

EC-8698. A communication from the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Apportionment of the Initial Reserve of Pacific Cod in the Gulf of Alaska", received April 25, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8699. A communication from the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna Catch Reporting; Determination of State Jurisdiction" (RIN0648-AN56) (I.D. 012800H), received April 20, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8700. A communication from the Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Lancaster, Groveton and Milan, NH" (MM Docket No. 99-9; RM-9434, 9597), received April 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8701. A communication from the Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Princeville, Kapaa and Kalaeo, HI" (MM Docket No. 99-139; RM-9402, 9412), received April 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8702. A communication from the Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Spencer and Webster, MA" (MM Docket No. 00-8, received April 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8703. A communication from the Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Lampasas and Leander, TX" (MM Docket No. 99-344), received April 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8704. A communication from the Wireless Telecommunications Bureau, Commercial Wireless Division, Policy and Rules Branch, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Part 90—Private Land Mobile Services; Section 90.425 Station Identification; Section 90.647 Station Identification" (GN Docket No. 93-252, PR Dockets 93-144 and 89-553, FCC 00-106), received April 19, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8705. A communication from the Common Carrier Bureau, Network Services Division, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "In the Matter of Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking (rel. Mar. 31, 2000)" (FCC 00-104, CC Doc. 99-200), received April 24, 2000; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

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

POM-462. A resolution adopted by the Legislature of Guam relative to commuting a jail sentence and returning Federal lands to the original landowners; to the Committee on Energy and Natural Resources.

RESOLUTION NO. 270

Whereas, a Dededo lot approximately 29,000 square meters in size, owned by Angel Leon Guerrero Santos' grandfather Angel Borja Santos, was condemned by appointed Governor Carlton Skinner in 1950; and

Whereas, the above mentioned lot was used as part of the United States military training and exercise grounds decades ago, but has since been declared excess federal land by the United States Department of Defense for decades, and is not within the boundaries of any active federal facility or reservation, nor is it fenced or otherwise routinely patrolled; and

Whereas, Angel L.G. Santos began living and farming on the Dededo lot in 1992, citing the fact that the government had not used the land in many year; and

Whereas, the U.S. military and then the Federal Government issued notice to Angel L.G. Santos to vacate the lot, and in 1993 the federal government sought and was granted federal court injunction to keep him from the lot; and

Whereas, a concrete house built by Angel L.G. Santos on the lot was destroyed by the Federal Government after the Federal Court injunction was granted in 1993, but in 1999 Angel L.G. Santos gave notice to the U.S. military that he would again live on the lot as an act of civil disobedience protesting the resistance of the Federal Government to allow excess land to be returned to the original owners and their heirs; and

Whereas, the U.S. District Court of Guam sentenced Angel L.G. Santos to federal prison for violating its injunction against entering and using the Dededo lot and for violating its order to appear in court on October 8, 1999; and

Whereas, the Federal Government controls approximately one-third of Guam's land, with 44,000 acres in its inventory of which 12,000 acres is surrounded by a military fence and only 6,000 acres of that is actively being used by the military; and

Whereas, the Federal Government has declared 10,000 acres of land it claims in Guam as excess land and has expressed its intent to return the excess land to the Government of Guam, but resists the Government of Guam's expressed intent in local law to return the excess Federal land to the original landowners and their heirs; and

Whereas, the Federal Government's holding of 44,000 acres of Guam land, more than 30,000 acres of which have never been developed, serves to stifle the Island's economy by not allowing private land owners to develop, farm, or profit from the land, by not allowing the local government to tax the land, and by making land more scarce and more expensive, and thereby driving up the cost of other goods and services on the Island; and

Whereas, the unused federal land was condemned by a government not elected by the people of Guam and is withheld by a Federal Government not elected by the people of Guam; and

Whereas, Guam has been colonized and administered for hundreds of years by the Spanish, the United States of America, and Japan, and while the people of Guam are as patriotic as any other Americans, they seek democratic self-determination that has been endorsed by President William Clinton in his visit to Guam in 1998; now therefore, be it

Resolved, That *I Mina'Bente Singko Na Liheslaturan Guahan* respectfully requests that clemency be granted for Angel L.G. Santos by President William Clinton, that

his sentence be commuted, and that he be released and returned to Guam; and be it further

Resolved, That *I Mina'Bente Singko Na Liheslaturan Guahan* respectfully requests that President William Clinton return all excess federal lands to the Government of Guam as expeditiously as possible; and be it further

Resolved, That *I Mina'Bente Singko Na Liheslaturan Guahan* respectfully requests that the United States Congress allow all excess federal lands returned to the Government of Guam to be disposed of as the local government determines, including but not limited to the return of the land to original landowners and their heirs when possible; and be it further

Resolved, That the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to the Secretary General of the United Nations; to the National Organization for the Advancement of Chamour People; to amnesty International; to Attorney Antonio Cortez; to Rosaline Roberto Salas; to the Guam Congressional Delegate; and to the Honorable Carl T.C. Gutierrez, *I Maga'lahaen Guahan*.

