. DOMENICI. When Assistant Secretary Gover first presented this idea to me a few months ago, he told me that ENIP had developed a solid approach for accountability that should be tried as a pilot for other tribes to emulate. Some of the other members of ENIP are anxious to try this approach to becoming more accountable to their tribal members, the BIA, and the Congress. It is a lot of work, but there is also a lot of benefit to be able to map out a complete picture of tribal needs and resources.

With Assistant Secretary Gover's continuing enthusiasm and support, I

am confident that a new beginning for accountability in TPA funding will actually be born at Nambe Pueblo. We will count on him to implement this ENIP pilot from existing TPA funds. We believe we have given him enough authority in this bill and other legislation to implement this accountability pilot program, and we look forward to its early success.

Mr. GORTON. Mr. President, like Senator DOMENICI, I look forward to a better future in accountability for TPA funds. This program is critical for tribes and they should also be able to measure their own progress against local needs as suggested by the Nambe Pueblo plan. I support this recommendation for a TPA accountability pilot program from existing TPA funds and I look forward to some positive results.

Mr. DOMENICI. I thank the Chairman of the Interior Appropriations Subcommittee for his extraordinary efforts to bring fairness and accountability to the BIA's TPA Program. It is the single largest expenditure in the BIA, followed by school operations. I believe tribes will benefit from the fruits of this pilot, and the Congress will be better able to justify TPA expenditures. We will have better knowledge of just how TPA funds help tribes to meet their own local needs and goals.

ALTERNATE FUELS RESEARCH

Mr. MURKOWSKI. Mr. President, I understand that my colleague from Alaska wants to comment with me on Department of Energy funding for alternate fuels research.

Mr. STEVENS. I do.

Mr. MURKOWSKI. Mr. President, as the chairman of the Committee on Appropriations knows, the Environmental Protection Agency and the country have been constantly seeking cleaner-burning diesel fuel. In fact, the administration has already announced new, stricter emissions standards for heavy vehicles as an incentive to move to other technologies. Would the Senator agree that the answer to this issue lies partly in the engine design, but more importantly in the type of fuel we burn?

Mr. STEVENS. Yes, I agree with the Chairman of the Committee on Energy and Natural Resources. The Department of Energy has been investigating alternate fuels that would improve air emissions but not require a new infrastructure or delivery system such as would be required in the use of compressed natural gas. One possibility is Gas-to-Liquids or GTL. The GTL process takes natural gas and converts it to a liquid fuel that has the characteristics of diesel fuel, only without sulfur, which interferes with the catalysts that clean up emissions.

Mr. MURKOWSKI. Natural gas is nearly everywhere in the United States and does not need to be imported. We have somewhere between 30 to 60 trillion cubic feet of natural gas in Alaska, which could replace a significant amount of the diesel fuel market, if the GTL process can be proved to be viable.

I have been interested in securing funding a private-public partnership to study GTL's performance as fuel. The study will report on the following: (1) How important fuel characteristics affect the performance and emissions of different diesel engines; (2) Experimental performance of diesel engines burning fuels like GTL fuels; (3) Engine design modifications which enhance performance using such fuels; and (4) Chemistry of GTL production. I would ask if the subcommittee chairman is aware of the premise that GTL technology has in producing a cleaner burning fuel?

Mr. GORTON. I am aware. ARCO, which is well known in Alaska, recently constructed and started a 70 barrel per day Gas-to-Liquids plant in Blaine, Washington, near Bellingham. ARCO did this with its own money and that of Syntroleum. With industry support like that we should encourage these developments. Pacific Northwest Lab is also heavily involved in diesel engine development because it is the most efficient internal combustion engine. Unfortunately, we had numerous constraints on the Interior appropriations this year.

Mr. STEVENS. Perhaps my colleagues agree that we should try to work with the Department of Energy on organizing a more pronounced effort there to support research on cleaner diesel from natural gas.

Mr. MURKOWSKI. I hope we can join together to work with the Department of Energy to find some funds within the Department to support this effort.

Mr. GORTON. I will be pleased to work with my colleagues from Alaska.

LAKE POWELL

Mr. HATCH. Mr. President, recently a handful of environmentalists have called for the draining of Lake Powell and the decommissioning of the Glen Canyon Dam. As the second largest man-made lake in the country, Lake Powell provides critically important water storage for the states of the Colorado River basin—the driest region in the United States. As many of my colleagues from both sides of the aisle already know, Mr. President, draining Lake Powell is unsupportable. This amendment puts this issue to rest once and for all. This legislation simply prohibits the federal government from taking any action to drain Lake Powell or to decommission the Glen Canyon Dam without Congressional approval.

Mr. GORTON. Mr. President, I wish to say to my good friend from Utah that I agree that draining Lake Powell is not a reasonable proposal, and I support his effort to put the issue to rest with this amendment. However, I would like to ask my colleague from Utah if he believes that his amendment in any way opens the door to the administration to pursue the decommissioning of other Bureau of Reclamation projects without Congressional approval?

Mr. HATCH. Mr. President, I appreciate the support of the chairman of the Interior Appropriations Subcommittee in this matter which is of great concern to my constituents. Mr. President, this amendment in no way gives assent to the Secretary of the Interior or any other government official to decommission other water projects without Congressional approval. Any effort by the administration to decommission a Bureau of Reclamation project without the approval of Congress or of those most affected by the action, in my view, would be unsupportable.

REGARDING THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES

Mr. MOYNIHAN. Mr. President, I want to commend the chairman for the excellent job he has done under difficult circumstances in providing funding for our cultural agencies—the National Endowments for the Arts (NEA) and the Humanities (NEH), and the Institute of Museum and Library Services (IMLS).

Mr. GORTON. In Committee on the Senate side, we were able to boost funding for the Institute of Museum and Library Services by $500,000, from its fiscal year 1999 level of $23.405 million, to $23.905 million for fiscal year 2000. And now we have adopted the Cochran and Bennett amendments as part of the managers' amendment to boost funding for the NEH and NEA by $4.000 million each.

Mr. MOYNIHAN. I was pleased to cosponsor those amendments. I think we have done well by those two agencies. Now, as I understand it, the House of Representatives appropriated $24.400 million for IMLS.

Mr. GORTON. Initially—that amount was subject to a 0.48 percent across-the-board reduction; consequently, the House-passed funding level is $24.282 million, or $377,000 more than what the Senate Committee on Appropriations reported.

Mr. MOYNIHAN. As the chairman knows, several of us—Senators WARNER, BENNETT, COCHRAN, JEFFORDS, REED, and KENNEDY, among others—support the House-passed funding level for IMLS, and contemplated offering an amendment here on the floor to achieve it.

Mr. GORTON. I say to my friend from New York that I am aware of the strong support for the IMLS here in the Senate. Rest assured that I will give every consideration to providing additional support for the IMLS when we go to conference on the bill.

Mr. MOYNIHAN. This is wonderful news indeed. The Institute of Museum and Library Services provides essential support to our nation's 8,000 non-Federal museums and, through a different appropriation, 120,000 libraries. It goes about its business quietly and professionally, with scant attention paid here, but the thriving condition of our museums provides ample evidence of its competence and importance.

I think, perhaps, we have turned the corner on Federal support for the arts

and humanities, for culture. The chairman deserves much of the credit and an enormous debt of gratitude for his unwavering support for the NEA, NEH, and IMLS and for steadily shepherding their appropriations during these past few, difficult years.

FEDERAL MUSEUM COLLECTIONS AT THE UTAH MUSEUM OF NATURAL HISTORY

Mr. BENNETT. Mr. President, I want to raise an issue that was recently brought to my attention in Utah. It is a long-term project that I intend to undertake and I hope that the committee will support me in this effort.

The Utah Museum of Natural History contains collections of more than one million objects and specimens in the fields of geology, biology and anthropology. It ranks as one of the largest and most comprehensive collections for the western states. Overall, more than 75 percent of the museum's collections are federally owned; that is, recovered from federally managed public lands. Of the remaining 25 percent of the collections, a significant portion was collected on state lands under federally mandated permitting procedures. The museum is a repository for collections from BLM, Forest Service, Park Service and Bureau of Reclamation lands. Additional specimens have been collected from Department of Defense lands as well.

There are numerous authorities defining the legal relationship between the federal agencies and museums and research universities such as the Smithsonian's Organic Act passed in 1879, the Antiquities Act of 1906, NEPA and most recently, the National Archaeological Graves Protection and Reburial Act of 1990. The large number of federal collections in the museum is the consequence of the high percentage of federally owned lands in Utah. Utah ranks second among all states in percentage of federal lands; thus, field research in the natural sciences in Utah largely takes place on federal lands.

Unfortunately, the current facilities at the Utah Museum of Natural History used to house the federal collections are inadequate. Lack of space, materials, supplies and personnel have created a situation where the collections are in jeopardy of being permanently lost. This is not in anyway caused by the neglect of the museum staff, but it is simply a lack of space and funding to adequately store all of the collections properly.

I became interested when this situation was brought to my attention a few months ago. Since that time, my staff have been looking into various options to help remedy the situation. In the meantime, the museum has done a tremendous job putting together a master plan, organizing partners and seeking private donations to relocate the museums. But they are limited in their ability to raise funds without some federal participation and commitment. And with that in mind, I want to seek the chairman's input on that question. Does the chairman believe that the federal agencies such as the BLM, Forest Service and the National Park Service have a legitimate role in helping remedy this situation?

MR. GORTON. The Senator raises a good point. Obviously there is a federal interest in protecting these collections. While I cannot commit to providing funding for this project in the future, I will work closely with my colleague from Utah. Until that time, however, I think it would be quite appropriate for the various agencies to lend their resources and expertise by participating the partnership that has been created. I would encourage them to do so.

MR. BENNETT. I thank the chairman and I look forward to working with him.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

Mr. WARNER. Mr. President, will the Senator from Washington care to enter into a colloquy regarding museums funding?

Mr. GORTON. I thank the Senator from Virginia and will be happy to engage in a colloquy.

Mr. WARNER. I understand the need to adequately address arts funding and commend the Chairman's leadership in securing $500,000 above last year's appropriations for our nation's museums and libraries. However, this is still $500,000 short of the House funding level to continue the great work done by the Institute of Museum and Library Services (IMLS).

As the Chairman knows, federal funds play an important role in assuring that Americans have access to excellent museum services. 8,000 museums and 120,000 libraries throughout the country have benefited from Congressional support of IMLS.

IMLS programs affect a broad segment of Americans and not an elite few. It helps small, rural museums gain access to resources such as database technology development by the larger museums. IMLS improves public accessibility of museums, while allowing local communities to decide on the content and programs of their own museums.

Additional funding will allow IMLS to provide technological improvements, making museum and library collections available online and accessible to learners of all ages.

I ask you to urge the Senate conferees to recede to the House position on IMLS funding and support a relatively modest $500,000 increase in the IMLS budget so museums and libraries across the country will be able to extend their educational services, expand teacher training, preserve our cultural heritage for our posterity and increase access to valuable resources for America's children.

Mr. GORTON. I thank the Senator from Virginia and I will be pleased to recommend that the conferees consider your thoughtful request to recede to the House proposal, which increases funding for the IMLS by an amount of $500,000 above the Senate level. I appreciate the Senator from Virginia's support for the work of the IMLS and hope that our final allocation is such that we are able to provide additional funding for museum programs of the IMLS.

Mr. WARNER. I thank the Senator from Washington.

FUNDING FOR MARK TWAIN HOUSE

Mr. LIEBERMAN. Mr. President, I rise to express my regret that the Interior Appropriations bill under consideration here includes no money for the Save America's Treasury Campaign. I would like to describe one of the many important projects that will go unrealized for lack of funding. This valuable project is the preservation of the Mark Twain House in Hartford, Connecticut, and construction of a complementary education and visitor center near the house.

Mark Twain wrote seven major books, including ''Tom Sawyer'' and the ''Adventures of Huckleberry Finn,'' while living with his family in the house, which he built in 1874. It is projected that the visitor's center would help double—to a total of 100,000—the annual number of visitors to Mark Twain House and contribute an estimated 12 million dollars every year to the Connecticut economy.

If money does come available for the Save America's Treasures Campaign, would you agree that the Mark Twain House should be high on the priority list?

Mr. GORTON. Yes. Mark Twain is a historical and cultural icon of great importance. Mark Twain's written works represent an American literature legacy and I know that this project is of great importance to Connecticut and to America.

Mr. LIEBERMAN. I thank Senator GORTON. I appreciate his hard work on this important legislation.

GLACIER BAY NP VISITOR FACILITIES FUNDING

Mr. MURKOWSKI. Mr. President, I wonder if the Subcommittee chairman would be willing to discuss with myself and the senior senator from Alaska, the Chairman of the full committee on Appropriations certain issues regarding the Glacier Bay National Park Visitor Facility.

Mr. GORTON. Yes, I will join the Appropriations Chairman and the Chairman of the Committee on Energy and Natural Resources.

Mr. MURKOWSKI. Mr. President, I thank my good friend. Being a member of the Committee on Energy and Natural Resources the subcommittee chairman is well aware of Glacier Bay National Park. He is aware of it this year for some of the controversy that has been caused by the Park Service's attempts to prohibit commercial and subsistence fishing within the bounds of the park.

However, there is an area that the local community, the Park Service, and the Alaska Congressional Delegation do want to work together on in the park—a new visitor facility. Glacier Bay National Park is one of Alaska's treasures. More than 350,000 visitors come to the park each year. Currently, there is no single place for them

to go to learn about the park resources, native inhabitants, and spectacular beauty. The local native corporation has proposed a shared cost effort with the Park Service to build such a facility. Is the subcommittee chairman aware of this?

Mr. GORTON. I am aware of these efforts and would encourage the National Park Service to work closely with the native corporation to further develop this proposal in light of the fact that they use private dollars to maximize public resources. Visitor centers are becoming a very expensive item in the Interior budget. This approach should set an example for future facilities of this type.

Mr. MURKOWSKI. Currently there is not a specific line item appropriation in the bill before us, H.R. 2466, for this project. However, it would be my hope that in conference the senior senator from Alaska and the Subcommittee Chairman could work to find the dollars for design and construction needed to make this visitor center a reality.

Mr. STEVENS. I say to my colleague from Alaska that I will work with him to try and find the funds needed for this project. It is a god project for the community and a worthwhile one for the government. I have been a Glacier Bay on numerous occasions and am supportive of increased visitor facilities. As I understand it no authorization is needed for this as the Secretary has existing authority under section 1307 of the Alaska National Interest Lands Conservation Act.

Mr. MURKOWSKI. The Senator is correct. Authorization does exist to do this.

Mr. GORTON. I will be pleased to continue to work with my colleagues on this project. I note that the Subcommittee has made a significant effort in this bill to provide for visitor facilities in Alaska, but agree that additional facilities at Glacier Bay National Park are needed.

UTAH SPECIFIC ISSUES

Mr. BENNETT. Mr. President, I would like to briefly raise four issues with the Chairman for clarification. Utah is in the process of creating a GIS database on public lands. Is it the Chairman's understanding that the $300,000 of federal funds appropriated through the BLM Realty and Ownership management will be combined with the funds appropriated by the State of Utah and then distributed to the rural counties by the special committee created by the State Legislature?

Mr. GORTON. The Senator is correct. However, the rural counties should also seek the expertise of Utah State University and the State of Utah and rely on their personnel to complete this mapping project.

Mr. BENNETT. I thank the Chairman. With regards to the Olympic Tree program funded under the Community and Urban Forestry account, given the nature of Olympic partners and the reliance upon in-kind donations, is it the Committee's position that the local match may also include in-kind donations such as land, labor and materials?

Mr. GORTON. The Senator is correct.

Mr. BENNETT. With regards to the proposed final management plan for the Grand Staircase Escalante National Monument, is it the Chairman's understanding that the State of Utah's authority over wildlife management and wildlife damage prevention within the monument shall remain unchanged?

Mr. GORTON. The Senator is correct. The Committee would be concerned should the language of the final management plan diminish the ability of the State of Utah to manage wildlife damage prevention within the Monument. If this is the case, I would hope BLM would consult with the State of Utah during the Governor's Consistency Review to amend that language to prevent any potential conflict that might occur.

Mr. BENNETT. Again, I thank the Chairman. I have one final question regarding the Desert Tortoise Recovery program. There is a proposal by the U.S. Fish and Wildlife Service to create a new position of a tortoise recovery coordinator that reports out of the Reno Nevada office. This is of concern to me. As the Chairman knows, Washington County has made tremendous progress toward completing a Habitat Conservation Plan and recovery program. They have put together an effective, balanced team and compared to other recovery units, Washington County and its key partners including the State of Utah, BLM and State Parks have accomplished a great deal over the last five years. All of this was accomplished without a tortoise coordinator to oversee the project.

There are a couple of issues I believe should be addressed prior to the creation of proposed coordinator position. Issues such as determining which office would make section 7 evaluations regarding tortoises in Washington County—Salt Lake City or Reno? I would also like to know how the creation of such a position will impact funding and how do we insure that state and local communities are not adversely impacted. In order to preserve the good working relationship among the parties in Utah, I would hope the Chairman would support me in this position until these questions are answered.

Mr. GORTON. The Senator raises a good point. I am aware of the progress which has been made to date and I congratulate the Advisory Board on their efforts. I share the Senator's concerns about the creation of such a position. It is unclear to me how a single coordinator position from outside the Region would specifically help Washington County and BLM administer the HCP and improve things on the ground.

Mr. BENNETT. I thank the Chairman for his support.

BIOCATALYTIC DESULFURIZATION TECHNOLOGIES

Mrs. HUTCHISON. Mr. President, I would like to clarify the intent of one provision within the bill. As we all are aware the Environmental Protection Agency is proposing to reduce the levels of sulfur in gasoline and diesel fuel. I note that the bill before us recognizes this new proposal and urges the Department of Energy to continue research on biocatalytic desulfurization technologies to assist the refining industry in meeting these new requirements. Was it the Committee's intent that the Department continue to support the ongoing gasoline biodesulfurization project in the Industries of the Future program in an effort to ensure that the technology is available to the refining industry to meet the new EPA rules?

Mr. GORTON. That was the intent of the Committee. This research is very promising and I thank you for bringing this point to our attention.

ARCHIE CARR NATIONAL WILDLIFE REFUGE

Mr. GRAHAM. Mr. President, I ask the distinguished chairman of the subcommittee if he would consent to discuss with Senator MACK and me one of Florida's national wildlife refuges, the Archie Carr National Wildlife Refuge in Brevard County, Florida.

Mr. GORTON. I am pleased to join my colleague from Florida in a colloquy.

Mr. GRAHAM. The Archie Carr National Wildlife Refuge is located in Brevard County, Florida, home of Florida's ''Space Coast.'' The 900-acre refuge extends along the coast from Melbourne Beach to Wabasso Beach, and it is home to the most important nesting area for loggerhead sea turtles in the western hemisphere and the second most important nesting beach in the world. Twenty-five percent of all loggerhead sea turtle and 35% of all green sea turtle nests in the United States occur in this twenty mile zone.

Mr. MACK. The Refuge currently coexists with Florida's Space Coast. However, sea turtle nesting at this site is sensitive to impacts from development and human activity. To mitigate these impacts, the U.S. Fish and Wildlife Service coordinates with the local and state governments regarding joint management of beaches, index nesting beach surveys, public education programs, and appropriate public use facilities.

Mr. GRAHAM. It is my experience that in this type of situation, the best answer is land acquisition. Right now, approximately half of the 900-acres of the designated refuge is available for acquisition. Four key parcels make up the core area of the potential acquisition.

I recognize the extreme funding pressures that the subcommittee faced while determining its Land and Water Conservation Fund priorities. We feel that the Archie Carr Refuge is a key priority for Florida given its criticality to the loggerhead sea turtle population.

We request your consideration of this project during the conference with the House on the Interior Appropriations bill.

Mr. GORTON. I appreciate the Senators' comments. The Committee shares your view that the protection of the loggerhead sea turtle is critical, and we will consider the needs of the Archie Carr National Wildlife Refuge during our conference with the House.

SEA TURTLE CONSERVATION

Mr. BREAUX. Mr. President, will the distinguished Chairman of the Interior Appropriations Subcommittee yield for a question?

Mr. GORTON. Mr. President, I will gladly yield to a question from my good friend from Louisiana.

Mr. BREAUX. Mr. President, I thank the distinguished Chairman. I commend the gentleman from Washington and the distinguished ranking member Mr. BYRD for the great leadership they have demonstrated in crafting the FY2000 Interior Appropriations bill. Of great personal interest to me is a Kemp's Ridley sea turtle project that is, in part, funded through the U.S. Fish and Wildlife Service. This project is a twenty-year-old on-going success story in the recovery of a high endangered species. Since 1978, the United States Fish and Wildlife Service, USFWS, has spearheaded the sea turtle conservation work at Rancho Nuevo, Mexico. This collaborative conservation project with the Mexican government and the U.S. shrimp industry through the National Fisheries Institute protects Kemp's Ridley sea turtle nests an females from predation and other hazards, and ensures that young turtles make it into the sea. This project is the longest standing collaborative conservation project between the United States and Mexico without a formal treaty. This year, despite the demonstrable success of the project, the Fish and Wildlife Service did not dedicated funds to the Kemp's Ridley sea turtle project. I am extremely concerned and want to express my strong support for continued funding for this valuable conservation effort.

Mr. GORTON. It is clear from my friend's statement that he knows much about the sea turtle conservation project, and I share his enthusiasm for these important efforts to protect the Kemp's Ridley sea turtle. While I am keenly aware of the fiscal constraints on the Fish and Wildlife Service, I encourage the Service to consider providing whatever support it can within these existing budget constraints.

Mr. BYRD. I agree with my colleagues from Washington and Louisiana. The Fish and Wildlife Service should make every effort to support this project in order to uphold a scientifically justified success in endangered species management

Mr. BREAUX. I thank my colleagues.

ADVANCED DEVELOPMENT PROJECT POWDER RIVER COAL INITIATIVE

Mr. ENZI. Mr. President, I thank my colleague for addressing the potential benefits that could come from a new coal enhancement procedure being developed in my home state of Wyoming that would provide a unique economic development opportunity for the Crow nation and its surrounding rural communications in Montana and Wyoming.

This project, known as the advanced development project Powder River coal initiative, is designed to develop a training program for the Crow nation that will create future employment opportunities for members of the tribe by utilizing a new technology that permanently removes the moisture from the Powder River Basin's low grade sub-bituminous coal. It is important that we must continue to develop programs like this advanced development project to further the twin goals of environmental protection and economic stability.

Mr. GORTON. Mr. President, I appreciate the comments of my colleague from Wyoming and agree there is a serious need to bolster the economy within the Crown nation. Further development of the tribe's vast coal reserves would go a long way toward improving the tribes current situation. I would like to assure my colleague that I will continue to work with him and with my colleague from the South Dakota to explore projects like the advanced development project Powder River coal initiative to see if we can't find a way to help the Crow nation develop its vital coal resources.

MARI SANDOZ CULTURAL CENTER

Mr. KERREY. I rise today with my good friend and colleague, Senator HAGEL, to talk about a very important and worthwhile project, the Mari Sandoz High Plains Heritage Center in Chadron, Nebraska.

Mari Sandoz was a world-renowned and internationally-acclaimed writer, born and raised in the Nebraska Sand Hills. Drawing on her childhood experiences and her research at the Nebraska State Historical Society, Sandoz wrote passionately and poetically about life on the Great Plains. Her works dealt with the early fur traders, the Plains Indians, the cattlemen and ranchers, the immigrant homesteaders, and the persecution of the Northern Cheyenne and Ogallala Sioux. Through her writing, Sandoz played an important role in the cultural preservation of the Western Nebraska of the 1800s and early 1900s. Preserving her works and her legacy is a way of preserving our own cultural heritage.