POM-463. A resolution adopted by the Legislature of Guam relative to a "Critical Habitat" Designation on Guam; to the Committee on Energy and Natural Resources.

RESOLUTION NO. 268

(Be it Resolved by I Liheslaturan Guahan:

Whereas, thousands of acres of land on Guam are designated as "wildlife refuge" by the Department of the Interior, preventing the rightful and long overdue return of that land to original landowners and restricting the growth of Guam's economy, in the name of protecting an extremely small number of birds; and

Whereas, attorneys for the Center for Biological Diversity and the Marianas Audubon Society sent a February 3, 2000 letter addressed to Secretary of the Interior, the Honorable Bruce Babbitt, threatening litigation and seeking to designate twenty-four thousand five hundred sixty-two (24,562) acres of land on Guam as "Critical Habitat"; and

Whereas, the designation of the land as "Critical Habitat" would significantly restrict the Island's tourism industry, placing significant restrictions on inbound and outbound commercial airline flights on Guam by forcing the Federal Aviation Administration to ensure that any of its actions, even those taking place outside of the "Critical Habitat," will *not* affect the habitat in any way; and

Whereas, a "Critical Habitat" environmental designation is significantly more restrictive on uses of real property than a wildlife refuge and could be applied to privately owned real property and real property owned by the government of Guam, severely limiting the possible economic uses for local land already in short supply; and

Whereas, a "Critical Habitat" designation on privately owned real property would devalue that real property, causing an adverse impact to local lending institutions and developers that use the value of real property for collateral in their financial arrangements; and

Whereas, a "Critical Habitat" designation on real property owned by the government of Guam would make it virtually impossible to finance projects through the bond market, and therefore would limit the development of infrastructure by the Guam Power Authority, the Guam International Airport Authority, the Department of Education, the

Guam Waterworks Authority and the Port Authority of Guam, among others, which are needed for the economic development of the Island and the physical well-being of the Island's population; and

Whereas, the return of excess Federal lands to original landowners or their heirs that is designated as "Critical Habitat" would result in a significant limitation on the use of those lands, including the prevention of basic uses, such as farming or construction of simply family dwellings and would restrict the installation of basic infrastructure, such as water and power utilities; and

Whereas, a "Critical Habitat" designation could affect the mission of the U.S. military in this region, as Rear Admiral E.K. Kristensen wrote to the U.S. Fish and Wildlife Service Regional Director on November 17, 1992, stating concerns regarding "the possibility of untenable restriction on the military mission that could be created . . . which could lead to significant limitation on the Department of Defense Activities Perceived in the Future is incompatible with Refuge operations."; and

Whereas, the limitations on Guam's development, commercial flights, basic Island infrastructure, financial arrangements, original landowners and economic activity that would be forced by a "Critical Habitat" designation would be without significant evidence and scientific data showing that the designation would in anyway be necessary for the continued survival of any species; now therefore, be it

Resolved, That *I MinaBente Singko Na Liheslaturan Guahan* does hereby, on behalf of the people of Guam, respectfully request that the United States Department of Interior *not* allow the designation of land on Guam as "Critical Habitat"; and be it further

Resolved, That *I MinaBente Singko Na Liheslaturan Guahan* does hereby, on behalf of the people of Guam, respectfully request that the Congress of the United States of America *not* allow the designation of land on Guam as "Critical Habitat"; and be it further

Resolved, That the Speaker certify, and the Legislative Secretary attests to, the adoption hereof and that copies of the same be thereafter transmitted to the Honorable William Jefferson Clinton, President of the United States of America; to the Honorable Albert Gore, Jr., President of the United States Senate; to the Honorable J. Dennis Hastert, Speaker of the United States House of Representatives; to the Honorable Bruce Babbitt, Secretary of the United States Department of Interior; to the Honorable Robert A. Underwood, Member of Congress, U.S. House of Representatives; and to the Honorable Carl T.C. Gutierrez, *I Magalahaen Guahan*.