Mr. HAGEL. I join my friend, the senior Senator from Nebraska, in supporting a federal appropriation for the Mari Sandoz Cultural Center.

Nebraska has produced a number of this nation's most significant writers. The John Neihardt Center in Bancroft and the Willa Cather Center in Red Cloud commemorate two of Nebraska's most famous literary figures. A facility dedicated to Mari Sandoz would be an appropriate addition on to the state's literary heritage.

Following Mari Sandoz's death, Chadron State College came into possession of her writing and personal artifacts. The College developed the idea of the cultural center as the best way to preserve her legacy. Plans for the center include museum display areas for American Indians and Sandoz family artifacts, rooms for meetings and workshops on Sandoz' work, archives for Sandoz' manuscripts, and an herbarium that will complement the descriptions of regional flora central to Sandoz' literature. The center would be a perfect tribute to one of Nebraska's finest writers.

Mr. KERREY. I agree that the construction of the Center is an important commemoration of Sandoz' contributions to Nebraska. Earlier this year, I requested that $450,000 be appropriated from available funds in the National Park Service's Historic Preservation Fund or the Save America's Treasures to fund the Mari Sandoz Cultural Center. These dollars will help renovate, rehabilitate, and equip the former library facility on the Chadron State campus.

Mr. HAGEL. It is my understanding that these federal dollars will be in addition to the private dollars raised by Chadron State College and the Mari Sandoz Heritage Society.

Mr. KERREY. Yes, both organizations have been working diligently to raise $900,000 in private funding for the construction and equipment of the new Center. I am hopeful that we will be able to provide additional Federal dollars for this historically and culturally significant Center.

Mr. HAGEL. We both realize that budget restraints are tight this year. But I am hopeful that Chairman GORTON and Ranking Minority Member BYRD will find a way to fully fund this project when the conference committee meets on the Interior appropriations bill later this fall.

Mr. WELLSTONE. Mr. President, issues surrounding natural resource management present some of the most contentious and difficult problems we as policymakers face. Trying to ensure that our federal forestry policy is responsible and environmentally sustainable has been especially difficult, and we have sometimes fallen woefully short in this area. We can and must do much better. I have seen the awful results of clear-cutting, uncontrolled erosion, and other abuses by the logging industry, and I believe we must bring those abuses to an end now.

Even so, our national forests are tremendous resources for a variety of uses, including everything from timber harvesting to recreation. My state of Minnesota depends on these resources for jobs and family incomes; wood, industrial materials, paper and pulp; and family vacations and recreation. Above all, we must protect our national forests to ensure that these resources will be available for future generations. For these reasons, I have long supported carefully controlled, environmentally sustainable multiple use of our national forests.

I share many of my colleague Senator BRYAN's legitimate concerns about the future health of our nation's

forests, and about the abuses that have been allowed in certain regions under the Forest Service's timber sales program—especially in essential areas of biodiversity such as the Pacific Northwest. I recognize that these environmentally harmful forest management practices have serious long-term consequences for the health of our forests, and that they must be stopped.

The Timber Sale Management Program is in need of significant reform in many regions of our nation. I believe that my record shows clearly my support for reforming the program to ensure a more responsible and environmentally sustainable forestry effort. But this amendment would reduce by approximately $32 million current funding levels for the program, and it could create some special problems in my state, where the Forest Service has generally been quite responsible in its timber sale efforts.

In my state of Minnesota, on July 4, 1999, we experienced a huge, once-in-a-thousand-year wind and rain storm that damaged and destroyed homes, businesses, public facilities, and wilderness areas in our national forests. Approximately 300,000 acres in seven counties were hit by the storm, which damaged as much as 70 percent of the trees in certain areas and washed out numerous roads. The damage caused by this storm has severely hindered the U.S. Forest Service's ability to responsibly manage the Chippewa and Superior National Forests. While I have worked successfully with my colleagues in the Minnesota delegation to ensure that approximately $12 million in emergency funding is reprogrammed from elsewhere in the Forest Service budget to support timber salvage efforts in Minnesota, it is clear that much is yet to be done, and that it is going to take many years to dig out from under the storm and to restore the forest to its former state.

As I've observed, the Forest Service in Minnesota has a long tradition of generally responsible and publicly accountable forest management practices. I believe, especially as the post-storm clean-up there proceeds over the coming months and years, that the Forest Service must have adequate resources to deal with the storm's devastation. This amendment would cut approximately $32 million from proposed funding for the Timber Sale Management Program, decreasing last year's funding for this program by approximately $30 million. While I know that this funding is not yet precisely allocated to the various regions, I am concerned that a cut of this size might constrain the Service's overall capacity to adequately support efforts to recover, repair and rehabilitate public lands in Minnesota hard hit by the storm, and for that reason I think it would be unwise.

As I said, I recognize the problems with the Timber Sales Management Program, particularly in the Pacific Northwest, and I remain committed to supporting efforts to bring a halt to these environmentally unsustainable abuses. Even though I cannot support this amendment today, I look forward to working with my colleague Senator BRYAN and others to find ways to reform and improve the forest management practices of the Forest Service, and of those private industry firms with whom it cooperates, to eliminate the abuses of our forests which have been brought to light during this debate.

Mr. GORTON. Mr. President, the Endangered Species Act listing of various runs of salmon throughout the Northwest has been a wake-up call for Washingtonians. We have seen an unprecedented decline in a historically vibrant salmon population, relied upon by countless sportsmen, commercial and tribal fishermen, and those of us who see salmon as a Northwest cultural icon.

And for years, at all levels of government, we've spent billions of dollars in an effort to recover this important species, but we've seen little in return. Millions and millions of dollars have been spent on massive studies. Millions of dollars have fueled growing bureaucracies to address the problem and create new regulations that may or may not save the fish.

In all the flurry of activity and spending, one, largely unrecognized effort has done more in our rivers and streams to improve salmon habitat than almost anything else in which we've invested our resources. Across Washington state, small, local volunteer groups spend their weekends restoring streams, revegetating riparian areas and creating healthy, inviting places for salmon to return. They recruit people from all over the community to spend a few hours on the weekend working in their local stream, river, or anywhere else that will make a difference for the fish.

In many cases, these locally-grown groups are able to work cooperatively with private landowners to restore streams and rivers that run through their property. These efforts achieve results and make all parties satisfied with the outcome in a way that government-mandated directives could never do.

That's why my 1999 Interior Appropriations bill includes a $4 million appropriation for these groups to be able to continue their hard work and worthy efforts. The money will be appropriated to the National Fish and Wildlife Foundation to distribute, as quickly as possible, to locally-organized, on-the-ground salmon enhancement organizations.

These groups' potential for positive contributions to salmon recovery are immeasurable. For instance, a stream on the North Shore of Hood Canal would be an excellent salmon spawning and over wintering habitat if it were not for man-made barriers to fish passage. The Hood Canal Salmon Enhancement Group (HCSEG) would like to remove the 3 foot diameter pipe, which the stream now runs through, and correct the immediate four foot drop in the stream level. Replacing the pipe with an appropriately sized culvert and fishway would open up 1.7 miles of habitat for chum, coho, and steelhead. Hood Canal SEG likes to call these projects ''no-brainers'' because the habitat already exists, the fish just need to be able to get there.

Local residents are critical to these salmon recovery efforts, where intimate historic knowledge of seasonal flows, fish populations, and specific migratory trends don't typically exist outside the community.

Another group, Long Live the Kings (LLTK), is contributing to the recovery of listed salmonids in Hood Canal. At their Lilliwaup facility, LLTK is operating a captive rearing and supplementation program for threatened steelhead and summer chum. I was happy to have helped find funding for this program last year, and am pleased to continue this support.

While in the state during our August recess, I met with the Nooksack Salmon Enhancement Association out of Bellingham, Washington. This group, with the passionate leadership of volunteers like Mike and Elaine McRory, have taken on habitat restoration projects in urban and rural areas alike, successfully soliciting the cooperation of private landowners to recover local stocks. Landowner participation is often contagious, and NSEA has seen one project on a given stream turn into two, three, or even more.

It should be clear that organizations across Washington State, not just those within the Puget Sound basin, are eligible to apply for these funds. In fact my staff will be traveling to Okanogan county at the end of this month to introduce members of the local community to NFWF representatives.

Grants for local groups through the National Fish and Wildlife Foundation provide a much needed funding source for long overdue projects ranging from Skagit FEG's Little Baker River Side Channel project, which would open one mile of chinook spawning and rearing habitat, to riparian restoration in Newaukum and Portage Creeks, conducted by Mid-Sound FEG and Stilli-Snohomish Fisheries Enhancement Task Force.

The amount appropriated to the NFWF does include an earmark for a group that deserves special recognition for their efforts to clean up our local water, essential to salmon recovery success. River CPR's Puget Sound Drain Guard Campaign will employ volunteer labor to install devices aimed at trapping 90 percent of the oil and sediment that typically flows into storm drains. It is evident that this small amount of money is going to go a long way towards recovering salmon across our state.

Here is what some of these groups have to say about this initiative:

''Senator GORTON'S proposal to use the National Fish and Wildlife Foundation to direct funding to the local level is very innovative and will ensure that the funds are used where they most help fish, on the ground,'' said one Mid Sound Fisheries Enhancement Group board member.

Alison Studley writes, ''As a member of the Skagit Fisheries Enhancement Group (Skagit FEG), I whole-heartedly support your endeavor to get salmon dollars to support on-the-ground projects. Local organizations are ready, willing and able to take on this challenge.''

In sum: I believe that Washingtonians and local salmon restoration organizations—not bureaucracies in Washington, D.C.—are in the best position to make decisions that will return salmon. That's why my 1999 Interior Bill includes money for these local groups—who have been working on this problem for years—so they can decide how to restore the fisheries. It's time for the federal government to let those who will be affected by the decisions make these decisions. Salmon are a critical part of the Northwest way of life, so let Northwesterners decide how to fix this problem without being told how to do it from Washington, D.C.

MORNING BUSINESS

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

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

VERMONT ELECTRIC RATES

Mr. JEFFORDS. Mr. President, today, plaintiffs from my home State of Vermont made opening arguments in the U.S. Court of Appeals for the District of Columbia. The plaintiffs, representing the New England Council for Energy Efficiency and the Environment, have raised serious questions about the Federal Energy Regulatory Commission's decision in 1997 to grant power marketer status to a subsidiary of the Canadian company Hydro-Quebec.

The Council is protesting that Hydro-Quebec was unlawfully granted the ability to buy and sell power in the U.S. without regulatory oversight. According to expert testimony in that case, Hydro-Quebec already exercises too much control over Northeastern energy markets, and Vermont ratepayers will have to pay higher energy bills if this license is upheld.

Hydro-Quebec's ability and willingness to exert undue influence on electricity markets in the United States is of serious concern. The company's request last month that the Canadian government sue the United States over fair trade practices is a clear infringement of the legitimate rights of Vermonters to set Vermont electric rates. The Vermont Public Service Board sets rates equally for all companies, be they foreign or domestic, yet Hydro-Quebec is using its status as a semi-governmental foreign company in an attempt to control these rates.

It is deeply ironic that Hydro-Quebec, a monopoly protected by Quebec law against all retail and virtually all wholesale competition in Quebec, should utilize principles of ''fair trade'' to lodge a complaint against the United States under NAFTA. Entrepreneurs in New England and New York who want to compete in Quebec are prohibited from doing so, thus precluding meaningful international competition in energy. Yet Hydro-Quebec is able to freely sell its energy in the U.S.

I call upon Hydro-Quebec to come out from behind its monopolistic shield and act like a true competitive utility. Drop your NAFTA lawsuit. End your efforts to undermine Vermont law. Stop using international law to threaten Vermont ratepayers. We want to do business with Hydro-Quebec, but we cannot do so while it tries to exert undue influence in Vermont and New England markets. In Vermont, the Public Service Board sets electric rates, not foreign companies. We will never, ever let a foreign entity write our rules on power sales.

I further call upon the Federal Energy Regulatory Commission to thoroughly examine all means by which a foreign utility may exert influence in the United States. Foreign companies should not be given carte blanche to sell energy in the U.S. until all impacts of that decision are considered—not only market share, but also environmental impacts and means outside of the market by which a foreign company may exert influence. Hydro-Quebec is taking advantage of its enormous size and semi-governmental status to gouge ratepayers in Vermont. This issue is of enormous importance to the people of Vermont, and I hope the Commission will thoroughly examine all of these issues.

Mr. President, I will do all in my power to protect Vermont electric ratepayers from unnecessary manipulation and threats. I am carefully reviewing the law related to wholesale and retail power sales and will be sure to work for a revision of this law if we see that a region of this nation, or a particular state, is being treated unfairly.

EAST TIMOR

Ms. MIKULSKI. Mr. President, I am horrified by the atrocities occurring in East Timor—where an armed militia is using murder and intimidation to nullify the results of a free and fair referendum. The United States must join the international community in protecting the people of East Timor from mass murder and religious persecution.

During this century, we have seen horrifying examples of dictators and despots whose brutality begins with attacks on the peaceful men and women of the church. This is happening again in East Timor—where members of the Church are being brutally persecuted.

The stories coming out of East Timor are heart-wrenching.

Women and children are massacred within the sanctuary of their churches. Catholic priests, nuns and Caritas workers are being murdered as they try to protect their communities. Nobel Loreate Bishop Beli has been forced into exile. Churches, convents and schools are being burned. Thousands of men, women and children are fleeing from their homes in fear. They are taking refuge in the countryside—where there isn't enough food, water or medicine.

This brutality is occurring with the complicity of the Indonesian military. This is a military that has conducted twenty five years of repression in East Timor. It is a military that the United States has trained and armed.

The international community cannot stand by while civilians are brutally murdered. That is why I support President Clinton's statement of support for US participation in an United Nations peacekeeping force. The force would be led by regional powers—including our strong ally Australia. The United States would help to provide logistical support.

This peacekeeping force would have three goals: to protect the people of East Timor; to restore order and to enable the referendum for independence to be implemented.

The United States must stand up for our interests and our values. We must join our allies in protecting the people of East Timor and restoring peace and stability to their country.

RISK MANAGEMENT FOR THE 21ST CENTURY

Mr. BURNS. Mr. President I rise today as one of the proud cosponsors of the Risk Management for the 21st Century Act.

This bill offers much-needed changes in the area of risk management for farmers and ranchers. Managing risk in agriculture has become perhaps the most important aspect of the business. Agricultural producers who are able to effectively manage their risk are able to sustain and increase profit. An effective crop insurance program will provide farmers and ranchers possibilities for economic sustainability in the future and help them out of the current financial crisis.

The Federal Government can help facilitate a program to unite the producer and the private insurance company. The control must be put ultimately in the hands of the agricultural producer. Although he cannot control risk, an effective management plan will help him to manage the effects of risks, such as weather, prices and natural disasters.

This bill addresses the inadequacies of the current crop insurance program.

The problems and inconsistencies with the current program make it both unaffordable and confusing to agricultural producers. Costly premiums are the biggest problem. In years of depressed market prices, crop insurance, though badly needed, is simply unaffordable for farmers.

This bill inverts the current subsidy formula, in order to provide the highest levels of subsidies to producers at the highest levels of buy-up coverage, and thus alleviate the unaffordable premiums. It also allows for the revenue policies to be fully subsidized.

Another important provision in this bill is to allow an additional subsidy for risk management activities. If a producer uses futures or options, utilizes cash forwards, attends a risk management class, uses Agricultural Trade Options or FFARRM accounts or reduces farm financial risk, they will receive a 5 percent write-down on their premium for taking part in two of the above risk management tools.

This bill also takes into account lack of production histories for beginning farmers or those who have added land or use crop rotation. This will make it possible for those producers to get a foot in the door and receive affordable crop insurance.

Many times, especially in Montana, multi-year disasters occur. This bill helps producers that take a blow several years in a row, which reduces their Annual Production History (APH). If a producer has suffered a natural disaster during at least 3 of the preceding 5 years and their APH was reduced by at least 25 percent they may exclude one year of APH for every five years experience. During this time, the producer's APH may increase without limit back up to the level before the multi-year disaster began.

Specialty crops such as canola or dry beans, are another important addition to this bill. The Risk Management Agency (RMA) will allocate at least 50 percent of their Research and Development funds to specialty crop development. Additionally, RMA is authorized to spend up to $20 million each fiscal year to create partnerships for developing and implementing specialty crop risk management options.

This bill will also ultimately put more control in the hands of active producers by including four active producers; as well as one in crop insurance, and one in reinsurance. The board would also include the Under Secretary for Farm and Foreign Agricultural Services, the Under Secretary for Rural Development and the Chief Economist of USDA. In addition, it mandates that the Board Chairperson be one of the non-governmental members. These are important steps to ensure that the new program is run for the producers by the producers.

This bill is an important tool to reform the current crop insurance program into a risk management program, designed to help the producer in the long-term. It is vital to find a solution to provide a way for farmers to stay in agriculture. They must be able to continue to produce and distribute the world's safest food supply at a profitable margin.

I look forward to working with Senators ROBERTS and KERREY on this important piece of legislation. I believe this bill will pave the way for massive crop insurance reform and help agricultural producers out of this economic crisis.

NOMINATION OF RICHARD PAEZ

Mr. LEAHY. Mr. President, the Hispanic whose actions and fate I would like the Senate to focus on for action is Richard Paez. Richard Paez has never been convicted of a crime and is not associated with the FALN. He is not a petitioner seeking presidential clemency. Rather, he is a judicial nominee who has been awaiting consideration and confirmation by the Senate since January 1996—for over 3½ years.

The vacancy for which Judge Paez was nominated became a judicial emergency during the time his nomination has been pending without action by the Senate. His nomination was first received by the Senate almost 44 months ago.

This nomination has now been held even longer than the unconscionable 41 months this Senate forced Judge William Fletcher to wait before confirming his nomination last October.

Judge Paez has twice been reported favorably by the Senate Judiciary Committee to the Senate for final action. He is again on the Senate calendar. He was initially delayed 25 months before finally being accorded a confirmation hearing in February 1998. After being reported by the Judiciary Committee in March 1998, his nomination was held on the Senate Executive Calendar without action for over 7 months, for the remainder of the last Congress.

Judge Paez was renominated by the President again this year and his nomination was stalled without action before the Judiciary Committee until late July, when we were able to have his nomination reported again. The Senate refused to consider the nomination before the August recess. I have repeatedly urged the Republican leadership to call this nomination up for consideration and a vote. If they make time on the Senate floor for debate and consideration of a Senate resolution commenting on the clemency grant, which is a power the constitution invested in the President without a congressional role, the Senate should find time to consider the nomination of this fine Hispanic judge.

Judge Paez has the strong support of both California Senators and a ''well-qualified'' rating from the American Bar Association. He has served as a municipal judge for 13 years and as a Federal judge for 4 years.

In my view Judge Paez should be commended for the years he worked to provide legal services and access to our justice system for those without the financial resources otherwise to retain counsel. His work with the Legal Aid Foundation of Los Angeles, the Western Center on Law and Poverty and California Rural Legal Assistance for nine years should be a source of praise and pride.

Judge Paez has had the strong support of California judges familiar with his work, such as Justice H. Walter Crosky, and support from an impressive array of law enforcement officials, including Gil Garcetti, the Los Angeles District Attorney; the late Sherman Block, then Los Angeles County Sheriff; the Los Angeles County Police Chiefs' Association; and the Association for Los Angeles Deputy Sheriffs.

The Hispanic National Bar Association, the Mexican American Legal Defense and Educational Fund, the League of United Latin American Citizens, the National Association of Latino Elected and Appointed Officials, and many, many others have been seeking a vote on this nomination for what now amounts to years.

I want to commend the Chairman of the Judiciary Committee for his steadfast support of this nominee and Senator BOXER and Senator FEINSTEIN of California for their efforts on his behalf.

Last year the words of the Chief Justice of the United States were ringing in our ears with respect to the delays in Senate consideration of judicial nomination. He had written: ''Some current nominees have been waiting a considerable time for a Senate Judiciary Committee vote or a final floor vote. . . . The Senate is surely under no obligation to confirm any particular nominee, but after the necessary time for inquiry it should vote him up or vote him down.'' Those words resonate with respect to the nomination of Judge Paez.

I trust the American people recognize who is playing politics with the issue of clemency. I disagreed with the President's decision, but it was his to make. He says that he granted clemency with conditions after study and based on a sense of proportion and justice. The calls for clemency in these cases came from Bishop Tutu, Coretta Scott King, other Nobel peace prize winters, a number of churches and religious groups. It has drawn praise in some circles and criticism in others.

I do not agree with the President, but I caution that the overreaching by Republican critics in the Congress on this is worrisome, as well. To contend that this shows a weakness of resolve against international terrorism is both wrong and may itself be creating a dangerous atmosphere.

We ought to be careful when anyone, let alone the Senate and Congress of the United States, start bandying about declarations that accuse the United States Government of making ''deplorable concessions to terrorists,'' ''undermining national security'' or

''emboldening domestic and international terrorists.''

Playing politics with this matter and accusing the President of ''undermining our national security'' or ''emboldening terrorists'' carries significant risks. Could a potential terrorist somewhere in the world believe this political rhetoric and be '''emboldened'' by it? This is risky business. I do not believe the short-term political gain to the other party is worth having the Senate endorse a resolution that might itself have precisely that effect.

The Senate cannot find time to vote on the nomination of Judge Richard Paez or that of Bill Lann Lee to head the Civil Rights Division or that of Justice Ronnie White to be a Federal judge in Missouri or any of the scores of other nominees pending before it. The Senate has not completed work on 11 of the 13 appropriations bills that must be passed before October 1. The Republican Congress cannot find time to consider campaign finance reform or pass a real patients' bill of rights or consider raising the minimum wage or reforming Medicare or complete the juvenile crime bill conference, but there is plenty of time for floor debate and on the President's decision to exercise his clemency power. The Senate has had three hearings on judicial nominations all year and the Republican Congress will have that many hearings on the clemency decision this week.

In closing, I ask: If the Senate has the time to debate and vote on this resolution, why does it not have time to vote on the nomination of Judge Richard Paez to the Ninth Circuit?

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, September 13, 1999, the Federal debt stood at $5,654,837,966,230.82 (Five trillion, six hundred fifty-four billion, eight hundred thirty-seven million, nine hundred sixty-six thousand, two hundred thirty dollars and eighty-two cents).

Five years ago, September 13, 1994, the Federal debt stood at $4,681,594,000,000 (Four trillion, six hundred eighty-one billion, five hundred ninety-four million).

Ten years ago, September 13, 1989, the Federal debt stood at $2,853,357,000,000 (Two trillion, eight hundred fifty-three billion, three hundred fifty-seven million).

Fifteen years ago, September 13, 1984, the Federal debt stood at $1,572,267,000,000 (One trillion, five hundred seventy-two billion, two hundred sixty-seven million).

Twenty-five years ago, September 13, 1974, the Federal debt stood at $480,717,000,000 (Four hundred eighty billion, seven hundred seventeen million) which reflects a debt increase of more than $5 trillion—$5,174,120,966,230.82 (Five trillion, one hundred seventy-four billion, one hundred twenty million, nine hundred sixty-six thousand, two hundred thirty dollars and eighty-two cents) during the past 25 years.

APEC AND THE WTO

Mr. BAUCUS. Mr. President, I rise today to address recent developments in the world trading system that occurred over the past several days at the Asia Pacific Economic Cooperation (APEC) meetings.

Since its birth in 1989, APEC has been a useful forum to advance U.S. goals for world trade. In 1993, President Clinton hosted the first summit meeting of APEC leaders. That meeting helped to nudge the Uruguay Round of global trade talks to a successful conclusion. The following year, APEC leaders made a political commitment to free trade in the Pacific Basin by a date certain. Two years later, APEC leaders prodded WTO members to sign Information Technology Agreement. That agreement eliminates tariffs on products where U.S. companies have a clear advantage.

APEC has also launched some worthwhile projects aimed at making it easier to do business in the Pacific Rim.

The 21 members of APEC are responsible for almost half of the world's trade. They include country's at various stages of economic development. Members are as diverse as Papua New Guinea, Russia, Peru, and Australia. APEC is the only organization where China, Taiwan and Hong Kong sit together as equals to discuss economic issues. In 1998, U.S. trade with APEC members was just over one trillion dollars, about 70% of our trade. Our three biggest trading partners—Canada, Mexico and Japan—are in APEC

Last week in Auckland, New Zealand, APEC's trade and foreign ministers held their annual meeting. This was followed by the annual summit meeting of APEC leaders, including President Clinton. These meetings provided an opportunity for using APEC to further American trade interests in two ways. One was bilateral. It dealt with U.S.-China relations. The other was multilateral. It dealt with the World Trade Organization (WTO).

On the bilateral front, the annual APEC summit meeting provided President Clinton an opportunity to meet with China's President Jiang Zemin and get our relations with China on track. In particular, it was a chance to restart the talks on China's accession to the WTO.

To join the WTO, China must make one-way concessions in order to gain permanent Normal Trade Relations (NTR) status. Before the China trade talks broke down for political reasons unrelated to trade, China made some important commitments to us in its accession protocol. For example, in addition to tariff cuts and agriculture concessions, China promised to eliminate technology transfer requirements for investment licenses. It will end investment performance requirements designed to take jobs from other countries.

China's WTO accession requires no American trade concessions. And China has agreed to a ''product-specific safeguard'' which will strengthen our ability to fight sudden import surges. A good accession protocol will be good for America. The Clinton-Jiang meeting in Auckland infused our bilateral trade talks with new life.

The U.S. negotiators thus far have done an excellent job. They have already offered American farmers a ray of hope during a very difficult year. And we are close to an accession that will make trade with China fundamentally more fair for our country. It will then be up to this Senate, and to our colleagues, to take the final step by making the normal trade relations we now offer to China permanent.

On the multilateral end, the Auckland meetings were an opportunity for APEC members to show a united front for progress to the other members of the WTO. There was some forward movement on this in Auckland, but not as much as we needed. The key issue is how much we should achieve in the next WTO trade round. The next round will be launched two months from now, when the United States hosts the Seattle WTO Ministerial.

In this regard, last week I introduced Senate Concurrent Resolution 55. It contained the elements of what I believe we should achieve in the next round. At their Auckland meeting, APEC trade ministers endorsed a number of these elements. Procedurally, they said that the talks should be completed in three years, rather than the seven years it took for the Uruguay Round. They said that WTO members should treat the talks as one single package, not a collection of separate topics where members can opt out of the tough issues. They mentioned the need to address tariffs on manufactured products.

All that was useful. But the APEC minsters did not go far enough. President Clinton and the leaders of the other APEC members set out ambitious goals for them five years ago. To achieve those goals, the trade ministers must set specific targets. In agriculture, for example, the Auckland meeting supported abolishing all export subsidies. That is a specific, ambitious target. We need the same specificity on other agricultural trade issues which, such as tariffs, trade-distorting domestic subsidies, and government trading companies. It would have been very helpful to have APEC trade ministers support progress in these areas

The trade ministers should have made a much stronger statement on trade in services. This is not only an important component of developed economies. Services of all sectors—financial, communications, legal, engineering—are vital to developing nations as well.

I wish the APEC trade ministers had been more concrete and specific in their treatment of the WTO talks. I hope this does not foreshadow three years of negotiations which yield weak results.

Finally, I would like to endorse a point that the heads of the APEC governments made in their summit communiqué. They noted that great disparities in wealth threaten social stability. That is true both within a country and between nations. We must ensure that the benefits of globalization are widely shared. We must show that the global trading system improves the quality of life for WTO members.

We need to emphasize the human dimension of globalization. That human includes issues such a labor and the environment, which APEC ministers and leaders largely ignored at Auckland. I hope that future meetings of APEC summits focus on these issues, and that APEC becomes a positive force for their full consideration in the WTO.

VOTE ANNOUNCEMENT CORRECTION

Ms. MIKULSKI. Mr. President, on rollcall vote #8, if I had been present, I would have voted nay. My position was announced as aye.

I ask unanimous consent that the permanent RECORD be corrected to reflect how I would have voted, if I had been present.

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

Ms. MIKULSKI. Thank you, Mr. President.

MESSAGE FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 9:44 a.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 457. An act to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

At 1:52 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 658. An act to establish the Thomas Cole National Historic Site in the State of New York as an affiliated area of the National Park System.

H.R. 898. An act designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''.

H.R. 940. An act to establish the Lackawanna Heritage Valley American Heritage Area.

H.R. 1619. An act to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to expand the boundaries of the Corridor.

H.R. 1651. An act to amend the Fisherman's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country.

H.R. 2112. An act to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions.

H.R. 2368. An act to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States administration of the Trust Territory of the Pacific Islands.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 184. Concurrent resolution expressing the sense of Congress regarding the importance of ''family friendly'' programming on television.

The message further announced that the House has passed the following Senate bill, without amendment:

S. 380. An act to reauthorize the Congressional Award Act.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 1906) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses, thereon; and appoints Mr. SKEEN, Mr. WALSH, Mr. DICKEY, Mr. KINGSTON, Mr. NETHERCUTT, Mr. BONILLA, Mr. LATHAM, Mrs. EMERSON, Mr. YOUNG of Florida, Ms. KAPTUR, Ms. DELAURO, Mr. HINCHEY, Mr. FARR of California, Mr. BOYD, and Mr. OBEY, as the managers of the conference on the part of the House.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2561) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conferences asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. LEWIS of California, Mr. YOUNG of Forida, Mr. SKEEN, Mr. HOBSON, Mr. BONILLA, Mr. NETHERCUTT, Mr. ISTOOK, Mr. CUNNINGHAM, Mr. DICKEY, Mr. FRELINGHUYSEN, Mr. MURTHA, Mr. DICKS, Mr. SABO, Mr. DIXON, Mr. VISCLOSKY, Mr. MORAN of Virginia, and Mr. OBEY, as the managers of the conference on the part of the House.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2605) making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. PACKARD, Mr. ROGERS, Mr. KNOLLENBERG, Mr. FRELINGHUYSEN, Mr. CALLAHAN, Mr. LATHAM, Mr. BLUNT, Mr. YOUNG of Florida, Mr. VISCLOSKY, Mr. EDWARDS, Mr. PASTOR, Mr. FORBES, and Mr. OBEY, as the managers of the conference on the part of the House.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2670) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. ROGERS, Mr. KOLBE, Mr. TAYLOR of North Carolina, Mr. REGULA, Mr. LATHAM, Mr. MILLER of Florida, Mr. WAMP, Mr. YOUNG of Florida, Mr. SERRANO, Mr. DIXON, Mr. MOLLOHAN, Ms. ROYBAL-ALLARD, and Mr. OBEY, as the managers of the conference on the part of the House.

At 2:41 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2606) making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. CALLAHAN, Mr. PORTER, Mr. WOLF, Mr. PACKARD, Mr. KNOLLENBERG, Mr. KINGSTON, Mr. LEWIS of California, Mr. BLUNT, Mr. YOUNG of Florida, Ms. PELOSI, Mrs. LOWEY, Mr. JACKSON of Illinois, Ms. KILPATRICK, Mr. SABO, and Mr. OBEY, as managers of the conference on the part of the House.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 898. An act designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness''; to the Committee on Energy and Natural Resources.

H.R. 940. An act to establish the Lackawanna Heritage Valley American Heritage Area; to the Committee on Energy and Natural Resources.

H.R. 1619. An act to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to expand the boundaries of the Corridor; to the Committee on Energy and Natural Resources.

H.R. 1651. An act to amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country; to the Committee on Commerce, Science and Transportation.

H.R. 2112. An act to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions; to the Committee on the Judiciary.

H.R. 2368. An act to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States administration of the Trust Territory of the Pacific Islands; to the Committee on Energy and Natural Resources.

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 184. Concurrent resolution expressing the sense of Congress regarding the importance of ''family friendly'' programming on television; to the Committee on Commerce, Science and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second time and placed on the calendar:

H.R. 658. An act to establish the Thomas Cole National Historic Site in the State of New York as an affiliated area of the National Park System.

REPORT OF COMMITTEE

The following report of committee was submitted:

By Mr. STEVENS, from the Committee on Appropriations:

Special report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2000'' (Rept. No. 106–158).

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–5132. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Policy on Refuge Lands and Compensatory Mitigation under section 10/404 Permits'' (RIN1018–AF64), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5133. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Electronic Availability of NRC Public Records and Ending of NRC Local Public Document Room Program'' (RIN3150–AG07), received September 8, 1999; to the Committee on Environment and Public Works.

EC–5134. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Nuclear Regulatory Commission Acquisition Regulation (NRCAR)'' (RIN3150–AF52), received September 8, 1999; to the Committee on Environment and Public Works.

EC–5135. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''HI-STAR 100; List of Approved Spent Fuel Storage Casks: Addition)'' (RIN3150–AF17), received September 9, 1999; to the Committee on Environment and Public Works.

EC–5136. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Disaster Assistance; Factors Considered When Evaluating a Governor's Request for a Major Disaster Declaration; 64 FR 47697; 09/01/99'' (RIN3067–AC94), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5137. 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 ''Regulation of Fuel and Fuel Additives; Extension of California Enforcement Exemptions for Reformulated Gasoline Beyond December 31, 1999'' (FRL #6432–1), received September 8, 1999; to the Committee on Environment and Public Works.

EC–5138. 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; Delaware; Approval of Miscellaneous Revisions'' (FRL #6434–6), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5139. 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 Plans Kentucky: Approval of Revisions to the Louisville State Implementation Plan'' (FRL #6435–4), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5140. 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 Plans; California State Implementation Plan Revision, Mojave Desert Air Quality Management District and Tehama County Air Pollution Control District'' (FRL #6434–2), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5141. 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 Rule Making a Finding of Failure to Submit a Required State Implementation Plan for Carbon Monoxide; Nevada-Las Vegas Valley'' (FRL #6434–4), received September 7, 1999; to the Committee on Environment and Public Works.

EC–5142. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting a report entitled ''Customer Service in Permitting, A Toolkit for Regions, States, Tribes and Local Permitting Authorities''; to the Committee on Environment and Public Works.

EC–5143. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Parsons, KS; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–CE–36 {9–1/9–9}'' (RIN2120–AA66) (1999–0292), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5144. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Grain Valley, MO; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ACE–28 {9–/9–9}'' (RIN2120–AA66) (1999–0291), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5145. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; York, NE; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ACE–25 {9–1/9–2}'' (RIN2120–AA66) (1999–0287), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5146. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Emmetsburg, IA; Direct Final Rule; Request for Comments; Docket No. 99–ACE–39 {9–2/9–9}'' (RIN2120–AA66) (1999–0302), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5147. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Herrington, KS; Direct Final Rule; Request for Comments; Docket No. 99–ACE–41 {9–2/9–9}'' (RIN2120–AA66) (1999–0299), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5148. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Nevada, MO; Direct Final Rule; Request for Comments; Docket No. 99–ACE–40 {8–31/9–2}'' (RIN2120–AA66) (1999–0284), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5149. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Mojave, CA; Docket No. 99–AWP–2 {9–2/9–9}'' (RIN2120–AA66) (1999–0295), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5150. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled

''Establishment of Class E Airspace; Tupelo, MS; Docket No. 99–ASO–10 {9–1/9–2}'' (RIN2120–AA66) (1999–0286), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5151. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class D and Class E Airspace; Lake Hood, Elmendorf AFB, and Merrill Field, AK; Correction: Docket No. 99–AAL–16 {9–2/9–9}'' (RIN2120–AA66) (1999–0301), received September 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5152. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747 Series Airplanes; Request for Comments; Docket No. 99–NM–77 {8–31/9–2}'' (RIN2120–AA64) (1999–0325), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5153. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–400 Series Airplanes; Docket No. 99–NM–222 {8–31/–2}'' (RIN2120–AA64) (1999–0326), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5154. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 727 Series Airplanes; Docket No. 97–NM–03 {8–31/–2}'' (RIN2120–AA64) (1999–0327), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5155. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–400, 757–200, 767–300 Series Airplanes; Docket No. 997–NM–111 {9–1/9–2}'' (RIN2120–AA64) (1999–0334), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5156. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–100, –200, –300, –400, –500 Series Airplanes; Request for Comments {9–1/9–2}'' (RIN2120–AA64) (1999–0335), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

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. BENNETT:

S. 1581. A bill to amend the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 to provide for the retention and administration of Oil Shale Reserve Numbered 2 by the Secretary of Energy; to the Committee on Armed Services.

By Mr. DURBIN:

S. 1582. A bill to modify the provisions of the Balanced Budget Act of 1997 relating to the medicare program under title XVIII of the Social Security Act; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ASHCROFT (for himself, Mr. COVERDELL, Mr. DEWINE, Mr. HAGEL, Mr. HELMS, Mr. INHOFE, Mr. GREGG, and Mr. SMITH of Oregon):

S. Res. 183. A resolution designating the week beginning on September 19, 1999, and ending on September 25, 1999, as National Home Education Week; to the Committee on the Judiciary.

By Mr. REID:

S. Res. 184. A resolution congratulating the Nevada Hispanic leaders in celebrating Hispanic Heritage Month in Washington, D.C; to the Committee on the Judiciary.

By Mr. VOINOVICH (for himself, Mr. LIEBERMAN, Mr. BUNNING, Mr. DEWINE, Mrs. LINCOLN, and Mr. GORTON):

S. Con. Res. 56. A concurrent resolution expressing the sense of Congress regarding the importance of ''family friendly'' programming on television; to the Committee on Commerce, Science, and Transportation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENNETT:

S. 1581. A bill to amend the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 to provide for the retention and administration of Oil Shale Reserve Numbered 2 by the Secretary of Energy; to the Committee on Armed Services.

UTE ECONOMIC OPPORTUNITY ACT OF 1999

Mr. BENNETT. Mr. President, I rise today to introduce the ''Ute Economic Opportunity Act of 1999.'' This bill was introduced in the House of Representatives on September 9, 1999 by Representative CANNON. Currently, the Department of Energy administers the Naval Oil Shale Reserve Numbered 2, which is located in northeastern Utah. A portion of the Oil Shale Reserve exists on the Uintah and Ouray Reservation, which belongs to the Ute Indian Tribe. There have been several discussions that contemplate the transfer of the lands of the Oil Shale Reserve to the Bureau of Land Management. Due to the religious and historical significance of certain lands and the presence of wild horses and burros, the Ute Tribe is concerned that any transfer may infringe on their tribal rights and deviate from the current management direction.

This bill would continue the Department of Energy's administration of the Oil Shale Reserve, and also provide a significant opportunity for economic development to the Ute Tribe. The bill requires the Department of Energy to enter into a cooperative agreement with the Ute Tribe to develop a long-term plan to manage, develop, and administer the Oil Shale Reserve. Further, 180 days after enactment of this bill, the Ute Tribe will enter into an oil and gas lease with the Department of Energy to develop the hydrocarbon resources present in the Oil Shale Reserve. It should be noted that the Ute Tribe has a history of responsible stewardship over the development of one of the largest oil and gas fields in Utah. I fully anticipate that the leasing process will go forward in an environmentally responsible manner. I expect nothing less from the Department and the Tribe.

Through the management and utilization of these resources, the Ute Tribe will have an opportunity to develop high quality, high paying jobs that are sorely needed on the Uintah and Ouray Reservation while sustainably managing the land.

The Ute Economic Opportunity Act of 1999 is an important piece of legislation that will allow the Ute Tribe to pursue economic independence.

ADDITIONAL COSPONSORS

S. 341

At the request of Mr. CRAIG, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 341, a bill to amend the Internal Revenue Code of 1986 to increase the amount allowable for qualified adoption expenses, to permanently extend the credit for adoption expenses, and to adjust the limitations on such credit for inflation, and for other purposes.

S. 424

At the request of Mr. COVERDELL, the name of the Senator from Texas (Mr. GRAMM) 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. 510

At the request of Mr. CAMPBELL, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 510, a bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

S. 511

At the request of Mr. MCCAIN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 511, a bill to amend the Voting Accessibility for the Elderly and Handicapped Act to ensure the equal right of individuals with disabilities to vote, and for other purposes.

S. 514

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

S. 656

At the request of Mr. REED, the name of the Senator from Minnesota (Mr.

WELLSTONE) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 693

At the request of Mr. HELMS, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 693, a bill to assist in the enhancement of the security of Taiwan, and for other purposes.

S. 712

At the request of Mr. LOTT, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 712, a bill to amend title 39, United States Code, to allow postal patrons to contribute to funding for highway-rail grade crossing safety through the voluntary purchase of certain specially issued United States postage stamps.

S. 909

At the request of Mr. CONRAD, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 909, a bill to provide for the review and classification of physician assistant positions in the Federal Government, and for other purposes.

S. 914

At the request of Mr. SMITH, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors 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. 1004

At the request of Mr. BURNS, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 1004, a bill to amend the Communications Act of 1934 to reduce telephone rates, provide advanced telecommunications services to schools, libraries, and certain health care facilities, and for other purposes.

S. 1010

At the request of Mr. JEFFORDS, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1010, a bill to amend the Internal Revenue Code of 1986 to provide for a medical innovation tax credit for clinical testing research expenses attributable to academic medical centers and other qualified hospital research organizations.

S. 1020

At the request of Mr. GRASSLEY, the names of the Senator from Utah (Mr. HATCH) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1115

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. 1115, a bill to require the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Pittsburgh, Pennsylvania, area.

S. 1133

At the request of Mr. GRAMS, the names of the Senator from Georgia (Mr. CLELAND) and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 1133, a bill to amend the Poultry Products Inspection Act to cover birds of the order Ratitae that are raised for use as human food.

S. 1144

At the request of Mr. VOINOVICH, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1144, a bill to provide increased flexibility in use of highway funding, and for other purposes.

S. 1196

At the request of Mr. COVERDELL, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1196, a bill to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.

S. 1225

At the request of Ms. COLLINS, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1225, a bill to provide for a rural education initiative, and for other purposes.

S. 1263

At the request of Mr. JEFFORDS, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1263, a bill to amend the Balanced Budget Act of 1997 to limit the reductions in medicare payments under the prospective payment system for hospital outpatient department services.

S. 1319

At the request of Mr. ALLARD, his name was added as a cosponsor of S. 1319, a bill to authorize the Secretary of Housing and Urban Development to renew project-based contracts for assistance under secion 8 of the United States Housing Act of 1937 at up to market rent levels, in order to preserve these projects as affordable low-income housing, and for other purposes.

S. 1369

At the request of Mr. JEFFORDS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1369, a bill to enhance the benefits of the national electric system by encouraging and supporting State programs for renewable energy sources, universal electric service, affordable electric service, and energy conservation and efficiency, and for other purposes.

S. 1547

At the request of Mr. BURNS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1547, a bill to amend the Communications Act of 1934 to require the Federal Communications Commission to preserve low-power television stations that provide community broadcasting, and for other purposes.

S. 1564

At the request of Mr. COCHRAN, the names of the Senator from Utah (Mr. HATCH) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1564, a bill to protect the budget of the Federal courts.

S. 1568

At the request of Mr. FEINGOLD, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 1568, a bill imposing an immediate suspension of assistance to the Government of Indonesia until the results of the August 30, 1999, vote in East Timor have implemented, and for other purposes.

SENATE RESOLUTION 158

At the request of Mrs. MURRAY, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Illinois (Mr. FITZGERALD) were added as cosponsors of Senate Resolution 158, a resolution designating October 21, 1999, as ''Day of National Concern About Young People and Gun Violence.''

SENATE RESOLUTION 178

At the request of Mr. THURMOND, the names of the Senator from Colorado (Mr. ALLARD), the Senator from Louisiana (Mr. BREAUX), the Senator from Kentucky (Mr. BUNNING), the Senator from Montana (Mr. BURNS), the Senator from Colorado (Mr. CAMPBELL), the Senator from North Dakota (Mr. CONRAD), the Senator from Idaho (Mr. CRAPO), the Senator from Ohio (Mr. DEWINE), the Senator from Illinois (Mr. FITZGERALD), the Senator from Texas (Mr. GRAMM), the Senator from North Carolina (Mr. HELMS), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Texas (Mrs. HUTCHISON), the Senator from Hawaii (Mr. INOUYE), the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KERRY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Kansas (Mr. ROBERTS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New Hampshire (Mr. SMITH), the Senator from Oregon (Mr. SMITH), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of Senate Resolution 178, a resolution designating the week beginning September 19, 1999, as ''National Historically Black Colleges and Universities Week.''

SENATE RESOLUTION 179

At the request of Mr. BIDEN, the names of the Senator from Alaska (Mr. MURKOWSKI), the Senator from Nevada (Mr. BRYAN), the Senator from Illinois (Mr. DURBIN), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of Senate Resolution 179, a resolution designating October 15, 1999, as ''National Mammography Day.''

SENATE RESOLUTION 181

At the request of Mr. HARKIN, the name of the Senator from New Jersey

(Mr. LAUTENBERG) was added as a cosponsor of Senate Resolution 181, a resolution expressing the sense of the Senate regarding the situation in East Timor.

AMENDMENT NO. 1595

At the request of Mr. BENNETT the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of Amendment No. 1595 proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

AMENDMENT NO. 1598

At the request of Mr. MURKOWSKI the names of the Senator from New York (Mr. SCHUMER), the Senator from Rhode Island (Mr. REED), and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of amendment No. 1598 intended to be proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

AMENDMENT NO. 1613

At the request of Ms. SNOWE her name was added as a cosponsor of amendment No. 1613 proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

SENATE CONCURENT RESOLUTION 56—EXPRESSING THE SENSE OF CONGRESS REGARDING THE IMPORTANCE OF ''FAMILY FRIENDLY''; PROGRAMMING ON TELEVISION

Mr. VOINOVICH (for himself Mr. LIEBERMAN, Mr. BUNNING, Mr. DEWINE, Mrs. LINCOLN, and Mr. GORTON) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 56

Expressing the sense of Congress regarding the importance of ''family friendly'' programming on television.

Whereas American children and adolescents spend between 22 and 28 hours each week viewing television;

Whereas American homes have an average of 2.75 television sets, and 87 percent of homes with children have more than 1 television set;

Whereas there is a need to increase the availability of programs suitable for the entire family during prime time viewing hours;

Whereas surveys of television content demonstrate that many programs contain substantial sexual or violent content;

Whereas although parents are ultimately responsible for appropriately supervising their children's television viewing, it is also important to provide positive, ''family friendly'' programming that is suitable for parents and children to watch together;

Whereas efforts should be made by television networks, studios, and the production community to produce more quality family friendly programs and to air those programs during times when parents and children are likely to be viewing together;

Whereas members of the Family Friendly Programming Forum are concerned about the availability of family friendly television programs during prime time viewing hours; and

Whereas Congress encourages activities by the Forum and other entities designed to promote family friendly programming, including—

(1) participating in meetings with leadership of major television networks, studios, and production companies to express concerns;

(2) expressing the importance of family friendly programming at industry conferences, meetings, and forums;

(3) honoring outstanding family friendly television programs with a new tribute, the Family Program Awards, to be held annually in Los Angeles, California;

(4) establishing a development fund to finance family friendly scripts; and

(5) underwriting scholarships at television studies departments at institutions of higher education to encourage student interest in family friendly programming: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes and honors the efforts of the Family Friendly Programming Forum and other entities supporting family friendly programming;

(2) supports efforts to encourage television networks, studios, and the production community to produce more quality family friendly programs;

(3) supports the proposed Family Friendly Programming Awards, development fund, and scholarships, all of which are designed to encourage, recognize, and celebrate creative excellence in, and commitment to, family friendly programming; and

(4) encourages the media and American advertisers to further a family friendly television environment within which appropriate advertisements can accompany the programming.