POM-464. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to prescription drug coverage for Medicare beneficiaries; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 7

Whereas, although Medicare provides important health insurance for older Americans, its coverage is not comprehensive, requires substantial cost-sharing for many covered services, and does not cover prescription drugs; and

Whereas, the American Association of Retired Persons (AARP) recently published a brief entitled "Out-Of-Pocket Health Spending by Medicare Beneficiaries Age 65 and Older: 1999 Projections" and revealed that Medicare beneficiaries age sixty-five and older were projected to spend an average of \$2,430 or nineteen percent of income; out-of-pocket for health care in 1999; and

Whereas, prescription drugs account for the single largest component of out-of-pocket spending on health care after premium payment; and

Whereas, on average, beneficiaries are expected to spend as much out-of-pocket for prescription drugs as for physician care, vision services, and medical supplies combined; and

Whereas, in many cases, prescription drugs have proven to be more effective, more convenient, and less expensive than alternatives such as surgery or hospitalization; and

Whereas, the nation is currently engaged in a debate about how to provide prescription drug coverage to Medicare beneficiaries, the vast majority of whom are age sixty-five and over; and

Whereas, while about two-thirds of all Medicare beneficiaries already have some form of prescription drug coverage, many low-income seniors do not; and

Whereas, the Legislature of Louisiana believes that all seniors who need prescription drugs should have access to them. Therefore be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to adopt a program which will provide prescription drug coverage to Medicare beneficiaries. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana congressional delegation.

POM-465. A resolution adopted by the Legislature of the State of Minnesota relative to Americans who may be held against their will in North Korea, China, Russia, and Vietnam; to the Committee on Foreign Relations.

RESOLUTION NO. 4

Whereas, United States satellite and spy plane photos show names and rescue codes of missing servicemen spelled out on the ground in Vietnam and Laos; and

Whereas, such rescue codes are constructed exactly as the missing men were taught should they ever be captured; and

Whereas, the executive branch of the United States government has declined to follow the unanimous recommendation of the Senate Select POW/MIA committee to make a by-name request of the government of Vietnam regarding the fate of an individual associated with a June 5, 1992, symbol at a Vietnamese prison; and

Whereas, the executive branch has steadfastly refused a unanimous recommendation from the same committee to create an imagery review task force to look for other symbols from prisoners; and

Whereas, intelligence indicates a group of live American prisoners held in North Korea; and

Whereas, intelligence reports indicate the presence of American POWs held in North Korea, China, Russia, and Vietnam; and

Whereas, the United States government has rebuffed overtures from Vietnam and North Korea regarding the release of live American POWs; now, therefore, be it

Resolved by the Legislature of the State of Minnesota, That it urges the President and the Congress of the United States to take whatever action is necessary to obtain the release of Americans who may be held against their will in North Korea, China, Russia, and Vietnam. Be it further

Resolved, That the Secretary of State of the State of Minnesota is directed to prepare copies of this memorial and transmit them to the President of the United States, the President and the Secretary of the United

States Senate, the Speaker and the Clerk of the United States House of Representatives, and Minnesota's Senators and Representatives in Congress.

SENATE RESOLUTION NO. 331

Whereas, The U.S. Environmental Protection Agency (USEPA) is required to submit a report to the U.S. Congress under the Bevill Amendment of 1980, otherwise known as the Bevill Regulatory Determination for Fossil Fuel Combustion Wastes; and

Whereas, The Bevill Regulatory Determination requires the USEPA to "conduct a detailed and comprehensive study and submit a report on the adverse effects on human health and environment, if any, of the disposal and utilization of fly ash waste, bottom ash waste, slag waste, flue gas emission control waste, and other by-product materials generated primarily from other combustion of coal or other fossil fuels"; and

Whereas, The USEPA has studied this issue since 1981 and in 1993 decided that these coal combustion wastes do not pose a threat to human health and the environment under current disposal practices; and

Whereas, The new USEPA report may recommend that coal ash be classified as a hazardous waste; and

Whereas, Illinois is a coal-producing state and a determination that coal ash is a hazardous waste would inhibit the sales of Illinois coal; and

Whereas, Coal is used in a number of industrial processes by major employers and is a vital component of the Illinois industrial fuel mix; and

Whereas, Coal ash can be a useful by-product of coal combustion and can be incorporated in a number of products such as gypsum board, roof shingles, abrasives, and fluid fill material and classifying coal ash as a hazardous waste would seriously damage recycling efforts and the business economy associated with these products; and

Whereas, Illinois derives nearly half of its energy needs from coal-fired power plants and further hindering their operations could compromise the reliability of the electric system; and

Whereas, Illinois coal-fired power plants would be put at a competitive disadvantage if the Bevill Determination were to recommend that coal ash be classified a hazardous waste; therefore, be it

Resolved, by the Senate of the Ninety-first General Assembly of the State of Illinois, That we urge the USEPA to refrain from classifying coal ash as a hazardous waste; and be it further

Resolved, That suitable copies of this resolution be delivered to Vice President Al Gore, USEPA Director Carol Browner, and every member of the Illinois congressional delegation.

POM-466. A resolution adopted by the Senate of the State of Illinois relative to classifying coal ash as a hazardous waste; to the Committee on Environment and Public Works.