● Mr. VOINOVICH. Mr. President, I rise today along with my friend and colleague from Connecticut, Senator LIEBERMAN, to submit a resolution recognizing the importance of expanding the amount of family friendly television programming, and to saluting the contributions that the Family Friendly Programming Forum is undertaking to make this goal a reality.

As nearly any parent will attest, it can be a very difficult task to keep track of what their children watch after school. It is particularly hard for working parents. Each week the average child watches 22 to 28 hours of television, which is more time than is spent on nearly any other activity, except sleeping. The trick for parents is to establish good family viewing habits that emphasize quality programming and which are suited to the age of these young viewers. Many parents have indicated their desire to have more program choices for family friendly viewing during the evening hours when everyone is home together.

To help in this endeavor, a number of our nation's leading companies have joined forces to establish the Family Friendly Programming Forum. The Forum's members, which includes some of the nation's largest television advertisers, are encouraging the production of more television programs geared toward the entire family. As sponsors of a wide range of programs, the Forum's members believe that there is a definite call for more family friendly movies, documentaries, series and other programs that are relevant and interesting to a broad family audience.

The members of the Forum are working on a variety of initiatives in an effort to promote more family friendly programs. They are: engaging in constructive dialogue with industry leaders, presenting awards to family friendly television programs, establishing a development fund for family friendly scripts, awarding university scholarships in television studies that highlight family television themes, as well as embarking on a public awareness campaign.

Mr. President, as a father and a grandfather, I am deeply concerned about the healthy development of all our nation's children. The future of our nation depends to a great degree on the safe and nurturing environment that will give children a positive outlook on life. Therefore, I encourage efforts that will increase the number and quality of family TV programs. I congratulate the Family Friendly Programming Forum on their leadership toward that goal.

I believe that the passage of the resolution that Senator LIEBERMAN and I are introducing honors the Forum's commitment and helps raise the awareness of others in the business community to align themselves with the goal of bringing quality television to our nation's families for the benefit of our children. I encourage my colleagues to join us in cosponsoring this resolution and I urge the Senate to provide it's quick approval.●

SENATE RESOLUTION 183—DESIGNATING THE WEEK BEGINNING ON SEPTEMBER 19, 1999, AND ENDING ON SEPTEMBER 25, 1999, AS NATIONAL HOME EDUCATION WEEK

Mr. ASHCROFT (for himself, Mr. COVERDELL, Mr. DEWINE, Mr. HAGEL, Mr. HELMS, Mr. INHOFE, Mr. GREGG, and Mr. SMITH of Oregon) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 183

Whereas the United States is committed to excellence in education;

Whereas the United States recognizes the importance of family participation and parental choices in pursuit of that excellence;

Whereas the United States recognizes the fundamental right of parents to direct the education and upbringing of their children;

Whereas parents want their children to receive a first-class education;

Whereas training in the home strengthens the family and guides children in setting the highest standards for their lives which are essential elements to the continuity of morality in our culture;

Whereas home schooling families contribute significantly to the cultural diversity important to a healthy society;

Whereas the United States has a significant number of parents who teach their own children at home;

Whereas home education was proven successful in the lives of George Washington, Patrick Henry, John Quincy Adams, John Marshall, Robert E. Lee, Booker T. Washington, Thomas Edison, Abraham Lincoln, Franklin Roosevelt, Woodrow Wilson, Mark Twain, John Singleton Copley, William Carey, Phyllis Wheatley, and Andrew Carnegie;

Whereas home school students exhibit self-confidence and good citizenship and are fully prepared academically to meet the challenges of today's society;

Whereas dozens of contemporary studies continue to confirm that children who are educated at home score exceptionally well on nationally normed achievement tests;

Whereas a March 1999 study by the Educational Resources Information Center Clearinghouse on Assessment and Evaluation at the University of Maryland found that home school students taking the Iowa Test of Basic Skills or the Tests of Achievement and Proficiency scored in the 70th to 80th percentiles among all the students nationwide who took those exams, and 25 percent of home schooled students were studying at a level one or more grades above normal for their age;

Whereas studies demonstrate that home schoolers excel in college with the average grade point average of home schoolers exceeding the college average; and

Whereas United States home educators and home instructed students should be recognized and celebrated for their efforts to improve the quality of education: Now, therefore, be it

Resolved, That the week beginning on September 19, 1999, and ending on September 25, 1999, is designated as National Home Education Week. The President is authorized and requested to issue a proclamation recognizing the contributions that home schooling families have made to the Nation.

SENATE RESOLUTION 184—CONGRATULATING THE NEVADA HISPANIC LEADERS IN CELEBRATING HISPANIC HERITAGE MONTH IN WASHINGTON, D.C.

Mr. REID submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 184

Whereas September 15th begins the celebration of Hispanic Heritage Month;

Whereas in 1999, the Hispanic population in Nevada exceeds 253,000, and is expected to exceed 31,000,000 nationwide by the end of the millennium;

Whereas Hispanic schoolchildren represent 25 percent of the Clark County School District in Nevada;

Whereas it is important to highlight the contributions Hispanics have made to American society, culture, academics, business, and education;

Whereas Nevada Hispanic leaders have gathered in Washington, D.C., to attend Senator Harry Reid's National Conference for Hispanic Leadership Summit;

Whereas Nevada Hispanic leaders will have an opportunity to meet with Senator Reid's senatorial colleagues and members of the Congressional Hispanic Caucus;

Whereas Nevada Hispanic leaders will meet with the highest ranking Hispanic in President Clinton's Administration, Secretary of Energy, Bill Richardson, as well as other high level Hispanics in the Executive Branch;

Whereas Nevada Hispanic leaders will be briefed by the White House Initiative on Educational Excellence for Hispanic Americans, and will meet with White House Deputy Chief of Staff, Maria Echaveste, and the Director of Inter-Governmental Affairs, Mickey Ibarra;

Whereas Nevada Hispanic leaders will be briefed by Federal agencies critical to the Hispanic community's advancement, such as the Departments of Agriculture, Commerce, Education, Energy, Health and Human Services, Housing and Urban Development, Justice, and Labor, as well as the Small Business Administration and the Immigration and Naturalization Service;

Whereas Nevada Hispanic leaders will be briefed by the Nation's pre-eminent Hispanic organizations, such as the National Council of La Raza, the Hispanic Association of Colleges and Universities, the National Association of Latino Elected Officials, the League of United Latin American Cities, the Mexican American Legal Defense and Educational Fund, the National Latino Children's Institute, the Aspira Association, and the MANA (a national Latina organization);

Whereas Senator Reid's conference will be an opportunity for Nevada Hispanic leaders to unite in Washington, D.C., so that the leaders can experience the legislative and regulatory process and interact with individuals and organizations who shape the Nation's policy; and

Whereas strong partnerships will be forged with the attendees of Senator Reid's conference who have travelled from Nevada to Washington, D.C., to influence policy and advance the needs and goals of Hispanics in Nevada and the Nation: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Nevada Hispanic leaders who have made a special trip to the Nation's Capital for this historic summit;

(2) commemorates the following names of the Nevada Hispanic leaders: Bob Agonia, Elvira J. Alvarez, Luisa Balza, Kelly Benavidez, Carina Black, Greg J. Black, Carlos Blumberg, Don Brown, Andrea Brown, Malena Burnett, Deanna Cambeiro-Remark, Liz Carrasco, Maria Champlin, Lyciane Corona, Laura Cortez, Cheryl Davis, Nico De La Puente, Johny Diaz, Dr. Mark Dominguez, Rose Dominguez, Lopez Edwardo, Elva Esparza, Edith Fernandez, Jacqueline Ferreiro, Judith Fleishman, Frank Canales, Charvez Foger, Sermerno Francisco, Zullie Franco, Hector Galvez-Lopez, Edward M. Garcia, Helena Garcia, Laura Garcia, Arriola Gilbert, Almalinda Guerrero, Jesse Gutierrez, Elaine Hernandez, Cinthya Hernandez, Cecilia Khan, Estela LaVario, Eduardo Lopez, Scott Antonio Lopez, Rene Mantecon, Diego Martin, Raul Martinez, Magda Martinez, Larry Mason, Griselda Maya, Rita Mc Gary, John Medina, Eva Melendrez, Jose Melendrez, Laura Mijanovich, Clara Miranda, Ramon Miranda, Marlene Monteolivo, Jesse Montes, Fran Montes, Gabriela Mora, John Mulligan, Mercy Nagel, Alberto Ochoa, Arturo Ochoa, Alex Ortiz, Rosa Parodi, Ciria Perez, Jose Pineda, Craig Pittman, Andres Ramirez, Dr. Maria G. Ramirez, Margarita Rebollal, Mary Resendez, Linda Rivera, Mario Rocha, Carlos Rodriguez Jr., Michelle Rodriguez, Fernando Romero, Dr. Carlos Romo, Martha Salazar, Tony Sanchez, Raymond Sandoval, Emma Sepulveda, Carmen Suarez, Maria Carmen Thomas, Jose Troncoso, Candida Ann Ureno, and Rafael Villanueva; and

(3) requests the legislative clerk of the Senate to read the Resolution into the record upon its passage.

Mr. REID. Mr. President, September 15, 1999, marks the beginning of Hispanic Heritage Month. Today, I rise before my colleagues in the Senate to pay tribute to Nevada's dynamic Hispanic community, as well as the more than 30 million people in the United States who are of Hispanic heritage.

Mr. President, Nevada, which has consistently been the fastest growing state in the union, boasts a Hispanic population of more than two-hundred and fifty thousand. While the Hispanic community constitutes fifteen percent of the population of Las Vegas, more than one in four schoolchildren in the Las Vegas/Clark County School District are of Hispanic heritage. Our children are the future, and the inference is clear: the Hispanic community is the fastest growing minority group in Nevada and the entire country.

The many contributions of Hispanics in American society are demonstrated in the areas of culture, academics, business, education, the arts and entertainment. In Nevada, Hispanic leadership continues to advance as members of the community occupy more and more elected and appointed positions. I was especially honored to have my dear friend, Reynaldo Martinez, serve as my Chief of Staff in the United States Senate.

Mr. President, to celebrate these many contributions, but also, to address the path that lies ahead, Nevada Hispanic leaders from Nevada will gather in Washington, D.C. from September 15–17, 1999, for Unidos para el Futuro (United for the Future), my National Conference for Nevada Hispanic Leadership. Armed with the lessons of the past, and ready to confront the challenges of the future, these members of the Nevada Hispanic community will have the opportunity to meet with my colleagues in the Senate and the House of Representatives, including the Congressional Hispanic Caucus. I am honored that Energy Secretary Bill Richardson, the highest ranking Hispanic in President Clinton's administration, will also address the gathering. Furthermore, the group will meet with numerous national Hispanic organizations, as well as officials from the various federal agencies that interact with the Hispanic community. I am hopeful that the efforts we are undertaking will provide our friends and colleagues in the Hispanic community with essential information on a variety of issues, as well as the necessary interaction with those individuals and entities that shape policy. Such pro-action on our part is imperative in the Senate which, unfortunately, is without a Hispanic Member.

As elected officials, we must be constantly apprised of the issues that are important to our constituents. Simply put, the priorities of the Hispanic community must be our priorities as well.

Mr. President, I rise to recognize and honor the following members of Nevada's Hispanic community who have joined me in our nation's capital, united for the future:

Bob Agonia, Elmira J. Alvarez, Luisa Balsa, Kelly Benavidez, Carina Black,

Greg J. Black, Carlos Blumberg, Don Brown, Andrea Brown, Malena Burnett, Deanna Cambeiro-Remark, Liz Carrasco, Maria Champlin, Lyciane Corona, Laura Cortez, Cheryl Davis, Nico De La Puente, Johnny Diaz, Dr. Mark Dominguez, Rose Dominguez, Lopez Edwardo, Elva Esparza, Edith Fernandez, Jacqueline Ferreiro, Judith Fleishman, Frank Canales, Charvez Roger, Sermeño Francisco, Zullie Franco, Hector Galvez-Lopez, Edward M. Garcia, Helena Garcia, Laura Garcia, Arriola Gilbert, Almalinda Guerrero, Jesse Gutierrez, Elaine Hernandez, Cinthya Hernandez, Cecilia Khan, Estela LaVario, Eduardo Lopez, Scott Antono Lopez, Rene Mantecon, Diego Martin, Rual Martinez, Magda Martinez, Larry Mason, Griselda Mava, Rita Mac Gary, John Medina, Eva Melendrez, Jose Melendrez, Laura Mijanovich, Clara Miranda, Ramon Miranda, Marlene Monteolivo, Jesse Montes, Fran Montes, Gabriel Mora, John Mulligan, Mercy Mangel, Alberto Ochoa, Arturo Ochoa, Alex Ortiz, Rosa Parodi, Ciria Perez, Jose Pineda, Craig Pittman, Andres Ramirez, Dr. Maria G. Ramirez, Margarita Rebollal, Mary Resendez, Linda Rivera, Mario Rocha, Carlos Rodriguez, Jr., Michelle Rodriguez, Fernando Romeo, Dr. Carlos Romero, Martha Salazar, Tony Sanchez, Raymond Sandal, Emma Sepulveda, Carmen Suarez, Maria Carmen Thomas, Jose Troncoso, Candida Ann Ureno, Rafael Villanueva.

AMENDMENTS SUBMITTED

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

SHELBY AMENDMENT NO. 1624

Mr. SHELBY proposed an amendment to the bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

Strike all after the enacting clause and insert: That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

For necessary expenses of the Immediate Office of the Secretary, $1,900,000.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Immediate Office of the Deputy Secretary, $600,000.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $9,000,000.

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY

For necessary expenses of the Office of the Assistant Secretary for Policy, $2,900,000.

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Aviation and International Affairs, $7,700,000: *Provided*, That notwithstanding any other provision of law, there may be credited to this appropriation up to $1,250,000 in funds received in user fees.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

For necessary expenses of the Office of the Assistant Secretary for Budget and Programs, $6,870,000, including not to exceed $45,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental Affairs, $2,000,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, $18,600,000.

OFFICE OF PUBLIC AFFAIRS

For necessary expenses of the Office of Public Affairs, $1,800,000.

EXECUTIVE SECRETARIAT

For necessary expenses of the Executive Secretariat, $1,110,000.

BOARD OF CONTRACT APPEALS

For necessary expenses of the Board of Contract Appeals, $560,000.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

For necessary expenses of the Office of Small and Disadvantaged Business Utilization, $1,222,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $5,100,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $7,200,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $3,300,000.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed $169,953,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That the preceding limitation shall not apply to activities associated with departmental Year 2000 conversion activities: *Provided further*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Transportation Administrative Service Center without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER

For the cost of direct loans, $1,500,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $13,775,000. In addition, for administrative expenses to carry out the direct loan program, $400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $2,900,000, of which $2,635,000 shall remain available until September 30, 2001: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

COAST GUARD

OPERATING EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; $2,772,000,000, of which $534,000,000 shall be available for defense-related activities; and of which $25,000,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That none of the funds appropriated in this or any other Act shall be available for pay for administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further*, That the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839: *Provided further*, That up to $615,000 in user fees collected pursuant to section 1111 of Public Law 104–324 shall be credited to this appropriation as offsetting collections in fiscal year 2000: *Provided further*, That the Secretary may transfer funds to this account, from Federal Aviation Administration ''Operations'', not to exceed $60,000,000 in total for the fiscal year, fifteen days after written notification to the House and Senate Committees on Appropriations, for the purpose of providing additional funds for drug interdiction activities and/or the Office of Intelligence and Security activities: *Provided further*, That none of the funds in this Act shall be available for the Coast Guard to plan, finalize, or implement any regulation that would promulgate new maritime user fees not specifically authorized by law after the date of enactment of this Act: *Provided further*, That the United States Coast Guard will reimburse the Department of Transportation Inspector General $5,000,000 for costs associated with audits and investigations of all Coast Guard-related issues and systems.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $370,426,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $123,560,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2004; $33,210,000 shall be available to acquire new

aircraft and increase aviation capability, to remain available until September 30, 2002; $52,726,000 shall be available for other equipment, to remain available until September 30, 2002; $63,800,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 2002; $52,930,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 2001; and $44,200,000 shall be deposited in the Deepwater Replacement Project Revolving Fund to remain available until expended: *Provided,* That funds received from the sale of HU–25 aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity: *Provided further,* That the Commandant of the Coast Guard is authorized to and may dispose of by sale at fair market value all rights, title, and interests of any United States entity on behalf of the Coast Guard in and to the land of, and improvements to, South Haven, Michigan; ESMT Manasquan, New Jersey; Petaluma, California; ESMT Portsmouth, New Hampshire; Station Clair Flats, Michigan; and, Aids to navigation team Huron, Ohio: *Provided further,* That there is established in the Treasury of the United States a special account to be known as the Deepwater Replacement Project Revolving Fund and proceeds from the sale of said specified properties and improvements shall be deposited in that account, from which the proceeds shall be available until expended for the purposes of replacing or modernizing Coast Guard ships, aircraft, and other capital assets necessary to conduct its deepwater statutory responsibilities: *Provided further,* That, if balances in the Deepwater Replacement Project Revolving Fund permit, the Commandant of the Coast Guard is authorized to obligate up to $60,000,000.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $12,450,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, $14,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), $730,327,000.

RESERVE TRAINING

(INCLUDING TRANSFER OF FUNDS)

For all necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; $72,000,000: *Provided,* That no more than $20,000,000 of funds made available under this heading may be transferred to Coast Guard ''Operating expenses'' or otherwise made available to reimburse the Coast Guard for financial support of the Coast Guard Reserve: *Provided further,* That none of the funds in this Act may be used by the Coast Guard to assess direct charges on the Coast Guard Reserves for items or activities which were not so charged during fiscal year 1997.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, $17,000,000, to remain available until expended, of which $3,500,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided,* That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, and carrying out the provisions of subchapter I of chapter 471 of title 49, United States Code, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 104–264, $5,857,450,000 from the Airport and Airway Trust Fund: *Provided,* That none of the funds in this Act shall be available for the Federal Aviation Administration to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of enactment of this Act: *Provided further,* That the Secretary may transfer funds to this account, from Coast Guard ''Operating expenses'', not to exceed $60,000,000 in total for the fiscal year, fifteen days after written notification to the House and Senate Committees on Appropriations, solely for the purpose of providing additional funds for air traffic control operations and maintenance to enhance aviation safety and security, and/or the Office of Intelligence and Security activities: *Provided further,* That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further,* That of the funds appropriated under this heading, $5,000,000 shall be for the contract tower cost-sharing program: *Provided further,* That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further,* That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further,* That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further,* That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further,* That none of the funds in this Act may be used for the Federal Aviation Administration to enter into a multiyear lease greater than five years in length or greater than $100,000,000 in value unless such lease is specifically authorized by the Congress and appropriations have been provided to fully cover the Federal Government's contingent liabilities: *Provided further,* That the Federal Aviation Administration will reimburse the Department of Transportation Inspector General $19,000,000 for costs associated with audits and investigations of all aviation-related issues and systems: *Provided further,* That notwithstanding any other provision of law, the FAA Administrator may contract out the entire function of Oceanic flight services.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, $2,045,652,000, of which $1,721,086,000 shall remain available until September 30, 2002, and of which $274,566,000 shall remain available until September 30, 2000: *Provided,* That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSIONS)

Of the amounts provided under this heading in Public Law 104–205, $17,500,000 are rescinded: *Provided,* That of the amounts provided under this heading in Public Law 105–66, $282,000,000 are rescinded.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $150,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2002: *Provided,* That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations, and for administration of such programs, $1,750,000,000, to be derived from the

Airport and Airway Trust Fund and to remain available until expended: *Provided,* That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $2,000,000,000 in fiscal year 2000, notwithstanding section 47117(h) of title 49, United States Code: *Provided further,* That discretionary grant funds available for noise planning and mitigation shall not exceed $60,000,000: *Provided further,* That, notwithstanding any other provision of law, not more than $47,891,000 of the funds limited under this heading shall be obligated for administration.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

The obligation limitation under this heading in Public Law 105–277 is hereby reduced by $290,000,000.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under chapter 443 of title 49, United States Code.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

None of the funds in this Act shall be available for activities under this heading during fiscal year 2000.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration not to exceed $370,000,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided further,* That $55,418,000 shall be available to carry out the functions and operations of the office of motor carriers: *Provided further,* That, notwithstanding Public Law 105–178 or any other provision of law, $14,500,000 of the funds available under section 104(a) of title 23, United States Code, shall be made available and transferred to the National Highway Traffic Safety Administration operations and research to carry out the provisions of chapter 301 of title 49, United States Code, part C of subtitle VI of title 49, United States Code, and section 405(b) of title 23, United States Code: *Provided further,* That of the $14,500,000 made available for traffic and highway safety programs, $8,300,000 shall be made available to carry out the provisions of chapter 301 of title 49, United States Code and $6,200,000 shall be made available to carry out the provisions of part C of subtitle VI of title 49, United States Code: *Provided further,* That $7,500,000, of the funds available under section 104(a) of title 23, United States Code, shall be made available and transferred to the National Highway Traffic Safety Administration, Highway Traffic Safety Grants, for ''Child Passenger Protection Education Grants'' under section 405(b) of title 23, United States Code: *Provided further,* That, the Federal Highway Administration will reimburse the Department of Transportation Inspector General $9,000,000 from funds available within this limitation on obligations for costs associated with audits and investigations of all highway-related issues and systems.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $27,701,350,000 for Federal-aid highways and highway safety construction programs for fiscal year 2000: *Provided,* That, notwithstanding any other provision of law, within the $27,701,350,000 obligation limitation on Federal-aid highways and highway safety construction programs, not more than $391,450,000 shall be available for the implementation or execution of programs for transportation research (Sections 502, 503, 504, 506, 507, and 508 of title 23, United States Code, as amended; section 5505 of title 49, United States Code, as amended; and sections 5112 and 5204–5209 of Public Law 105–178) for fiscal year 2000; not more than $20,000,000 shall be available for the implementation or execution of programs for the Magnetic Levitation Transportation Technology Deployment Program (Section 1218 of Public Law 105–178) for fiscal year 2000, of which not to exceed $500,000 shall be available to the Federal Railroad Administration for administrative expenses and technical assistance in connection with such program; not more than $31,000,000 shall be available for the implementation or execution of programs for the Bureau of Transportation Statistics (Section 111 of title 49, United States Code) for fiscal year 2000: *Provided further,* That, notwithstanding any other provision of law, of the funds made available in fiscal year 2000 to carry out section 144(g)(1) of title 23, United States Code, $10,000,000 shall be made available to carry out section 1224 of Public Law 105–178: *Provided further,* That notwithstanding any other provision of law, within the $27,701,350,000 obligation limitation, of the amounts made available as contract authority under section 1221(e) of the Transportation Equity Act for the 21st Century (Public Law 105–178), $6,000,000 shall be made available to carry out section 5113 of that Act and $5,000,000 shall be made available to carry out the Nationwide Differential Global Positioning System program: *Provided further,* That, notwithstanding any other provision of law, within the $211,200,000 obligation limitation on Intelligent Transportation Systems, not less than the following sums shall be made available for Intelligent Transportation system projects in the following specified areas:

ITS deployment projects	*Committee recommendation*
Southeast Michigan	$4,000,000
Salt Lake City, UT	6,500,000
Branson, MO	1,500,000
St.Louis, MO	2,000,000
Shreveport, LA	2,000,000
State of Montana	3,500,000
State of Colorado	4,000,000
Arapahoe County, CO	2,000,000
Grand Forks, ND	500,000
State of Idaho	2,000,000
Columbus, OH	2,000,000
Inglewood, CA	2,000,000
Fargo, ND	2,000,000
Albuquerque/State of New Mexico interstate projects	2,000,000
Dothan/Port Saint Joe	2,000,000
Santa Teresa, NM	1,500,000
State of Illinois	4,800,000
Charlotte, NC	2,500,000
Nashville, TN	2,000,000
Tacoma Puyallup, WA	500,000
Spokane, WA	1,000,000
Puget Sound, WA	2,200,000
State of Washington	4,000,000
State of Texas	6,000,000
Corpus Christi, TX	2,000,000
State of Nebraska	1,500,000
State of Wisconsin rural systems	1,000,000
State of Wisconsin	2,400,000
State of Alaska	3,700,000
Cargo Mate, Northern NJ	2,000,000
Statewide Transcom/Transmit upgrades, NJ	6,000,000
State of Vermont rural systems	2,000,000
State of Maryland	4,500,000
Washoe County, NV	2,000,000
State of Delaware	2,000,000
Reno/Tahoe, CA/NV	1,000,000
Towamencin, PA	1,100,000
State of Alabama	1,300,000
Huntsville, AL	3,000,000
Silicon Valley, CA	2,000,000
Greater Yellowstone, MT	2,000,000
Pennslyvania Turnpike, PA	7,000,000
Portland, OR	1,500,000
Delaware River, PA	1,500,000
Kansas City, MO	1,000,000:

Provided further, That, notwithstanding Public Law 105–178 as amended, or any other provision of law, funds authorized under section 110 of title 23, United States Code, for fiscal year 2000 shall be apportioned based on each State's percentage share of funding provided for under section 105 of title 23, United States Code, for fiscal year 2000. Of these funds to be apportioned under section 110 for fiscal year 2000, the Secretary shall ensure that such funds are apportioned for the Interstate Maintenance program, the National Highway System program, the bridge program, the surface transportation program, and the congestion mitigation and air quality improvement program in the same ratio that each State is apportioned funds for such programs in fiscal year 2000 but for this section.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for carrying out the provisions of title 23, U.S.C., that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $26,300,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For necessary expenses to carry out 49 U.S.C. 31102, $50,000,000 to be derived from the Highway Trust Fund and to remain available until expended: *Provided,* That no more than $155,000,000 of budget authority shall be available for these purposes: *Provided further,* That notwithstanding any other provision of law, $105,000,000 is for payment of obligations incurred in carrying out 49 U.S.C. 31102 to be derived from the Highway Trust Fund and to remain available until expended.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary, to be derived from the Highway Trust Fund, $72,900,000 for traffic and highway safety under chapter 301 of title 49, United States Code, of which

$48,843,000 shall remain available until September 30, 2001: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect: *Provided further*, That none of the funds made available under this Act may be obligated or expended to implement section 656(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (42 U.S.C. 405 note).

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding Public Law 105–178 or any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, $72,000,000, to be derived from the Highway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2000, are in excess of $72,000,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to the National Driver Register under chapter 303 of title 49, United States Code, $2,000,000 to be derived from the Highway Trust Fund, and to remain available until expended.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 410, and 411 to remain available until expended, $206,800,000, to be derived from the Highway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2000, are in excess of $206,800,000 for programs authorized under 23 U.S.C. 402, 405, 410, and 411 of which $152,800,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402, $10,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405, $36,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Grants'' under 23 U.S.C. 410, $8,000,000 shall be for the ''State Highway Safety Data Grants'' under 23 U.S.C. 411: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That not to exceed $7,500,000 of the funds made available for section 402, not to exceed $500,000 of the funds made available for section 405, not to exceed $1,750,000 of the funds made available for section 410, and not to exceed $223,000 of the funds made available for section 411 shall be available to NHTSA for administering highway safety grants under Chapter 4 of title 23, U.S.C.: *Provided further*, That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $91,789,000, of which $6,700,000 shall remain available until expended: *Provided*, That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further*, That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation: *Provided further*, That the Federal Railroad Administration will reimburse the Department of Transportation Inspector General $1,000,000 for costs associated with audits and investigations of all rail-related issues and systems: *Provided further*, That the Administrator of the Federal Railroad Administration is authorized to transfer funds appropriated for any office under this heading to any other office funded under this heading: *Provided further*, That no appropriation shall be increased or decreased by more than 10 percent by such transfers unless it is approved by both the House and Senate Committees on Appropriations.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $22,364,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2000.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 United States Code sections 26101 and 26102, $20,500,000, to remain available until expended.

ALASKA RAILROAD REHABILITATION

To enable the Secretary of Transportation to make grants to the Alaska Railroad, $14,000,000 shall be for capital rehabilitation and improvements benefiting its passenger operations, to remain available until expended.

RHODE ISLAND RAIL DEVELOPMENT

For the costs associated with construction of a third track on the Northeast Corridor between Davisville and Central Falls, Rhode Island, with sufficient clearance to accommodate double stack freight cars, $10,000,000 to be matched by the State of Rhode Island or its designee on a dollar-for-dollar basis and to remain available until expended.

CAPITAL GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For necessary expenses of capital improvements of the National Railroad Passenger Corporation as authorized by U.S.C. 24104(a), $571,000,000, to remain available until expended.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $12,000,000, to remain available until expended: *Provided*, That no more than $60,000,000 of budget authority shall be available for these purposes: *Provided further*, That the Federal Transit Administration will reimburse the Department of Transportation Inspector General $9,000,000 for costs associated with audits and investigations of all transit-related issues and systems.

FORMULA GRANTS

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, and section 3038 of Public Law 105–178, $619,600,000, to remain available until expended: *Provided*, That no more than $3,098,000,000 of budget authority shall be available for these purposes.

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 U.S.C. 5505, $1,200,000, to remain available until expended: *Provided*, That no more than $6,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5303, 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322, $21,000,000, to remain available until expended: *Provided*, That no more than $107,000,000 of budget authority shall be available for these purposes: *Provided further*, That $5,250,000 is available to provide rural transportation assistance (49 U.S.C. 5311(b)(2)); $4,000,000 is available to carry out programs under the National Transit Institute (49 U.S.C. 5315); $8,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5313(a)); $49,632,000 is available for metropolitan planning (49 U.S.C. 5303, 5304, and 5305); $10,368,000 is available for state planning (49 U.S.C. 5313(b)); and $29,500,000 is available for the national planning and research program (49 U.S.C. 5314): *Provided further*, That of the total budget authority made available for the national planning and research program, the Federal Transit Administration shall provide the following amounts for the projects and activities listed below:

Zinc-air battery bus technology demonstration, $1,500,000;

Electric vehicle information sharing and technology transfer program, $1,000,000;

Portland, ME independent transportation network, $500,000;

Wheeling, WV mobility study, $250,000;

Utah advanced traffic management system, transit component, $3,000,000;

Project ACTION, $3,000,000;

Trans-Hudson tunnel feasibility study, $5,000,000;

Washoe County, NV transit technology, $1,250,000;

Massachusetts Bay Transit Authority advanced electric transit buses and related infrastructure, $1,500,000;

Palm Springs, CA fuel cell buses, $1,500,000;

Gloucester, MA intermodal technology center, $1,500,000;

Southeastern Pennsylvania Transit Authority advanced propulsion control system, $3,000,000; and

Advanced transit systems and electric vehicle program (CALSTART), $1,000,000.

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334, 5505, and sections 3037 and 3038 of Public Law 105–178, $4,638,000,000, to remain available until expended of which $4,638,000,000 shall be derived from the Mass Transit Account of the Highway Trust Fund: *Provided*, That $2,478,400,000 shall be paid to the Federal Transit Administration's formula grants account: *Provided further*, That $86,000,000 shall be paid to the Federal Transit Administration's transit planning and research account: *Provided further*, That $48,000,000 shall be paid to the Federal Transit Administration's administrative expenses account: *Provided further*, That $4,800,000 shall be paid to the Federal Transit Administration's university transportation research account: *Provided further*, That $60,000,000 shall be paid to the Federal Transit Administration's job access and reverse commute grants program: *Provided further*, That $1,960,800,000 shall be paid to the Federal Transit Administration's Capital Investment Grants account.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, $490,200,000, to remain available until expended: *Provided*, That no more than $2,451,000,000 of budget authority shall be available for these purposes: *Provided further*, That there shall be available for fixed guideway modernization, $980,400,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $490,200,000; and there shall be available for new fixed guideway systems $980,400,000: *Provided further*, That, within the total funds provided for buses and bus-related facilities to carry out 49 U.S.C. section 5309, the following projects shall be considered eligible for these funds: *Provided further*, That the Administrator of the Federal Transit Administration shall, not later than 60 days after the enactment of this Act, individually submit to the House and Senate Committees on Appropriations the recommended grant funding levels for the respective projects, from the following projects here listed:

2001 Special Olympics Winter Games buses and facilities, Anchorage, Alaska

Adrian buses and bus facilities, Michigan

Alabama statewide rural bus needs, Alabama

Alameda-Contra Costa Transit District Project, California

Albany train station/intermodal facility, New York

Albuquerque SOLAR computerized transit management system, New Mexico

Albuquerque Westside transit maintenance facility, New Mexico

Albuquerque, buses, paratransit vehicles, and bus facility, New Mexico

Alexandria Union Station transit center, Virginia

Alexandria, bus maintenance facility and Crystal City canopy project, Virginia

Allegheny County buses, Pennsylvania

Altoona bus testing facility, Pennsylvania

Altoona, Metro Transit Authority buses and transit system improvements, Pennsylvania

Ames transit facility expansion, Iowa

Anchorage Ship Creek intermodal facility, Alaska

Arkansas Highway and Transit Department buses, Arkansas

Arkansas state safety and preventative maintenace facility, Arkansas

Armstrong County-Mid-County, PA bus facilities and buses, Pennsylvania

Atlanta, MARTA buses, Georgia

Attleboro intermodal transit facility, Massachusetts

Austin buses, Texas

Babylon Intermodal Center, New York

Baldwin Rural Area Transportation System buses, Alabama

Ballston Metro access improvements, Virginia

Bay/Saginaw buses and bus facilities, Michigan

Beaumont Municipal Transit System buses and bus facilities, Texas

Beaver County bus facility, Pennsylvania

Ben Franklin transit buses and bus facilities, Richland, Washington

Billings buses and bus facilities, Montana

Birmingham intermodal facility, Alabama

Birmingham-Jefferson County buses, Alabama

Blue Water buses and bus facilities, Michigan

Boston Government Center transit center, Massachusetts

Boston Logan Airport intermodal transit connector, Massachusetts

Boulder/Denver, RTD buses, Colorado

Brazos Transit Authority buses and bus facilities, Texas

Brea shuttle buses, California

Bremerton multimodal center—Sinclair's Landing, Washington

Brigham City and Payson regional park and ride lots/transit centers, Utah

Brockton intermodal transportation center, Massachusetts

Buffalo, Auditorium Intermodal Center, New York

Burlington ferry terminal improvements, Vermont

Burlington multimodal center, Vermont

Cambria County, bus facilities and buses, Pennsylvania

Cedar Rapids intermodal facility, Iowa

Central Ohio Transit Authority vehicle locator system, Ohio

Centre Area Transportation Authority buses, Pennsylvania

Chattanooga Southern Regional Alternative fuel bus program, Georgia

Chester County, Paoli Transportation Center, Pennsylvania

Chittenden County Transportation Authority buses, Vermont

Clallam Transit multimodal center, Sequim, Washington

Clark County Regional Transportation Commission buses and bus facilities, Nevada

Cleveland, Triskett Garage bus maintenance facility, Ohio

Clinton transit facility expansion, Iowa

Colorado buses and bus facilities, Colorado

Columbia Bus replacement, South Carolina

Columbia buses and vans, Missouri

Compton Renaissance Transit System shelters and facilities, California

Corpus Christi Regional Transportation Authority buses and bus facilities, Texas

Corvallis buses and automated passenger information system, Oregon

Culver City, CityBus buses, California

Dallas Area Rapid Transit buses, Texas

Davis, Unitrans transit maintenance facility, California

Dayton, Multimodal Transportation Center, Ohio

Daytona Beach, Intermodal Center, Florida

Deerfield Valley Transit Authority buses, Vermont

Denver 16th Street Intermodal Center

Denver, Stapleton Intermodal Center, Colorado

Des Moines transit facilities, Iowa

Detroit buses and bus facilities, Michigan

Dothan Wiregrass Transit Authority vehicles and transit facility, Alabama

Dulles Corridor park and ride, Virginia

Duluth, Transit Authority community circulation vehicles, Minnesota

Duluth, Transit Authority intelligent transportation systems, Minnesota

Duluth, Transit Authority Transit Hub, Minnesota

Dutchess County, Loop System buses, New York

El Paso Sun Metro buses, Texas

Elliott Bay Water Taxi ferry purchase, Washington

Erie, Metropolitan Transit Authority buses, Pennsylvania

Escambia County buses and bus facility, Alabama

Essex Junction multimodal station rehabilitation, Vermont

Everett transit bus replacement, Washington

Everett, Multimodal Transportation Center, Washington

Fairbanks intermodal rail/bus transfer facility, Alaska

Fairfield Transit, Solano County buses, California

Fayette County, intermodal facilities and buses, Pennsylvania

Fayetteville, University of Arkansas Transit System buses, Arkansas

Flint buses and bus facilities, Michigan

Florence, University of North Alabama pedestrian walkways, Alabama

Folsom multimodal facility, California

Fort Dodge, Intermodal Facility (Phase II), Iowa

Fort Worth bus and paratransit vehicle project, Texas

Fort Worth Transit Authority Corridor Redevelopment Program, Texas

Franklin County buses and bus facilities, Missouri

Fuel cell bus and bus facilities program, Georgetown University, District/Columbia

Gainesville buses and equipment, Florida

Galveston buses and bus facilities, Texas

Gary, Transit Consortium buses, Indiana

Georgia Regional Transportation Authority buses, Georgia

Georgia statewide buses and bus-related facilities, Georgia

Gloucester intermodal transportation center, Massachusetts

Grand Rapids Area Transit Authority downtown transit transfer center, Michigan

Greensboro multimodal center, North Carolina

Greensboro, Transit Authority buses, North Carolina

Harrison County multimodal center, Mississippi

Hawaii buses and bus facilities

Healdsburg, intermodal facility, California

Hillsborough Area Regional Transity Authority, Ybor buses and bus facilities, Florida

Honolulu, bus facility and buses, Hawaii

Hot Springs, transportation depot and plaza, Arkansas

Houston buses and bus facilities, Texas

Huntington Beach buses and bus facilities, California

Huntington intermodal facility, West Virginia

Huntsville Airport international intermodal center, Alabama

Huntsville Space and Rocket Center intermodal center, Alabama

Huntsville, transit facility, Alabama

Hyannis intermodal transportation center, Massachusetts

I–5 Corridor intermodal transit centers, California

Illinois statewide buses and bus-related equipment, Illinois

Indianapolis buses, Indiana

Inglewood Market Street bus facility/LAX shuttle service, California
Iowa City multi-use parking facility and transit hub, Iowa
Iowa statewide buses and bus facilities, Iowa
Iowa/Illinois Transit Consortium bus safety and security, Iowa
Isabella buses and bus facilities, Michigan
Ithaca intermodal transportation center, New York
Ithaca, TCAT bus technology improvements, New York
Jackson County buses and bus facilities, Missouri
Jackson J-TRAN buses and facilities, Mississippi
Jacksonville buses and bus facilities, Florida
Juneau downtown mass transit facility, Alaska
Kalamazoo downtown bus transfer center, Michigan
Kansas City Area Transit Authority buses and Troost transit center, Missouri
Kansas Public Transit Association buses and bus facilities, Kansas
Killington-Sherburne satellite bus facility, Vermont
King Country Metro King Street Station, Washington
King County Metro Atlantic and Central buses, Washington
King County park and ride expansion, Washington
Lackawanna County Transit System buses, Pennsylvania
Lake Tahoe CNG buses, Nevada
Lake Tahoe/Tahoe Basin buses and bus facilities, California
Lakeland, Citrus Connection transit vehicles and related equipment, Florida
Lane County, Bus Rapid Transit, Oregon
Lansing, CATA buses, Michigan
Las Cruces buses and bus facilities, New Mexico
Las Cruces intermodal transportation plaza, New Mexico
Las Vegas intermodal transit transfer facility, Nevada
Las Vegas South Strip intermodal facility, Nevada
Lincoln County Transit District buses, Oregon
Lincoln Star Tran bus facility, Nebraska
Little Rock River Market and College Station transfer facility, Arkansas
Little Rock, Central Arkansas Transit buses, Arkansas
Livermore Amador Valley Transit Authority buses, California
Livermore automatic vehicle locator program, California
Long Island, CNG transit vehicles and facilities and bus replacement, New York
Los Angeles County Metropolitan transportation authority buses, California
Los Angeles Foothill Transit buses and bus facilities, California
Los Angeles Municipal Transit Operators Coalition, California
Los Angeles, Union Station Gateway Intermodal Transit Center, California
Louisiana statewide buses and bus-related facilities, Louisiana
Lowell performing arts center transit transfer facility, Massachusetts
Lufkin intermodal center, Texas
Maryland statewide alternative fuel buses, Maryland
Maryland statewide bus facilities and buses, Maryland
Mason City Region 2 office and maintenance transit facility, Iowa
Massachusetts Bay Transportation Authority buses, Massachusetts
Merrimack Valley Regional Transit Authority bus facilities, Massachusetts
Miami Beach multimodal transit center, Florida
Miami Beach, electric shuttle service, Florida
Miami-Dade Northeast transit center, Florida
Miami-Dade Transit buses, Florida
Michigan State University campus boarding centers, Michigan
Michigan statewide buses, Michigan
Mid-Columbia Council of Governments minivans, Oregon
Milwaukee County, buses, Wisconsin
Mineola/Hicksville, LIRR intermodal centers, New York
Missoula buses and bus facilities, Montana
Missouri statewide bus and bus facilities, Missouri
Mobile buses, Alabama
Mobile waterfront terminal complex, Alabama
Modesto, bus maintenance facility, California
Monterey, Monterey-Salinas buses, California
Monterey, Monterey-Salinas transit refueling facility, California
Montgomery Moulton Street intermodal center, Alabama
Montgomery Union Station intermodal center and buses, Alabama
Mount Vernon, buses and bus related facilities, Washington
Mukilteo multimodal terminal ferry and transit project, Washington
New Castle County buses and bus facilities, Delaware
New Hampshire statewide transit systems, New Hampshire
New Haven bus facility, Connecticut
New Jersey Transit alternative fuel buses, New Jersey
New Jersey Transit jitney shuttle buses, New Jersey
New Mexico State University park and ride facilities, New Mexico
New York City Midtown West 38th Street Ferry Terminal, New York
New York, West 72nd St. Intermodal Station, New York
Newark Passaic River bridge and arena pedestrian walkway, New Jersey
Newark, Morris & Essex Station access and buses, New Jersey
Niagara Frontier Transportation Authority buses, New York
North Carolina statewide buses and bus facilities, North Carolina
North Dakota statewide buses and bus-related facilities, North Dakota
North San Diego County transit district buses, California
North Star Borough intermodal facility, Alaska
Northern New Mexico Transit Express/Park and Ride buses, New Mexico
Northstar Corridor, Intermodal Facilities and buses, Minnesota
Norwich buses, Connecticut
OATS Transit, Missouri
Ogden Intermodal Center, Utah
Ohio Public Transit Association buses and bus facilities, Ohio
Oklahoma statewide bus facilities and buses, Oklahoma
Olympic Peninsula International Gateway Transportation Center, Washington
Omaha Missouri River transit pedestrian facility, Nebraska
Ontonagon buses and bus facilities, Michigan
Orlando Intermodal Facility, Florida
Orlando, Lynx buses and bus facilities, Florida
Palm Beach County Palmtran buses, Florida
Palmdale multimodal center, California
Park City Intermodal Center, Utah
Pee Dee buses and facilities, South Carolina
Penn's Landing ferry vehicles, Pennsylvania
Pennsylvania Commonwealth combined bus and facilities, Pennsylvania
Perris bus maintenance facility, California
Philadelphia, Frankford Transportation Center, Pennsylvania
Philadelphia, Intermodal 30th Street Station, Pennsylvania
Philadelphia, PHLASH shuttle buses, Pennsylvania
Philadelphia, SEPTA Center City improvements, Pennsylvania
Philadelphia, SEPTA Paoli transportation center, Pennsylvania
Philadelphia, SEPTA Girard Avenue intermodal transportation centers, Pennsylvania
Phoenix bus and bus facilities, Arizona
Pierce County Transit buses and bus facilities, Washington
Pittsfield intermodal center, Massachusetts
Port of Corpus Christi ferry infrastructure and ferry purchase, Texas
Port of St. Bernard intermodal facility, Louisiana
Portland, Tri-Met bus maintenance facility, Oregon
Portland, Tri-Met buses, Oregon
Prince William County bus replacement, Virginia
Providence, buses and bus maintenance facility, Rhode Island
Reading, BARTA Intermodal Transportation Facility, Pennsylvania
Rensselaer intermodal bus facility, New York
Rhode Island Public Transit Authority buses, Rhode Island
Richmond, GRTC bus maintenance facility, Virginia
Riverside Transit Agency buses and facilities, California
Robinson, Towne Center Intermodal Facility, Pennsylvania
Sacramento CNG buses, California
Salem Area Mass Ttransit System buses, Oregon
Salt Lake City hybrid electric vehicle bus purchase, Utah
Salt Lake City International Airport transit parking and transfer center, Utah
Salt Lake City Olympics bus facilities, Utah
Salt Lake City Olympics regional park and ride lots, Utah
Salt Lake City Olympics transit bus loan project, Utah
San Bernardino buses, California
San Bernardino County Mountain area Regional Transit Authority fueling stations, California
San Diego MTD buses and bus facilities, California
San Francisco, Islais Creek maintenance facility, California
San Joaquin buses and bus facilities, Stockton, California
San Juan Intermodal access, Puerto Rico
San Marcos Capital Area Rural Transportation System (CARTS) intermodal project, Texas
Sandy buses, Oregon
Santa Barbara Metropolitan Transit district bus facilities, California
Santa Clara Valley Transportation Authority buses and bus facilities, California
Santa Clarita buses, California
Santa Cruz metropolitan bus facilities, California
Santa Fe CNG buses, New Mexico
Santa Fe paratransit/computer systems, New Mexico
Santa Marie organization of transportation helpers minibuses, California

Savannah/Chatham Area transit bus transfer centers and buses, Georgia
Seattle Sound Transit buses and bus facilities, Washington
Seattle, intermodal transportation terminal, Washington
SMART buses and bus facilities, Michigan
Snohomish County, Community Transit buses, equipment and facilities, Washington
Solano Links intercity transit OTR bus purchase, California
Somerset County bus facilities and buses, Pennsylvania
South Amboy, Regional Intermodal Transportation Initiative, New Jersey
South Bend, Urban Intermodal Transportation Facility, Indiana
South Carolina statewide bus and bus facility.
South Carolina Virtual Transit Enterprise, South Carolina
South Dakota statewide bus facilities and buses, South Dakota
South Metro Area Rapid Transit (SMART) maintenance facility, Oregon
Southeast Missouri transportation service rural, elderly, disabled service, Missouri
Springfield Metro/VRE pedestrian link, Virginia
Springfield, Union Station, Massachusetts
St. Joseph buses and vans, Missouri
St. Louis, Bi-state Intermodal Center, Missouri
St. Louis Bi-state Metro Link buses
Sunset Empire Transit District intermodal transit facility, Oregon
Syracuse CNG buses and facilities, New York
Tacoma Dome, buses and bus facilities, Washington
Tennessee statewide buses and bus facilities, Tennessee
Texas statewide small urban and rural buses, Texas
Topeka Transit offstreet transit transfer center, Kansas
Towamencin Township, Intermodal Bus Transportation Center, Pennsylvania
Transit Authority of Northern Kentucky (TANK) buses, Kentucky
Tucson buses, Arizona
Twin Cities area metro transit buses and bus facilities, Minnesota
Utah Transit Authority buses, Utah
Utah Transit Authority, intermodal facilities, Utah
Utah Transit Authority/Park City Transit, buses, Utah
Utica Union Station, New York
Valley bus and bus facilities, Alabama
Vancouver Clark County (SEATRAN) bus facilities, Washington
Washington County intermodal facilities, Pennsylvania
Washington State DOT combined small transit system buses and bus facilities, Washington
Washington, D.C. Intermodal Transportation Center, District/Columbia
Washoe County transit improvements, Nevada
Waterbury, bus facility, Connecticut
West Falls Church Metro station improvements, Virginia
West Lafayette bus transfer station/terminal (Wabash Landing), Indiana
West Virginia Statewide Intermodal Facility and buses, West Virginia
Westchester County DOT, articulated buses, New York
Westchester County, Bee-Line transit system fareboxes, New York
Westchester County, Bee-Line transit system shuttle buses, New York
Westminster senior citizen vans, California
Westmoreland County, Intermodal Facility, Pennsylvania
Whittier intermodal facility and pedestrian overpass, Alaska
Wilkes-Barre, Intermodal Facility, Pennsylvania
Williamsport bus facility, Pennsylvania
Wisconsin statewide bus facilities and buses, Wisconsin
Worcester, Union Station Intermodal Transportation Center, Massachusetts
Yuma paratransit buses, Arizona:

Provided further, That within the total funds provided for new fixed guideway systems to carry out 49 U.S.C. section 5309, the following projects shall be considered eligible for these funds: *Provided further,* That the Administrator of the Federal Transit Administration shall, not later than 60 days after the enactment of this Act, individually submit to the House and Senate Committees on Appropriations the recommended grant funding levels for the respective projects.