POM-467. A resolution adopted by the Senate of the General Assembly of the State of Connecticut relative to a regional petroleum supply mechanism; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 12

Whereas, a sharp, sustained increase in the price of fuel oil would negatively affect the overall economic well-being of the United States, and such increases have occurred in the winters of 1983-1984, 1988-1989 and 1999-2000; and

Whereas, the United States currently imports roughly fifty-five per cent of its oil; and

Whereas, the heating oil price increases disproportionately harm the poor and the elderly; and

Whereas, the global oil market is often greatly influenced by nonmarket-based supply manipulation, including price fixing and production quotas; and

Whereas, according to the June 1998 United States Department of Energy "Report to Congress on the Feasibility of Establishing a Heating Oil Component to the Strategic Petroleum Reserve", (1) the use of a government-owned distillate reserve in the Northeast would provide benefits to consumers in the Northeast and to the nation, (2) the federal government would make a profit of forty-six million dollars from drawing down and selling the distillate, (3) consumer savings, including reductions in jet fuel, would total four hundred twenty-five million dollars, (4) there are a number of commercial petroleum storage facilities with available capacity for leasing in the New York/New Jersey area, and (5) it would be cost-effective to keep a federal government stockpile of approximately two million barrels in leased storage in the Northeast, filled by trading some crude oil from the federal government's strategic reserve of oil for the refined product, now, therefore, be it

Resolved, That the Senate calls upon the United States Congress to create a heating oil reserve located in the Northeast region of the United States to be utilized to stabilize the cost of heating oil for residents of the state; and be it further

Resolved That the clerk of the Senate cause a copy of this resolution to be sent to the presiding officer of each house of Congress and to each member of the Connecticut congressional delegation.

REPORT OF COMMITTEE

The following report of committee was submitted:

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

S. 682: A bill to implement the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes (Rept. No. 106-276).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services.

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John L. Woodward, Jr., 3961

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Harry D. Raduege, Jr., 9435

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John R. Dallager, 9670

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general, medical service corps
Col. Richard L. Ursone, 5290

Bruce Sundlun, of Rhode Island, to be a Member of the National Security Education Board for a term of four years.

Manuel Trinidad Pacheco, of Arizona, to be a Member of the National Security Education Board for a term of four years. (Reappointment)

The following named officer for appointment as Deputy Judge Advocate General of the United States Navy in the grade indicated under title 10, U.S.C., section 5149:

To be rear admiral

Capt. Michael F. Lohr, 1245

The following named officer for appointment as Judge Advocate General of the United States Navy under title 10, U.S.C., section 5148:

Judge Advocate General of the United States

Rear Adm. Donald J. Guter, 0275

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Edmund P. Giambastiani, Jr., 8318

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Raymond P. Ayres, Jr., 5986

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Emil R. Bedard, 9035

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Bruce B. Knutson, Jr., 7136

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. William L. Nyland, 8595

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael W. Hagee, 5620

(The above nominations were reported with the recommendation that they be confirmed.)

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

Mr. WARNER. Mr. President, for the Committee on Armed Services, I report favorably nomination lists which were printed in the RECORDS of the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning Marlene E. Abbott and ending Brian P. Zurovetz, which nominations were received by the Sen-

ate and appeared in the CONGRESSIONAL RECORD on March 30, 2000.

Air Force nomination of David S. Wood, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 4, 2000.

Air Force nominations beginning Robert F. Byrd and ending John B. Steele, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 11, 2000.

Army nominations beginning Robert B. Abernathy, Jr. and ending X4568, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 2, 2000.

Army nominations beginning Harold T. Carlson and ending Jeffrey M. Young, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 7, 2000.

Army nominations beginning Robert V. Loring and ending Jeffrey D. Watters, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 30, 2000.

Army nominations beginning Willie D. Davenport and ending William P. Troy, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 30, 2000.

Army nominations beginning *Thomas N. Auble and ending *Robert A. Yoh, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 30, 2000.

Army nominations beginning Richard A. Keller and ending *Wendy L. Harter, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 4, 2000.

Army nominations beginning James M. Brown and ending Thomas E. Stokes, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 11, 2000.

Navy nomination of Leanne M. York-Slagle, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of March 30, 2000.

Navy nominations beginning James H. Fraser and ending Dwayne K. Hopkins, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 30, 2000.

Navy nominations beginning Gerald L. Gray and ending Linda M. Gardner, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 4, 2000.

Navy nominations beginning Coy M. Adams, Jr. and ending Michael A. Zurich, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 4, 2000.

Marine Corps nomination of J. E. Christiansen, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 4, 2000.

Marine Corps nomination of Clifton J. McCullough, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 4, 2000.

Marine Corps nomination of Landon K. Thorne III, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 4, 2000.

Marine Corps nominations beginning David R. Chevallier and ending John K. Winzeler, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 4, 2000.

By Mr. HELMS, from the Committee on Foreign Relations

Treaty Doc. 105-51 Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Exec. Report No. 106-14).