The following new fixed guideway systems and extensions to existing systems are eligible to receive funding for final design and construction:
Alaska or Hawaii ferries;
Albuquerque/Greater Albuquerque mass transit project;
Atlanta North Line Extension;
Austin Capital Metro Northwest/North Central Corridor project;
Baltimore Central Light Rail double tracking project;
Boston North-South Rail Link;
Boston Piers Transitway phase 1;
Charlotte North-South corridor transitway project;
Chicago Metra commuter rail extensions;
Chicago Transit Authority Ravenswood and Douglas branch line projects;
Cleveland Euclid Corridor;
Dallas Area Rapid Transit North Central LRT extension;
Dane County, WI commuter rail project;
Denver Southeast Corridor project;
Denver Southwest LRT project;
Fort Lauderdale Tri-Rail commuter rail project;
Galveston rail trolley extension project;
Houston Regional Bus Plan;
Lahaina Harbor, Maui ferries;
Las Vegas Corridor/Clark County regional fixed guideway project;
Little Rock River Rail project;
Long Island Rail Road East Side Access project;
Los Angeles Metro Rail—MOS 3 and Eastside/Mid City corridors;
MARC expansion programs: Silver Spring intermodal center and Penn-Camden rail connection;
Memphis Area Transit Authority medical center extension;
Miami East-West Corridor project;
Miami North 27th Avenue corridor;
New Orleans Airport-CBD commuter rail project;
New Orleans Canal Streetcar Spine;
New Orleans Desire Streetcar;
Newark-Elizabeth rail link project;
Norfolk-Virginia Beach Corridor project;
Northern New Jersey—Hudson-Bergen LRT project;
Orange County Transitway project;
Orlando I–4 Central Florida LRT project;
Philadelphia Schuykill Valley Metro;
Phoenix—Central Phoenix/East Valley Corridor;
Pittsburgh Airborne Shuttle System;
Pittsburgh North Shore—Central Business District corridor;
Pittsburgh State II light rail project;
Port McKenzie-Ship Creek, AK ferry project;
Portland Westside-Hillsboro Corridor project;
Providence-Boston commuter rail;
Raleigh-Durham—Research Triangle regional rail;
Sacramento South Corridor LRT project;
Salt Lake City South LRT Olympics capacity improvements;
Salt Lake City South LRT project;
Salt Lake City/Airport to University (West-East) light rail project;
Salt Lake City-Ogden-Provo commuter rail project;
San Bernardino MetroLink extension project;
San Diego Mid Coast Corridor;
San Diego Mission Valley East LRT extension project;
San Diego Oceanside-Escondido passenger rail project;
San Francisco BART to Airport extension;
San Jose Tasman LRT project;
San Juan—Tren Urbano;
Seattle Sound Move Link LRT project;
Spokane South Valley Corridor light rail project;
St. Louis—St. Clair County, Illinois LRT project;
Tacoma-Seattle Sounder commuter rail project;
Tampa Bay regional rail system; and the
Twin Cities Transitways Corridors projects.

The following new fixed guideway systems and extensions to existing systems are eligible to receive funding for alternatives analysis and preliminary engineering:
Atlanta—Lindbergh Station to MARTA West Line feasibility study;
Atlanta MARTA South DeKalb comprehensive transit program;
Baltimore Central Downtown MIS;
Bergen County, NJ/Cross County light rail project;
Birmingham, Alabama transit corridor;
Boston North Shore Corridor and Blue Line extension to Beverly;
Boston Urban Ring project;
Bridgeport Intermodal Corridor project, Connecticut;
Calais, ME Branch Rail Line regional transit program;
Charleston, SC Monobeam corridor project;
Cincinnati Northeast/Northern Kentucky rail line project;
Colorado—Roaring Fork Valley Rail;
Detroit—commuter rail to Detroit metropolitan airport feasibility study;
El Paso—Juarez international fixed guideway;
Girdwood, Alaska commuter rail project;
Harrisburg-Lancaster Capitol Area Transit Corridor 1 commuter rail;
Houston Advanced Transit Program;
Indianapolis Northeast Downtown Corridor project;
Jacksonville fixed guideway corridor;
Johnson County, Kansas I–35 commuter rail project;
Kenosha-Racine-Milwaukee rail extension project;
Knoxville to Memphis commuter rail feasibility study;
Los Angeles/City of Sepulveda Douglas Street Green Line connection;
Miami Metrorail Palmetto extension;
Montpelier-St. Albans, VT commuter rail study;
Nashua, NY-Lowell, MA commuter rail project;
New Jersey Trans-Hudson midtown corridor study;
New London waterfront access project;
New York Second Avenue Subway feasibility study;
Northern Indiana South Shore commuter rail project;
Old Saybrook—Hartford Rail Extension;
Philadelphia SEPTA commuter rail, R–3 connection—Elwyn to Wawa;
Philadelphia SEPTA Cross County Metro;

Salt Lake City light rail extensions;

Santa Fe/El Dorado rail link;

Stamford fixed guideway connector;

Stockton Altamont Commuter Rail;

Virginia Railway Express Woodbridge transit access station improvements project;

Washington, D.C. Dulles Corridor extension project;

Washington Metro Blue Line extension—Addison Road;

Western Montana regional transportation/commuter rail study; and the

Wilsonville to Washington County, OR connection to Westside.

DISCRETIONARY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND, MASS TRANSIT ACCOUNT)

Notwithstanding any other provision of law, for payment of previous obligations incurred in carrying out 49 U.S.C. 5338(b), $1,500,000,000, to remain available until expended and to be derived from the Mass Transit Account of the Highway Trust Fund.

JOB ACCESS AND REVERSE COMMUTE GRANTS

For necessary expenses to carry out section 3037 of the Federal Transit Act of 1998, $15,000,000, to remain available until expended: *Provided*, That no more than $75,000,000 of budget authority shall be available for these purposes.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $11,496,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $30,752,000, of which $575,000 shall be derived from the Pipeline Safety Fund, and of which $3,500,000 shall remain available until September 30, 2002: *Provided*, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $36,104,000, of which $4,704,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2002; and of which $30,000,000 shall be derived from the Pipeline Safety Fund, of which $16,500,000 shall remain available until September 30, 2001: *Provided*, That in addition to amounts made available for the Pipeline Safety Fund, $1,400,000 shall be available for grants to States for the development and establishment of one-call notification systems and public education activities, and shall be derived from amounts previously collected under 49 U.S.C. 60301.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), $200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2002: *Provided*, That none of the funds made available by 49 U.S.C. 5116(i) and 5127(d) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $48,000,000, of which $43,000,000 shall be derived from transfers of funds from the United States Coast Guard, the Federal Aviation Administration, the Federal Highway Administration, the Federal Railroad Administration, and the Federal Transit Administration.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $15,400,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,600,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That any fees received in excess of $1,600,000 in fiscal year 2000 shall remain available until expended, but shall not be available for obligation until October 1, 2000.

TITLE II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $4,500,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $51,500,000, of which not to exceed $2,000 may be used for official reception and representation expenses.

EMERGENCY FUND

For necessary expenses of the National Transportation Safety Board for accident investigations, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $1,000,000, to remain available until expended.

TITLE III

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 302. Such sums as may be necessary for fiscal year 2000 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available: (1) except as otherwise authorized by title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents; and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 305. None of the funds in this Act shall be available for salaries and expenses of more than 100 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 307. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 308. The Secretary of Transportation may enter into grants, cooperative agreements, and other transactions with any person, agency, or instrumentality of the United States, any unit of State or local government, any educational institution, and any other entity in execution of the Technology Reinvestment Project authorized

under the Defense Conversion, Reinvestment and Transition Assistance Act of 1992 and related legislation: *Provided*, That the authority provided in this section may be exercised without regard to section 3324 of title 31, United States Code.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 310. (a) For fiscal year 2000, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid Highways amounts authorized for administrative expenses and programs funded from the administrative takedown authorized by section 104(a) of title 23, United States Code, and amounts authorized for the highway use tax evasion program and the Bureau of Transportation Statistics.

(2) not distribute an amount from the obligation limitation for Federal-aid Highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for the previous fiscal year the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid Highways less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for sections set forth in paragraphs (1) through (7) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(8)) for such fiscal year less the aggregate of the amounts not distributed under paragraph (1) of this subsection;

(4) distribute the obligation limitation for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) for section 117 of title 23, United States Code (relating to high priority projects program), section 201 of the Appalachian Regional Development Act of 1965, the Woodrow Wilson Memorial Bridge Authority Act of 1995, and $2,000,000,000 for such fiscal year under section 105 of the Transportation Equity Act for the 21st Century (relating to minimum guarantee) so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such section (except in the case of section 105, $2,000,000,000) for such fiscal year;

(5) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4) for each of the programs that are allocated by the Secretary under title 23, United States Code (other than activities to which paragraph (1) applies and programs to which paragraph (4) applies) by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5) for Federal-aid highways and highway safety construction programs (other than the minimum guarantee program, but only to the extent that amounts apportioned for the minimum guarantee program for such fiscal year exceed $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under title 23, United States Code, in the ratio that—

(A) sums authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the sums authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid Highways shall not apply to obligations (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982; (5) under sections 149(b) and 149(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under section 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of enactment of the Transportation Equity Act for the 21st Century; and (8) under section 105 of title 23, United States Code (but, only in an amount equal to $639,000,000 for such fiscal year).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall after August 1 for such fiscal year revise a distribution of the obligation limitation made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code, section 160 (as in effect on the day before the enactment of the Transportation Equity Act for the 21st Century) of title 23, United States Code, and under section 1015 of the Intermodal Surface Transportation Act of 1991 (105 Stat. 1943–1945).

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapters 3 and 5 of title 23, United States Code, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (1) that are authorized to be appropriated for such fiscal year for Federal-aid highways programs (other than the program under section 160 of title 23, United States Code) and for carrying out subchapter I of chapter 311 of title 49, United States Code, and chapter 4 of title 23, United States Code, and (2) that the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as the distribution of obligation authority under subsection (a)(6). The funds so distributed shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL RULE.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for a section set forth in subsection (a)(4) shall remain available until used for obligation of funds for such section and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

SEC. 311. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 312. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 313. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 314. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant. The FAA shall accept such equipment, which shall thereafter be operated and maintained by the FAA in accordance with agency criteria.

SEC. 315. None of the funds in this Act shall be available to award a multiyear contract for production end items that: (1) includes economic order quantity or long lead time material procurement in excess of $10,000,000 in any one year of the contract; (2) includes a cancellation charge greater than $10,000,000 which at the time of obligation has not been appropriated to the limits of the Government's liability; or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 316. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 317. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under ''Federal Transit Administration, Capital investment grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2002, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 318. Notwithstanding any other provision of law, any funds appropriated before October 1, 1999, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 319. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by $60,000,000, which limits fiscal year 2000 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than $169,953,000: *Provided,* That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the Transportation Administrative Service Center.

SEC. 320. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's Federal aid-highway account, the Federal Transit Administration's ''Transit Planning and Research'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 321. Notwithstanding any other provision of law, no state shall receive more than 12.5 percent of the total budget resources made available by this Act to carry out 49 U.S.C. 5307, 5309, 5310 and 5311: *Provided,* That for purposes of this calculation the Federal Transit Administration shall include the appropriate state distribution of the funding provided to urbanized areas: *Provided further,* That the amounts recovered from such reductions shall be distributed equally: *Provided further,* That such reductions and increases shall be made only to the formula apportionments.

SEC. 322. Section 3021 of Public Law 105–178 is amended—

(1) in subsection (a)—

(a) in the first sentence, by striking ''single-State'';

(b) in the second sentence, by striking ''Any'' and all that follows through ''United States Code'' and inserting ''The funds made available to the State of Oklahoma and the State of Vermont to carry out sections 5307 and 5311 of title 49, United States Code and sections 133 and 149 of title 23, United States Code''; and

(2) by adding at the end of section 3021, the following new subsection (c)—

''(c) GRANT REQUIREMENTS.—Notwithstanding any other provision of law, the Amtrak employees employed in the railroad passenger service authorized by this section shall be afforded the same labor protections afforded other Amtrak employees under the terms of their employment contracts.''.

SEC. 323. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided,* That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 324. Not to exceed $1,000,000 of the funds provided in this Act for the Department of Transportation shall be available for the necessary expenses of advisory committees: *Provided,* That this limitation shall not apply to advisory committees established for the purpose of conducting negotiated rulemaking in accordance with the Negotiated Rulemaking Act, 5 U.S.C. 561–570a, or the Coast Guard's advisory council on roles and missions.

SEC. 325. No funds other than those appropriated to the Surface Transportation Board or fees collected by the Board shall be used for conducting the activities of the Board.

SEC. 326. Hereafter, notwithstanding any other provision of law, receipts, in amounts determined by the Secretary, collected from users of fitness centers operated by or for the Department of Transportation shall be available to support the operation and maintenance of those facilities.

SEC. 327. Capital Investment grants funds made available in this Act and in Public Law 105–277 and in Public Law 105–66 and its accompanying conference report for the Charleston, South Carolina Monobeam corridor project shall be used to fund any aspect of the Charleston, South Carolina Monobeam corridor project.

SEC. 328. Hereafter, notwithstanding 49 U.S.C. 41742, no essential air service subsidies shall be provided to communities in the 48 contiguous States that are located fewer than 70 highway miles from the nearest large or medium hub airport, or that require a rate of subsidy per passenger in excess of $200 unless such point is greater than 210 miles from the nearest large or medium hub airport.

SEC. 329. Rebates, refunds, incentive payments, minor fees and other funds received by the Department from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department and allocated to elements of the Department using fair and equitable criteria and such funds shall be available until December 31, 2000.

SEC. 330. Notwithstanding any other provision of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 331. For necessary expenses of the Amtrak Reform Council authorized under section 203 of Public Law 105–134, $950,000, to remain available until September 30, 2001: *Provided,* That the duties of the Amtrak Reform Council described in section 203(g)(1) of Public Law 105–134 shall include the identification of Amtrak routes which are candidates for closure or realignment, based on performance rankings developed by Amtrak which incorporate information on each route's fully allocated costs and ridership on core intercity passenger service, and which assume, for purposes of closure or realignment candidate identification, that federal subsidies for Amtrak will decline over the 4-year period from fiscal year 1999 to fiscal year 2002: *Provided further,* That these closure or realignment recommendations shall be included in the Amtrak Reform Council's annual report to the Congress required by section 203(h) of Public Law 105–134.

SEC. 332. The Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided,* That no appropriation shall be increased or decreased by more than 12 per centum by all such transfers: *Provided further,* That any such transfer shall be submitted for approval to the House and Senate Committees on Appropriations.

SEC. 333. None of the Funds made available under this Act or any other Act, may be used to implement, carry out, or enforce any regulation issued under section 41705 of title 49, United States Code, including any regulation contained in part 382 of title 14, Code of Federal Regulations, or any other provision of law (including any Act of Congress, regulation, or Executive order or any official guidance or correspondence thereto), that requires or encourages an air carrier (as that term is defined in section 40102 of title 49, United States Code) to, on intrastate or interstate air transportation (as those terms are defined in section 40102 of title 49, United States Code)—

(1) provide a peanut-free buffer zone or any other related peanut-restricted area; or

(2) restrict the distribution of peanuts,

until 90 days after submission to the Congress and the Secretary of a peer-reviewed scientific study that determines that there are severe reactions by passengers to peanuts as a result of contact with very small airborne peanut particles of the kind that passengers might encounter in an aircraft.

SEC. 334. For purposes of funding in this Act for the Salt Lake City/Airport to University (West-East) light rail project, the nongovernmental share for these funds shall be determined in accordance with Section 3030(c)(2)(B)(ii) of the Transportation Equity Act for the 21st Century, as amended (Public Law 105–178).

SEC. 335. Section 5309(g)(1)(B) of title 49, United States Code, is amended by inserting after ''Committee on Banking, Housing, and Urban Affairs of the Senate'' the following: ''and the House and Senate Committees on Appropriations''.

SEC. 336. Section 1212(g) of the Transportation Equity Act for the 21st Century (Public Law 105–178), as amended, is amended—

(1) in the subsection heading, by inserting ''and New Jersey'' after ''Minnesota''; and

(2) by inserting ''or the State of New Jersey'' after ''Minnesota''.

SEC. 337. The Secretary of Transportation shall execute a demonstration program, to be conducted for a period not to exceed eighteen months, of the ''fractional ownership'' concept in performing administrative support flight missions, the purpose of which would be to determine whether cost savings, as well as increased operational flexibility and aircraft availability, can be realized through the use by the government of the commercial fractional ownership concept or report to the Committee the reason for not conducting such an evaluation: *Provided,* That the Secretary shall ensure the competitive selection for this demonstration of a fractional ownership concept which provides a suite of aircraft capable of meeting the Department's varied needs, and that the Secretary shall ensure the demonstration program encompasses a significant and representative portion of the Department's administrative support missions (to include those performed by the Coast Guard, the Federal Aviation Administration, and the National Aeronautics and Space Administration, whose aircraft are currently operated by the FAA): *Provided further,* That the Secretary shall report to the House and Senate Committees on Appropriations on results of this evaluation of the fractional ownership concept in the performance of the administrative support mission no later than twenty-four months after final passage of this Act or within 60 days of enactment of this Act if the Secretary decides not to conduct such a demonstration for evaluation including an explanation for such a decision.

SEC. 338. (a) REQUIREMENT TO CONVEY.—The Commandant of the Coast Guard shall convey, without consideration, to the University of New Hampshire (in this section referred to as the ''University'') all right, title, and interest of the United States in and to a parcel of real property (including any improvements thereon) located in New Castle,

New Hampshire, consisting of approximately five acres and including a pier.

(b) IDENTIFICATION OF PROPERTY.—The Commandant shall determine, identify, and describe the property to be conveyed under this section.

(c) EASEMENTS, RIGHTS-OF-WAY, AND RIGHTS.—(1) The Commandant shall, in connection with the conveyance required by subsection (a), grant to the University such easements and rights-of-way as the Commandant considers necessary to permit access to the property conveyed under that subsection.

(2) The Commandant shall, in connection with such conveyance, reserve in favor of the United States such easements and rights as the Commandant considers necessary to protect the interests of the United States, including easements or rights regarding access to property and utilities.

(d) CONDITIONS OF CONVEYANCE.—The conveyance required by subsection (a) shall be subject to the following conditions:

(1) That the University not convey, assign, exchange, or encumber the property conveyed, or any part thereof, unless such conveyance, assignment, exchange, or encumbrance—

(A) is made without consideration; or

(B) is otherwise approved by the Commandant.

(2) That the University not interfere or allow interference in any manner with the maintenance or operation of Coast Guard Station Portsmouth Harbor, New Hampshire, without the express written permission of the Commandant.

(3) That the University use the property for educational, research, or other public purposes.

(e) MAINTENANCE OF PROPERTY.—The University, or any subsequent owner of the property conveyed under subsection (a) pursuant to a conveyance, assignment, or exchange referred to in subsection (d)(1), shall maintain the property in a proper, substantial, and workmanlike manner, and in accordance with any conditions established by the Commandant, pursuant to the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), and other applicable laws.

(f) REVERSIONARY INTEREST.—All right, title, and interest in and to the property conveyed under this section (including any improvements thereon) shall revert to the United States, and the United States shall have the right of immediate entry thereon, if—

(1) the property, or any part thereof, ceases to be used for educational, research, or other public purposes by the University;

(2) the University conveys, assigns, exchanges, or encumbers the property conveyed, or part thereof, for consideration or without the approval of the Commandant;

(3) the Commandant notifies the owner of the property that the property is needed the national security purposes and a period of 30 days elapses after such notice; or

(4) any other term or condition established by the Commandant under this section with respect to the property is violated.

SEC. 339. (a) PROHIBITION.—Except as provided in subsection (c), no recipient of funds made available under this Act may sell, or otherwise provide to another person or entity, personal information (as defined in 18 U.S.C. Section 2725(3)) contained in a driver's license, or in any motor vehicle record (as defined in 18 U.S.C. Section 2725(1)) without the express written consent of the individual to whom the information pertains.

(b) CONSENT.—No recipient of funds made available under this Act may condition or burden in any way the issuance of a motor vehicle record (as defined in 19 U.S.C. Section 2725(1)) upon the receipt of consent described in subsection (a).

(c) LAW ENFORCEMENT.—Subsection (a) does not apply to a law enforcement agency in any case in which the application of that subsection would hinder the ability of that law enforcement agency, acting in accordance with applicable law, to gain access to a driver's license or photograph of an individual.

SEC. 340. Notwithstanding any other provision of law, from funds provided in the Act, $10,000,000 shall be made available for completion of the National Advanced Driving Simulator (NADS).

SEC. 341. Notwithstanding any other provision of law, section 1107(b) of Public Law 102–240 is amended by striking ''Construction of a replacement bridge at Watervale Bridge #63, Harford County, MD'' and inserting in lieu thereof the following: ''For improvements to Bottom Road Bridge, Vinegar Hill Road Bridge and Southampton Road Bridge, Harford County, MD''.

This Act may be cited as the ''Department of Transportation and Related Agencies Appropriations Act, 2000''.

WYDEN (AND OTHERS) AMENDMENTS NOS. 1625–1626

Mr. WYDEN (for himself and Mr. LAUTENBERG, and Mr. SHELBY) proposed two amendments to the bill, H.R. 2084, supra; as follows:

AMENDMENT NO. 1625

On page 65, line 22, before the period at the end of the line, insert the following: '': *Provided*, That the funds made available under this heading shall be used to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers, foreign air carriers, and ticket agents: *Provided further*, That, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' include the failure to disclose to a passenger or a ticket agent whether the flight on which the passenger is ticketed or has requested to purchase a ticket is overbooked, unless the Secretary certifies such disclosure by a carrier is technolgically infeasible''.

AMENDMENT NO. 1626

On page 65, line 22, before the period at the end of the line, insert the following: '': *Provided*, That the funds made available under this heading shall be used (1) to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers, (2) for monitoring by the Inspector General of the compliance of air carriers and foreign carriers with respect to paragraph (1) of this proviso, and (3) for the submission to the appropriate committees of Congress by the Inspector General, not later than July 15, 2000, of a report on the extent to which actual or potential barriers exist to consumer access to comparative price and service information from independent sources on the purchase of passenger air transportation: *Provided further*, That, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' mean the offering for sale to the public for any route, class, and time of service through any technology or means of communication a fare that is different than that offered through other technology or means of communication''.

COVERDELL (AND CLELAND) AMENDMENT NO. 1627

(Ordered to lie on the table.)

Mr. COVERDELL (for himself and Mr. CLELAND) submitted an amendment intended to be proposed by them to the bill, H.R. 2084, supra; as follows:

On page 91, between lines 9 and 10, insert the following:

SEC. 3___. NOISE BARRIERS, GEORGIA.

(a) USE OF APPORTIONED FUNDS.—Notwithstanding any other provision of law, the Secretary of Transportation shall approve the use of funds apportioned under paragraphs (1) and (3) of section 104(b) of title 23, United States Code, for construction of Type II noise barriers at the locations identified in section 1215(h) and item 967 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 211, 292).

(b) AMENDMENT OF THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY.—The Transportation Equity Act for the 21st Century is amended—

(1) in section 1215(h) (112 Stat. 211), by striking ''west side'' and inserting ''east and west sides''; and

(2) in item 967 of the table contained in section 1602 (112 Stat. 292), by striking ''west side'' and inserting ''east and west sides''.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

DORGAN AMENDMENT NO. 1628

Mr. BYRD (for Mr. DORGAN) proposed an amendment to the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

On page 132, between lines 20 and 21, insert the following:

SEC. 3___. NATIONAL FOREST-DEPENDENT RURAL COMMUNITIES ECONOMIC DIVERSIFICATION.

(a) FINDINGS AND PURPOSES.—Section 2373 of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6611) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''national forests'' and inserting ''National Forest System land'';

(B) in paragraph (4), by striking ''the national forests'' and inserting ''National Forest System land'';

(C) in paragraph (5), by striking ''forest resources'' and inserting ''natural resources''; and

(D) in paragraph (6), by striking ''national forest resources'' and inserting ''National Forest System land resources''; and

(2) in subsection (b)(1)—

(A) by striking ''national forests'' and inserting ''National Forest System land''; and

(B) by striking ''forest resources'' and inserting ''natural resources''.

(b) DEFINITIONS.—Section 2374(1) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6612(1)) is amended by striking ''forestry'' and inserting ''natural resources''.

(c) RURAL FORESTRY AND ECONOMIC DIVERSIFICATION ACTION TEAMS.—Section 2375(b) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6613(b)) is amended—

(1) in the first sentence, by striking ''forestry'' and inserting ''natural resources''; and

(2) in the second and third sentences, by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(d) ACTION PLAN IMPLEMENTATION.—Section 2376(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6614(a)) is amended—

(1) by striking ''forest resources'' and inserting ''natural resources''; and

(2) by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(e) TRAINING AND EDUCATION.—Paragraphs (3) and (4) of section 2377(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6615(a)) are amended by striking ''national forest resources'' and inserting ''National Forest System land resources''.

(f) LOANS TO ECONOMICALLY DISADVANTAGED RURAL COMMUNITIES.—Paragraphs (2) and (3) of section 2378(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6616(a)) are amended by striking ''national forest resources'' and inserting ''National Forest System land resources''.

GORTON AMENDMENTS NOS. 1629–1630

Mr. GORTON proposed two amendments to the bill, H.R. 2466, supra; as follows:

AMENDMENT NO. 1629

On page 14, line 6, strike ''(22 U.S.C. aa–1)'' and insert ''(22 U.S.C. 2799aa–1)''.

AMENDMENT NO. 1630

Insert at the end of Title III in H.R. 2466:

SEC. . INTERSTATE 90 LAND EXCHANGE.

(a) Section 604(a) of the Interstate 90 Land Exchange Act of 1998, 105 Pub. L. 277, 12 Stat. 2681–326 (1998) is hereby amended by adding at the end of the first sentence: ''except title to offered lands and interests in lands described in section 605(c)(2)(Q, R, S, and T) must be placed in escrow by Plum Creek, according to terms and conditions acceptable to the Secretary and Plum Creek, for a three year period beginning on the later of the date of enactment of this Act or consummation of the exchange. During the period the lands are held in escrow, Plum Creek shall not undertake any activities on these lands, except for fire suppression and road maintenance, without the approval of the Secretary, which shall not be unreasonably withheld.''

(b) Section 604(b) of the Interstate 90 Land Exchange Act of 1998, 105 Pub. Law 277, 12 Stat. 2681–326 (1998), is hereby amended by inserting after the words ''offered land'' the following: ''as provided in section 604(a), and placement in escrow of acceptable title to the offered lands described in section 605(c)(2) (Q, R, S, and T).''

(c) Section 604(b) is further amended by adding the following at the end of the first sentence: ''except Township 19 North, Range 10 East, W.M., Section 4, Township 20 North, Range 10 East, W.M., Section 32, and Township 21 North, Range 14 East, W.M., W½W½ of Section 16, which shall be retained by the United States.'' The appraisal approved by the Secretary of Agriculture on July 14, 1999 (the ''Appraisal'') shall be adjusted by subtracting the values determined for Township 19 North, Range 10 East, W.M., Section 4 and Township 20 North, Range 10 East, W.M., Section 32 during the Appraisal process in the context of the whole estate to be conveyed.

(d) After adjustment of the Appraisal, the values of the offered and selected lands, including the offered lands held in escrow, shall be equalized as provided in section 605(c) except that the Secretary also may equalize values through the following, including any combination thereof:

(1) conveyance of any other lands under the jurisdiction of the Secretary acceptable to Plum Creek and the Secretary after compliance with all applicable Federal environmental and other laws; and

(2) to the extent sufficient acceptable lands are not available pursuant to paragraph (1) of this subsection, cash payments as and to the extent funds become available through appropriations, private sources, or, if necessary, by reprogramming.

(e) The Secretary shall promptly seek to identify lands acceptable for conveyance to equalize values under paragraph (1) of subsection (d) and shall, not later than May 1, 2000, provide a report to Congress outlining the results of such efforts.

(f) As funds or lands are provided to Plum Creek by the Secretary; Plum Creek shall release to the United States deeds for lands and interests in land held in escrow based on the values determined during the Appraisal process in the context of the whole estate to be conveyed. Deeds shall be released for lands and interests in lands in the exact reverse order listed in section 605(c)(2).

(g) Section 606(d) is hereby amended to read as follows: ''the Secretary and Plum Creek shall make the adjustments directed in section 604(b) and consummate the land exchange within 30 days of enactment of the Interstate 90 Land Exchange Amendment, unless the Secretary and Plum Creek mutually agree to extend the consummation date.''

SEC. . THE SNOQUALMIE NATIONAL FOREST BOUNDARY ADJUSTMENT ACT OF 1999.

(a) IN GENERAL.—The boundary of the Snoqualmie National Forest is hereby adjusted as generally depicted on a map entitled ''Snoqualmie National Forest 1999 Boundary Adjustment'' dated June 30, 1999. Such map, together with a legal description of all lands included in the boundary adjustment, shall be on file and available for public inspection in the office of the Chief of the Forest Service in Washington, District of Columbia. Nothing in this subsection shall limit the authority of the Secretary of Agriculture to adjust the boundary pursuant to section 11 of the Weeks Law of March 1, 1911.

(b) RULE FOR LAND AND WATER CONSERVATION FUND.—For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundary of the Snoqualmie National Forest, as adjusted by this subsection (a), shall be considered to be the boundary of the Forest as of January 1, 1965.

KYL AMENDMENT NO. 1631

Mr. GORTON (for Mr. KYL) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 33, line 18, after the period, insert the following: ''Funds made available under this Act may be used to fund a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)) that shares a campus with a school that offers expanded grades and that is not a Bureau-funded school, if the jointly incurred costs of both schools are apportioned between the 2 programs of the schools in such manner as to ensure that the expanded grades are funded solely from funds that are not made available through the Bureau.''.

REID AMENDMENT NOS. 1632–1633

Mr. BYRD (for Mr. REID) proposed two amendments to the bill, H.R. 2466, supra; as follows:

AMENDMENT NO. 1632

At the end of title I, insert the following:

SECTION 1. CONVEYANCE TO NYE COUNTY, NEVADA.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term ''County'' means Nye County, Nevada.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(b) PARCELS CONVEYED FOR USE OF THE NEVADA SCIENCE AND TECHNOLOGY CENTER.—

(1) IN GENERAL.—For no consideration and at no other cost to the County, the Secretary shall convey to the County, subject to valid existing rights, all right, title, and interest in and to the parcels of public land described in paragraph (2).

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following:

(A) The portion of Sec. 13 north of United States Route 95, T. 15 S. R. 49 E, Mount Diablo Meridian, Nevada.

(B) In Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(i) W ½ W ½ NW ¼.

(ii) The portion of the W ½ W ½ SW ¼ north of United States Route 95.

(3) USE.—

(A) IN GENERAL.—The parcels described in paragraph (2) shall be used for the construction and operation of the Nevada Science and Technology Center as a nonprofit museum and exposition center, and related facilities and activities.

(B) REVERSION.—The conveyance of any parcel described in paragraph (2) shall be subject to reversion to the United States, at the discretion of Secretary, if the parcel is used for a purpose other than that specified in subparagraph (A).

(b) PARCELS CONVEYED FOR OTHER USE FOR A COMMERCIAL PURPOSE.—

(1) RIGHT TO PURCHASE.—For a period of 5 years beginning on the date of enactment of this Act, the County shall have the exclusive right to purchase the parcels of public land described in paragraph (2) for the fair market value of the parcels, as determined by the Secretary.

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following parcels in Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(A) E ½ NW ¼.

(B)E ½ W ½ NW ¼.

(C) The portion of the E ½ SW ¼ north of United States Route 95.

(D) The portion of the E ½ W ½ SW ¼ north of United States Route 95.

(E) The portion of the SE ¼ north of United States Route 95.

(3) USE OF PROCEEDS.—Proceeds of a sale of a parcel described in paragraph (2)—

(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

(B) shall be available for use by the Secretary—

(i) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this Act; and

(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

AMENDMENT NO. 1633

At the end of title I, insert the following:

SEC. ___. CONVEYANCE OF LAND TO CITY OF MESQUITE, NEVADA.

Section 3 of Public Law 99–548 (100 Stat. 3061; 110 Stat. 3009–202) is amended by adding at the end the following:

''(e) FIFTH AREA.—

''(1) RIGHT TO PURCHASE.—For a period of 12 years after the date of enactment of this Act, the city of Mesquite, Nevada, shall have the exclusive right to purchase the parcels of public land described in paragraph (2).

''(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are as follows:

''(A) In T. 13 S., R. 70 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 27 north of Interstate Route 15.

''(ii) Sec. 28: NE ¼, S ½ (except the Interstate Route 15 right-of-way).

''(iii) Sec. 29: E ½ NE ¼ SE ¼, SE ¼ SE ¼.

''(iv) The portion of sec. 30 south of Interstate Route 15.

''(v) The portion of sec. 31 south of Interstate Route 15.

''(vi) Sec. 32: NE ¼ NE ¼ (except the Interstate Route 15 right-of-way), the portion of NW ¼ NE ¼ south of Interstate Route 15, and the portion of W ½ south of Interstate Route 15.

''(vii) The portion of sec. 33 north of Interstate Route 15.

''(B) In T. 14 S., R. 70 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 5: NW ¼.

''(ii) Sec. 6: N ½.

''(C) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 25 south of Interstate Route 15.

''(ii) The portion of sec. 26 south of Interstate Route 15.

''(iii) The portion of sec. 27 south of Interstate Route 15.

''(iv) Sec. 28: SW ¼ SE ¼.

''(v) Sec. 33: E ½.

''(vi) Sec. 34.

''(vii) Sec. 35.

''(viii) Sec. 36.

''(3) NOTIFICATION.—Not later than 10 years after the date of enactment of this subsection, the city shall notify the Secretary which of the parcels of public land described in paragraph (2) the city intends to purchase.

''(4) CONVEYANCE.—Not later than 1 year after receiving notification from the city under paragraph (3), the Secretary shall convey to the city the land selected for purchase.

''(5) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.

''(6) USE OF PROCEEDS.—The proceeds of the sale of each parcel—

''(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

''(B) shall be available for use by the Secretary—

''(i) to reimburse costs incurred by the local offices of the Bureau of Land Managment in arranging the land conveyances directed by this Act; and

''(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

''(f) SIXTH AREA.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall convey to the city of Mesquite, Nevada, in accordance with section 47125 of title 49, United States Code, up to 2,560 acres of public land to be selected by the city from among the parcels of land described in paragraph (2).

''(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are as follows:

''(A) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) The portion of sec. 28 south of Interstate Route 15 (except S ½ SE ¼).

''(ii) The portion of sec. 29 south of Interstate Route 15.

''(iii) The portion of sec. 30 south of Interstate Route 15.

''(iv) The portion of sec. 31 south of Interstate Route 15.

''(v) Sec. 32.

''(vi) Sec. 33: W ½.

''(B) In T. 14 S., R. 69 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 4.

''(ii) Sec. 5.

''(iii) Sec. 6.

''(iv) Sec. 8.

''(C) In T. 14 S., R. 68 E., Mount Diablo Meridian, Nevada:

''(i) Sec. 1.

''(ii) Sec. 12.

''(3) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.''.

LUGAR AMENDMENT NO. 1634

Mr. GORTON (for Mr. LUGAR) proposed an amendment to the bill, H.R. 2466, supra; as follows:

At the end of Title III, insert the following:

SEC. . Section 1770(d) of the Food Security Act of 1985 (7 U.S.C.. 2276(d)) is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

''(10) section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e));''.

MURKOWSKI (AND OTHERS) AMENDMENT NO. 1635

Mr. GORTON (for Mr. MURKOWSKI (for himself, Mr. BINGAMAN, and Mr. COCHRAN)) proposed an amendment to the bill, H.R. 2466, supra; as follows:

Insert at the end of Title III the following new section:

''SEC. . None of the funds appropriated or otherwise made available by this Act may be used to implement or enforce any provision in Presidential Executive Order 13123 regarding the Federal Energy Management Program which circumvents or contradicts any statutes relevant to Federal energy use and the measurement thereof, including, but not limited to, the existing statutory mandate that life-cycle cost effective measures be undertaken at federal facilities to save energy and reduce the operational expenditures of the government.''.

BREAUX (AND LANDRIEU) AMENDMENT NO. 1636

Mr. BYRD (for Mr. BREAUX (for himself and Ms. LANDRIEU)) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 12, line 12, before the final period, insert the following: '': *Provided further*, That all funds received by the United States Fish and Wildlife Service from responsible parties, heretofore and through fiscal year 2000, for site-specific damages to National Wildlife Refugee System lands resulting from the exercise of privately-owned oil and gas rights associated with such lands in the States of Louisiana and Texas (other than damages recoverable under the Comprehensive Environmental Response, Compensation and Liability Act (26 U.S.C. 4611 et seq.), the Oil Pollution Act (33 U.S.C. 1301 et seq.), or section 311 of the Clean Water Act (33 U.S.C. 1321 et seq.)), shall be available to the Secretary, without further appropriation and until expended to (1) complete damage assessments of the impacted site by the Secretary; (2) mitigate or restore the damaged resources; and (3) monitor and study the recovery of such damaged resources''.

GORTON (AND OTHERS) AMENDMENT NO. 1637

Mr. GORTON (for himself, Mr. LEVIN, and Mr. DEWINE), proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 10, line 15, strike ''$683,519,000'' and insert ''$684,019,000''.

On page 10, line 16, after ''herein,'' insert the following: ''of which $400,000 shall be available for grants under the Great Lakes Fish and Wildlife Restoration Program, and of which $300,000 shall be available for spartina grass research being conducted by the University of Washington, and''.

JEFFORDS AMENDMENT NO. 1638

Mr. GORTON (for Mr. JEFFORDS) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 78, line 16, strike ''$682,817,000'' and insert ''684,817,000''.

On page 78, line 19, strike ''$166,000,000'' and insert ''$168,000,000.''

On page 78, line 24, strike ''$133,000,000'' and insert ''$135,000,000.''

CRAPO (AND OTHERS) AMENDMENT NO. 1639

Mr. GORTON (for Mr. CRAPO (for himself, Mr. BURNS, Mr. BAUCUS, and Mr. CRAIG)) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 10, line 16, after ''herein,'' insert ''of which $500,000 of the amount available for consultation shall be available for development of a voluntary-enrollment habitat conservation plan for cold water fish in cooperation with the States of Idaho and Montana (of which $250,000 shall be made available to each of the States of Idaho and Montana), and''.

BINGAMAN AMENDMENTS NOS. 1640–1641

Mr. BYRD (for Mr. BINGAMAN) proposed two amendments to the bill, H.R. 2466, supra; as follows:

AMENDMENT NO. 1640

On page 27, line 22, strike ''$1,631,996,000'' and insert ''$1,632,596,000''.

On page 29, line 10, after ''2002'' insert '': *Provided further*, That from amounts appropriated under this heading $5,422,000 shall be made available to the Southwestern Indian Polytechnic Institute and that from amounts appropriated under this heading $8,611,000 shall be made available to Haskell Indian Nations University''.

On page 62, between lines 3 and 4, insert the following:

SEC. . BIA POST SECONDARY SCHOOLS FUNDING FORMULA.

(a) IN GENERAL.—Any funds appropriated for Bureau of Indian Affairs Operations for Central Office Operations for Post Secondary Schools for any fiscal year that exceed the amount appropriated for the schools for fiscal year 2000 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Post Secondary Funding Formula adopted by the Office of Indian Education Programs and the schools on May 13, 1999.

(b) APPLICABILITY.—This section shall apply for fiscal year 2000 and each succeeding fiscal year.

AMENDMENT NO. 1641

At the appropriate place, insert the following new section:

SEC. . YOUTH CONSERVATION CORPS AND RELATED PARTNERSHIPS.

(a) Notwithstanding any other provision of this Act, there shall be available for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by Public Law 91–378, or related partnerships with non-Federal youth conservation corps or entities such as the Student Conservation Association, in order to increase the number of summer jobs available for youth, ages 15 through 22, on Federal lands:

(3) $4,000,000 of the funds available to the Forest Service under this Act; and

(4) * * * of the funds available to the Bureau of Land Management under this Act.

(b) Within six months after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall jointly submit a report to the House and Senate Committees on Appropriations and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives that includes the following:

(i) the number of youth, ages 15 through 22, employed during the summer of 1999, and the number estimated to be employed during the summer of 2000, through the Youth Conservation Corps, the Public Land Corps, or a related partnership with a State, local, or nonprofit youth conservation corps or other entity such as the Student Conservation Association;

(ii) a description of the different types of work accomplished by youth during the summer of 1999;

(iii) identification of any problems that prevent or limit the use of the Youth Conservation Corps, the Public Land Corps, or related partnerships to accomplish projects described in subsection (a);

(iv) recommendations to improve the use and effectiveness of partnerships described in subsection (a); and

(v) an analysis of the maintenance backlog that identifies the types of projects that the Youth Conservation Corps, the Public Land Corps, or related partnerships are qualified to complete.

ABRAHAM (AND OTHERS) AMENDMENT NO. 1642

Mr. GORTON (for Mr. ABRAHAM (for himself, Mr. HATCH, Mr. THOMAS, Mr. GRAMS, Mr. CRAIG, Mr. MURKOWSKI, Mr. REID, and Mr. DORGAN)) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 5, line 13, strike ''$130,000,000,'' and insert ''$135,000,000''.

MURKOWSKI (AND OTHERS) AMENDMENT NO. 1643

Mr. GORTON (for Mr. MURKOWSKI (for himself, Mr. LAUTENBERG, Mrs. BOXER, Mr. ROTH, Mr. DODD, Ms. LANDRIEU, Mr. CHAFEE, Mr. SESSIONS, Mrs. LINCOLN, Mr. LEAHY, Mr. KERRY, Mr. FEINGOLD, Mr. FRIST, Mr. GRAHAM, Ms. COLLINS, Mr. SMITH of New Hampshire, Mr. GREGG, Mr. MOYNIHAN, Mr. WARNER, Mr. BAYH, Mr. MCCAIN, Mr. AKAKA, and Mrs. FEINSTEIN) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 18, line 19 strike ''program.'' and insert ''program, and in addition $20,000,000 shall be available to provide financial assistance to States and shall be derived from the Land and Water Conservation Fund.

STEVENS AMENDMENT NO. 1644

Mr. GORTON (for Mr. STEVENS) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 17, line 19, strike ''$221,093,000'' and insert in lieu thereof ''$216,153,000''.

On page 82, line 13, strike ''$2,135,561,000'' and insert in lieu thereof ''$2,138,001,000''.

On page 90, line 3, strike ''$364,562,000'' and insert in lieu thereof ''$367,062,000''.

BINGAMAN AMENDMENT NO. 1645

Mr. BYRD (for Mr. BINGAMAN) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 78, line 17, insert after the comma ''of which $1.6 million shall be for grants to municipal governments for cost-shared research projects in buildings, municipal processes, transportation and sustainable urban energy systems, and''.

BYRD AMENDMENT NO. 1646

Mr. BYRD proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 17, line 22, strike ''$4,000,000'' and insert ''$5,000,000.''

GORTON AMENDMENT NO. 1647

Mr. GORTON proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 63, line 6, strike the period and insert in lieu thereof the following: '': *Provided*, That of the amount provided under this heading, $750,000 shall be used for a supplemental environmental impact statement for the Forest Service/Weyerhaeuser Huckleberry land exchange, which shall be completed by September 30, 2000.''

REID AMENDMENT NO. 1648

Mr. BYRD (for Mr. REID) proposed an amendment to the bill, H.R. 2466, supra; as follows:

Starting on page 60, line 20 and continuing through page 62, line 3, strike SEC. 129 in its entirety and insert

''SEC. 129. WALKER RIVER BASIN. $200,000 is appropriated to the U.S. Fish and Wildlife Service in FY 2000 to be used through a contract or memorandum of understanding with the Bureau of Reclamation, for: (1) the investigation of alternatives, and if appropriate, the implementation of one or more of the alternatives, to the modification of Weber Dam on the Walker River Paiute Reservation in Nevada; (2) an evaluation of the feasibility and effectiveness of the installation of a fish ladder at Weber Dam; and (3) an evaluation of opportunities for Lahontan Cutthroat Trout restoration in the Walker River Basin. $125,000 is appropriated to the Bureau of Indian Affairs in Fiscal Year 2000 for the benefit of the Walker River Paiute Tribe, in recognition of the negative effects on the Tribe associated with delay in modification of Weber Dam, for an analysis of the feasibility of establishing a Tribally-operated Lahontan cutthroat trout hatchery on the Walker River as it flows through the Walker River Indian Reservation: *Provided*, That for the purposes of this section: (i) $100,000 shall be transferred from the $250,000 allocated for the U.S. Geological Survey, Water Resources Investigations, Truckee River Water Quality Settlement Agreement; (ii) $50,000 shall be transferred from the $150,000 allocated for the U.S. Geological Survey, Water Resources Investigations, Las Vegas Wash endocrine disruption study; and (iii) $175,000 shall be transferred from the funds allocated for the Bureau of Land Management, Wildland Fire Management.''

STEVENS AMENDMENT NO. 1649

Mr. GORTON (for Mr. STEVENS) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 76, line 12 of the bill, insert the following before the paragraph beginning with the word ''Of'': ''From any unobligated balances available at the start of fiscal year 2000, the amount of $11,550,000 shall be allocated to the Alaska Region, in addition to the funds appropriated to sell timber in the Alaska Region under this Act, for expenses directly related to preparing sufficient additional timber for sale in the Alaska Region to establish a three year timber supply.''

LOTT AMENDMENT NO. 1650

Mr. GORTON (for Mr. LOTT) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 17, line 22, before the colon, insert the following: '', and of which not less than $1,000,000 shall be available, subject to an Act of authorization, to conduct a feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail, and''.

GRAMS (AND WELLSTONE) AMENDMENT NO. 1651

Mr. GORTON (for Mr. GRAMS (for himself and Mr. WELLSTONE)) proposed an amendment to the bill, H.R. 2466, supra; as follows:

At the end of Title I, insert the following:

SEC. II. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–14, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: Provided, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696, U.S.C., 460 zz.

KERREY AMENDMENT NO. 1652

Mr. BYRD (for Mr. Kerrey) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 13, line 9, after the word ''expended'' include: ''of which to exceed $1,000,000 shall be available to the Boyer Chute National Wildlife Refuge for land acquisition.''

On page 13, line 8; strike ''$55,244,000'' and insert ''56,244,000''.

BOND AMENDMENT NO. 1653

Mr. GORTON (for Mr. BOND) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 17, line 22 insert before the colon the following: '', of which $500,000 shall be available for the Wilson's Creek National Battlefield,''.

HOLLINGS AMENDMENT NO. 1654

Mr. BYRD (for Mr. HOLLINGS) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 18, line 19 before the period insert the following: ''and of which $200,000 shall be available for the acquisition of lands at Fort Sumter National Monument''.

ABRAHAM AMENDMENT NO. 1655

Mr. GORTON (for Mr. ABRAHAM) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 10, line 16, after ''herein,'' insert ''of which $150,000 shall be available to Michigan State University toward creation of a community development database, and''.

WARNER AMENDMENT NO. 1656

Mr. GORTON (for Mr. WARNER) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 24, at the end of line 10 insert the following before the comma: ''*Provided further,* That not to exceed $198,000 shall be available to carry out the requirements of Section 215(b)(2) of the Water Resources Development Act of 1999''.

GORTON AMENDMENT NO 1657

Mr. GORTON proposed an amendment to the bill, H.R. 2466, supra; as follows:

At the end of Title III of the bill, add the following:

SEC. . Each amount of budget authority for the fiscal year ending September 30, 2000, provided in this Act for payments not required by law, is hereby reduced by .34 percent: *Provided,* That such reductions shall be applied ratably to each account, program, activity, and project provided for in this Act.''

NOTICE OF HEARING

SUBCOMMITTEE ON PUBLIC HEALTH

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Subcommittee on Public Health, Senate Committee on Health, Education, Labor, and Pensions will be held on Thursday, September 16, 1999, 10:00 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is Children's Health. For further information, please call the committee, 202/224–5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Tuesday, September 14, 1999, in open session, to receive testimony concerning the sinking of the U.S.S. *Indianapolis* and the subsequent court-martial of Rear Admiral Charles B. McVay III, USN.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, September 14, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to receive testimony on S. 1052, the Northern Marianas Island Covenant Implementation Act.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on ''Education Readiness'' during the session of the Senate on Tuesday, September 14, 1999, at 10:00 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. COVERDELL. Mr. President, the Committee on the Judiciary requests unanimous consent to conduct a hearing on Tuesday, September 14, 1999 beginning at 10:00 a.m. in Room 226 Dirksen.

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

COMMITTEE ON THE JUDICIARY

Mr. COVERDELL. Mr. President. The Committee on the Judiciary requests unanimous consent to conduct a hearing on Tuesday, September 14, 1999 beginning at 2:00 p.m. in Room 226 Dirksen.

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

COMMITTEE ON SMALL BUSINESS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing entitled ''Slotting: Fair for Small Business & Consumers?'' The hearing will be held on Tuesday, September 14, 1999, beginning at 9:30 a.m. in room 608 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, PRODUCTION, AND REGULATION

Mr. COVERDELL. Mr. President I ask unanimous consent that the Subcommittee on Energy Research, Development, Production, and Regulation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, September 14, for purposes of conducting a subcommittee hearing, which is scheduled to begin immediately after the full committee hearing. The purpose of this hearing is to receive testimony on S. 1051, a bill to amend the Energy Policy and Conservation Act to manage the Strategic Petroleum Reserve more effectively, and for other purposes.

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

SUBCOMMITTEE ON WESTERN HEMISPHERE, PEACE CORPS, NARCOTICS AND TERRORISM

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, September 14, 1999, at 9:00 am to hold a hearing.

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

ADDITIONAL STATEMENTS

MURRAY B. LIGHT, EDITOR OF THE BUFFALO NEWS

• Mr. MOYNIHAN. Mr. President, Murray B. Light will end his career in journalism on September 19th, the 50th anniversary of his first day at The Buffalo News. Throughout his long and outstanding tenure at The News, he has had a profound influence on Buffalo and Western New York. He will be greatly missed.

Murray and I have been friends for many years. On one occasion, during my first term, Murray was kind enough to loan me his typewriter. I have a photo using it. They have long since switched to computers at The News, but I have yet to abandon my typewriter.

As The Buffalo News Editor, Murray B. Light has had an honored career. Stanford Lipsey, The News President and Publisher, said ''The responsibility of editing a daily metropolitan newspaper is enormous. It involves critical and complex decisions made against stressful deadlines. Murray Light never faltered in his courage, principles or judgment. He has left his mark on this newspaper and the entire community. It has been both stimulating and satisfying to have worked with him these past 20 years.''

I have long admired Murray's aggressive editorial style. Nearly 20 years ago, I said that The Buffalo News and The Courier Express ''succeeded in making a not so simple point to the Congress of the United States: The leaking of hazardous chemicals at the Love Canal in Niagara Falls was not an isolated event but indeed the ominous warning of a national epidemic.'' This couldn't have been more right. They made the case for immediate passage of the Superfund Bill in 1980 and many more since then.

As I was often a guest of The Buffalo News at the annual Gridiron dinner, I had many opportunities to speak with Murray about our common concern of

preserving Buffalo's architecture and historic buildings. Murray made efforts to secure funding for the Darwin Martin House. He also made outstanding contributions to save Louis Sullivan's marvelous Guaranty Building, surely the world's first skyscraper, and to the renovation of Kleinhans Music Hall. My Buffalo office is in the Guaranty Building. Saving it from destruction is one of my greatest achievements as a senator.

Murray is a patriot having served in the Army in World War II as part of the Pacific force. Thanks to the assistance of the GI Bill of Rights, he did graduate work at Medill School of Journalism at Northwestern University and earned a master's degree in 1949. He also was a member of the State Judicial Screening Committee for the Fourth Department and the State Fair Trial Free Press Conference. At the request of Gov. Mario Cuomo, he served on the New York State Temporary Commission on Constitutional Revision in 1994.

A native of Brooklyn and a graduate of Brooklyn college, Murray came to Buffalo in 1949 as a reporter. While at The Buffalo News, he worked as a copy editor, assistant city editor, assistant news editor, swing editor, makeup editor and news editor, and managing editor. Thirty years after he began working for The News, Warren E. Buffett named him editor and vice president. He became senior vice president in 1983. Murray and his wife of 45 years, Joan, have three children.

In a letter to Murray, Warren Buffett wrote: ''From both a professional and a personal standpoint, you are the perfect person to be editor of The Buffalo News. I've always considered myself very lucky in having you there when I arrived in 1977.''

Mr. President, in this spirit, I ask that Edward Cuddihy's article from The Buffalo News, be printed in the RECORD.

The article follows.

[From The Buffalo News, August 9, 1999]

LIGHT TO RETIRE AS EDITOR AFTER 50 YEARS AT NEWS

(By Edward Cuddihy)

Buffalo News Editor Murray B. Light, the only editor most of his newsroom staff members have ever worked for in Buffalo, announced Sunday that he will retire Sept. 19, ending an illustrious journalism career at The Buffalo News that spans a half-century.

Light, who also is senior vice president of The News, made the announcement ''his way,'' not before a gathering of the public officials and civic leaders he has worked with for the past 30 years, but before about 1,200 fellow workers and their families at an employee appreciation picnic, amid the smell of hot dogs and the sounds of children.

Light's announcement came immediately after he was honored by News President and Publisher Stanford Lipsey on the upcoming 50th anniversary of Light's first day at The News. The actual date of that anniversary is Sept. 19, the day Light has chosen as his last day at The News.

In brief remarks, Lipsey said of Light: ''The responsibility of editing a daily metropolitan newspaper is enormous. It involves critical and complex decisions made against stressful deadlines. Murray Light never faltered in his courage, principles or judgment.

''He has left his mark on this newspaper and the entire community. It has been both stimulating and satisfying to have worked with him these past 20 years.''

Light's newsroom leadership began in 1969, the day this feisty young news editor was named managing editor for news. Since then, he set both the tone of the newspaper and the news agenda for the community.

During the past 30 years, Light has been on a first-name basis with governors, senators, congressmen, state legislative leaders, mayors, county executives and anyone else who might have, or wanted to have, an influence on Buffalo and Western New York.

Light's three all-consuming concerns have been The Buffalo News, which he recently described to one colleague as ''my life,'' the City of Buffalo, his adopted hometown, and his newsroom staff with whom he agonized over the paper's failures as much as he gloried in its many triumphs.

Among those triumphs were the launching of the Sunday News, which he describes as ''the most exhilarating challenge of my entire career''; the creation of the popular weekly entertainment section Gusto; and the development of the Sunrise Edition, which made The News one of the nation's all-day newspapers.

Light has been comfortable taking part in every aspect of the newspaper, whether it be his daily attendance at the Editorial Board meetings, where the newspaper's editorial page policy is developed, or his choosing of comics and puzzles for the back pages.

No matter what part of the newspaper he dealt with, his news instincts, often initially seen by his colleagues as a quick shot straight from the hip, usually proved impeccable. For example, Light's idea for Gusto initially was rejected by many as impractical and unnecessary. But Light persisted, and a generation later, nearly every metropolitan newspaper in the country has a section like Gusto, which proved to be popular beyond his imagination.

Light has been directing the morning and evening news meetings at which the editors decide which stories will be played on the front page since those meetings were initiated at The News 15 years ago. At times, an informal vote is taken on what editors describe as ''a close call,'' but everyone around the table knows that only the single ballot at the head of the table counts.

Light, who will be 73 in October, runs the newsroom by the sheer force of his dominant personality. His enthusiasm for every detail, large or small, has been a hallmark of his career. He once told the story of his teen-age job in Brooklyn, operating a machine that inserted three pennies change into cigarette packs for vending machines. ''No job is ever too small to demand your attention,'' he told young editors, adding with a smile that he nearly knocked his finger off when he let his concentration drift for a moment.

Only the fourth person to hold the title of editor at this newspaper during the 20th century, Light came to Buffalo and The News as a reporter in 1949. A native of Brooklyn, his first newspaper job was as campus correspondent for the old Brooklyn Eagle while he was earning his bachelor's degree at Brooklyn College.

He enlisted in the Army and was part of the force in the Pacific being readied for an invasion of Japan, a force that this country never needed to utilize. After his return, he did graduate work at Medill School of Journalism at Northwestern University under the GI Bill of Rights and earned a master's degree in 1949.

During his brief stint as a copy editor at the old New York World-Telegram, Light was hired by the legendary editor of The News, Alfred H. Kirchhofer, a man whom Light quotes to this day with the degree of respect and loyalty he has expected from his employees. Light worked as a copy editor, assistant city editor, assistant news editor, swing editor, makeup editor and news editor before being named managing editor for news in June 1969.

In October 1979, Light was named editor and vice president, and in 1983, he was named senior vice president.

Light recalls that in 1977, when investor Warren E. Buffett purchased The News, the amiable billionaire from Omaha, Neb., told Light he would never interfere in newsroom operations.

''And to this day, he has lived up to that pledge one hundred percent,'' Light said.

Among his memorabilia of 50 years is a carefully folded letter Light received from the chairman of The Buffalo News just prior to Light's 70th birthday.

Buffett wrote: ''From both a professional and a personal standpoint, you are the perfect person to be editor of The Buffalo News. I've always considered myself very lucky in having you there when I arrived in 1977.''

During Light's watch as managing editor and editor, he saw the transformation of American newsrooms from manual typewriters to word processors, and in the mid-80s, when many of his younger colleagues were balking at giving up their typewriters for computers, Light insisted that he be among the first to turn in his trusty Royal for the new invention.

Light has been characterized as an editor right out of ''The Front Page,'' a hard-nosed, often irreverent newsman, hell-bent at getting the big story on the press. He has lived through tumultuous change in American journalism, but he has not altered his fundamental views on a newspaper's relationship with its readers.

Speaking to a group of advertising executives 20 years ago, Light summed up those views when he said:

''The News will not sensationalize to create a headline. We will not, through reference or emphasis, play to the emotions of a segment of our readership and in the process denigrate, dismay or demolish the reputation of a group—whether it be civic, political or ethnic * * *

''We will not use our news columns to reinforce and/or espouse the causes of our editorial page. The News wants to sell newspapers * * * but we will not attempt to do so by yielding to expediency and destroying our news integrity.''

In January 1979, Light began writing a column, ''Your Newspaper,'' in which he shared his views on the newspaper and its staff with the readers. Since then, he has written hundreds of such columns, which he keeps in a cardboard box in his office. Light said he plans to write a column for The News Sunday Viewpoints Section, starting this fall.

Light held offices and holds membership in a large number of professional organizations, including past president of the New York State Society of Newspaper Editors.

He also has been honored by scores of business, civic, social and charitable organizations. Never a man to court personal honors, one of his most treasured accomplishments was to be chosen by his peers to be part of the nominating jury for journalism's coveted Pulitzer Prizes, a post he held in 1990 and 1991.

Light served on the advisory council to the journalism department at St. Bonaventure University and has served on the Community Advisory Council of the University at Buffalo.

He is a member of the American Society of Newspaper Editors and the Associated Press

Managing Editors Association. He also was a member of the State Judicial Screening Committee for the Fourth Department and the State Fair Trial Free Press Conference. Gov. Mario Cuomo appointed him to the New York State Temporary Commission on Constitutional Revision in 1994.

A staunch supporter of the City of Buffalo, Light and his wife of 45 years, Joan, moved from suburban Amherst in the 1970s to a home near the city's Allentown section and most recently to a condominium in the Waterfront Village community. Joan recently retired as vice president of Sovran Self Storage, Williamsville.

The Lights have three children. Lee, a registered nurse with the Buffalo Red Cross Chapter; Laura, a medieval scholar on the Harvard University faculty; and Jeffrey, deputy editor of the Orange County (Calif.) Register.

Light seeks to quench his life-long thirst for knowledge through reading. He recently told his colleagues, without as much as raising an eyebrow, that he reads ''about a hundred books a year, give or take a few,'' in addition to newspapers, news magazines and professional journals.

In his younger years, Light would be hard-pressed to pass up a poker game, and he and Joan were regulars on the tennis court.

Just 19 years ago, Light was quoted as insisting he could never share his wife's fondness for golf. But in recent years, the Lights have been regulars on the golf course at Wanakah Country Club, where they are members. And this summer, the Lights were spectators at the British Open in Carnoustie, Scotland.

Murray B. Light has always had the ability to alter his view in the face of a persuasive argument made by someone he trusts—even an argument about golf.●

CONGRATULATING THE BROWNS AND THE CARSONS ON THE BIRTHS OF THEIR CHILDREN

● Mr. ALLARD. Mr. President, I would like to take a moment to recognize the endeavors of two staff members from my D.C. office who have been working especially hard to increase our Republican majority for the future.

Three weeks ago, Beth Brown, an employee of mine since I started in the Senate, and her husband Motte, who works for our esteemed President Pro Temp, became the proud parents of Sophie Isabelle Brown. She was born around 11 pm on August 25th at a healthy 7 pound and 2 ounces. This is their first child and my staff and I wish them all the happiness in the world.

I am also pleased to announce that just last week John and Eileen Carson brought their second baby girl into their family. Ainsley Jane Adeline Carson arrived September 2nd at 3:09 p.m., weighting 7 pounds and 3 ounces. John is a 5-year member of my staff and my Senior Legislative Assistant. They are doing very well and we extend our warmest wishes and congratulations to them also.●

DELAWARE STATE POLICE SUPERINTENDENT COLONEL ALAN D. ELLINGSWORTH

● Mr. BIDEN. Mr. President, I rise today to pay tribute to Delaware's top police officer—the Superintendent of the Delaware State Police, Colonel Alan D. Ellingsworth.

After one of the most distinguished careers in Delaware law enforcement history, Colonel Ellingsworth has retired following 24 years of service with the Delaware State Police. His life as a police officer began on August 1, 1975, when he was assigned as a road trooper at Troop 6 in Prices Corner. Moving up the ranks quickly, he worked in every major unit, including criminal investigations, as the officer-in-charge of the homicide unit and as a Troop Commander.

In May, 1994, he was promoted to Superintendent, where he has been a true leader for the citizens of Delaware, and a true partner and friend to me.

Mr. President, I want to mention something very near and dear to my heart, the 1994 Crime Law that I authored—it became a reality in Delaware thanks to Colonel Alan Ellingsworth. Under his leadership, the ranks of the Delaware State Police increased 10 percent, with a force of 525 officers today. With funding from the Crime Law, he not only put 60 more police officers on our streets—he established effective ''Community Policing'' units in Delaware's toughest neighborhoods. He personally tackled the drug problem in rural parts of Sussex and Kent Counties, creating new units to go into these poorer areas so that adult residents and their children knew the Delaware State Police were their friends and partners in ''taking back their neighborhoods.'' And he sent a strong message to drug dealers and criminals—get out and stay out. His officers arrested the drug dealers and users, and helped direct the neighborhood kids to Boys and Girls Clubs and other constructive, supervised activities. I've seen these officers at work in these communities—it is remarkable how residents trust them. Equally impressive are the results.

His strategy has worked. Crime in Delaware is down 12 percent.

But there's much more to his story. In another of his initiatives, he used Crime Law grants to put non-uniform police in every high school as Youth Resource Officers. Again, students get the message that, one, violence, bullying, drugs, gangs and guns will not be tolerated; and second, police are role models, coaches and mentors.

Under Colonel Ellingsworth, the Delaware State Police have established Community Police sub-stations in shopping malls, local communities—even in a converted laundry room in an apartment complex in Georgetown, Delaware. The goal and message are simple: police need to be on the beat to help prevent and readily respond to crime.

Colonel Ellingsworth's legacy to the Delaware State Police is even deeper than his accomplishments in reducing crime. The Delaware Crime Statistical Center is now state-of-the-art. The State's crime data is linked with the National Crime Information Center. Delaware's Sex Offender Registry was created under his watch and with his persistent doggedness that Delaware get this system implemented efficiently and effectively.

During his tenure, Colonel Ellingsworth presided over the memorable 75th Anniversary of the Delaware State Police and successfully pursued the fund-raising, building and dedication of the new Delaware State Police Museum.

During his career, Colonel Ellingsworth has received numerous awards and commendations, including Trooper of the Year in 1979 and 1985—In the history of the Delaware State Police, he is the only officer who has been named Trooper of the Year twice. He also has received three Superintendent's Citations, and he was selected as the Crime Stoppers' Detective of the Year.

He is a 1988 graduate of the FBI's National Academy, and a 1987 graduate of the Pennsylvania State University Police Executive Development Institute.

As we like to say in Delaware, Colonel Ellingsworth is ''home grown.'' He was born in Sussex County, a 1972 graduate of Sussex Central High School, received his bachelor and master's degrees from Wilmington College, and now lives in Bear with his wife Ann Marie and their three daughters, Amanda, Lauren and Megan.

Mr. President, it is my great privilege to honor Colonel Ellingsworth on his career as Delaware's top police officer. His officers are the first to say he has served as a real ''trooper's trooper.'' He has been an officer who is tough as nails when solving a heinous crime, yet he always could be counted on as a sensitive shoulder of support to families of officers killed or injured in the line of duty. I will miss his counsel and advice, and I wish him and his family Godspeed, good health and good fortune in the years ahead.●

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 99–498, reappoints Robert C. Khayat, of Mississippi, to the Advisory Committee on Student Financial Assistance for a term beginning October 1, 1999, and ending September 30, 2002.

The Chair, on behalf of the majority leader, after consultation with the Democratic leader, pursuant to Public Law 93–415, as amended by Public Law 102–586, announces the appointment of Charles Sims, of Mississippi, to serve as a member of the Coordinating Council on Juvenile Justice and Delinquency Prevention, vice William Keith Oubre.

ORDER FOR PRINTING—S.J. RES. 33

Mr. GORTON. Mr. President, I ask unanimous consent that S.J. Res. 33 be printed, as modified and passed by the Senate.

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

ORDERS FOR WEDNESDAY, SEPTEMBER 15, 1999

Mr. GORTON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until the hour of 10 a.m. on Wednesday, September 15. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume debate on H.R. 2084, the transportation appropriations bill.

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

PROGRAM

Mr. GORTON. Mr. President, as a result of that action, for the information of all Senators, the Senate will convene at 10 a.m. tomorrow and immediately resume consideration of the transportation appropriations bill. By previous consent, there will be 1 hour of debate on two Wyden amendments, both on the subject of airline reporting, with votes to occur at 11 a.m. Further, amendments and votes are anticipated throughout tomorrow's session of the Senate.

For the remainder of the week, we hope the Senate can complete action on both the Interior and Transportation appropriations bills. I will state, Mr. President, that I am sure the Interior bill will be completed promptly after disposition of the Hutchison amendment.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. GORTON. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Wednesday, September 15, 1999, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate September 14, 1999:

EXECUTIVE OFFICE OF THE PRESIDENT

Joshua Gotbaum, of New York, to be Controller, Office of Federal Financial Management, Office of Management and Budget, vice G. Edward DeSeve.

UNITED STATES SENTENCING COMMISSION

Joe Kendall, of Texas, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2001, vice David A. Mazzone, term expired.

Michael O'Neill, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2003, vice Deanell Reece Tacha, term expired.

John R. Steer, of Virginia, to be a Member of the United States Sentencing Commission for the remainder of the term expiring October 31, 1999, vice Wayne Anthony Budd, resigned.

John R. Steer, of Virginia, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2005. (Reappointment)

DEPARTMENT OF JUSTICE

John Hollingsworth Sinclair, of Vermont, to be a United States Marshal for the District of Vermont for the term of four years, vice John Edward Rouille, resigned.