on June 7, 2000; to the Committee on Governmental Affairs.

EC–9292. A communication from the Executive Director of the Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting, pursuant to law, the report of procurement list additions received on June 14, 2000; to the Committee on Governmental Affairs.

EC–9293. A communication from the Acting Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Circular 97–18'' received on May 31, 2000; to the Committee on Governmental Affairs.

EC–9294. A communication from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the report of the rule entitled ''Public Use of NARA Facilities'' (RIN:3095–AA06) received on June 2, 2000; to the Committee on Governmental Affairs.

EC–9295. A communication from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the report of the rule entitled ''Records Declassification'' (RIN:3095–AA67) received on June 2, 2000; to the Committee on Governmental Affairs.

EC–9296. A communication from the Director of the Office of Executive Resources Management, Office of Personnel Management, transmitting, pursuant to law, the report of the rule entitled ''Employment in the Senior Executive Service'' (RIN:3206–AI58) received on May 24, 2000; to the Committee on Governmental Affairs.

EC–9297. A communication from the Director of the Office of Executive Resources Management, Office of Personnel Management, transmitting, pursuant to law, the report of the rule entitled ''Federal Employees Health Benefits Program and Department of Defense Demonstration Project Amendment to 5 CFR Part 890'' (RIN:3206–AI63) received on June 5, 2000; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, without amendment and with a preamble:

S. Res. 277: A resolution commemorating the 30th anniversary of the policy of Indian self-determination.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committee were submitted:

By Mr. LUGAR for the Committee on Agriculture, Nutrition, and Forestry.

Christopher A. McLean, of Nebraska, to be Administrator, Rural Utilities Service, Department of Agriculture.

Michael V. Dunn, of Iowa, to be a Member of the Farm Credit Administration Board, Farm Credit Administration for the remainder of the term expiring October 13, 2000.

(The above nominations were reported with the recommendation that they be confirmed subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Michael V. Dunn, of Iowa, to be a Member of the Farm Credit Administration Board, Farm Credit Administration for a term expiring October 13, 2006. (Reappointment)

(The above nomination was reported without recommendation. The nominee has agreed to appear before any duly constituted committee of the United States Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BENNETT (for himself, and Mr. HATCH):

S. 2754. A bill to provide for the exchange of certain land in the State of Utah; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself, and Mr. DOMENICI):

S. 2755. A bill to further continued economic viability in the communities on the southern High Plains by promoting sustainable groundwater management of the southern Ogallala Aquifer; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROBB:

S. 2756. A bill to amend the Federal Water Pollution Control Act to establish a National Clean Water Trust Fund and to authorize the Administrator of the Environmental Protection Agency to use amounts in the Fund to carry out projects to promote the recovery of waters of the United States from damage resulting from violations of that Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DOMENICI:

S. 2757. A bill to provide for the transfer of other disposition of certain lands at Melrose Air Force Range, New Mexico, and Yakima Training Center, Washington, to the Committee on Energy and Natural Resources.

By Mr. GRAHAM (for himself, Mr. BRYAN, Mr. ROBB, Mr. CONRAD, Mr. CHAFEE, Mr. BAUCUS, Mr. ROCKFELLER, and Mrs. LINCOLN):

S. 2758. A bill to amend title XVIII of the Social Security act to provide coverage of outpatient prescription drugs under the medicare program; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. Res. 324. A resolution to commend and congratulate the Los Angeles Lakers for their outstanding drive, discipline, and mastery in winning the 2000 National Basketball Association Championship; considered and agreed to.

By Mr. ABRAHAM:

S. Res. 325. A resolution welcoming King Mohammed VI of Morocco upon his first official visit to the United States, and for other purposes; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENNETT (for himself and Mr. HATCH):

S. 2754. A bill to provide for the exchange of certain land in the State of Utah; to the Committee on Energy and Natural Resources.

UTAH WEST DESERT LAND EXCHANGE ACT OF 2000

Mr. BENNETT. Mr. President, today I rise to introduce the Utah West Desert Land Exchange Act of 2000. I am pleased that my friend and colleague, Senator HATCH, joins me in introducing this important legislation.

The Utah Enabling Act of 1894 granted to the state four sections, each section approximately 640 acres in size, in each 36 square-mile township. These lands were granted for the support of the public schools, and accordingly are referred to as school trust lands. The location of these lands, as they are not contiguous to each other, has made management by the state difficult. In addition, as school trust lands are interspersed with Federal lands, Federal land designations, such as wilderness study area, have further complicated the state's ability to manage its lands.

The Utah West Desert Land Exchange Act of 2000 seeks to resolve these problems through an equal-value, equal-acreage land exchange between the state of Utah and the Federal Government. The lands that will be exchanged are located within the West Desert region of Utah. Each party will exchange approximately 106,000 acres. The Federal government will receive state lands located within wilderness study areas, lands identified as having wilderness characteristics in the Bureau of Land Management's Utah Wilderness Inventory, and lands identified for acquisition in the Washington County Habitat Conservation Plan. The state will receive federal lands that are more appropriate to carry out its mandate to generate revenue for Utah's public schools.

I would like to address two issues some have raised about this land exchange. The first issue is regarding land valuation. Both the state of Utah and the Department of the Interior firmly believe that this exchange is approximately equivalent in value. The parties have reached this conclusion after many months of thorough research and evaluation of the parcels to be exchanged. The process of research and evaluation included review of comparable sales, mineral potential, access, and topography. One may ask why each parcel of land was not appraised individually. The answer is that for many of the 175 state parcels it would have cost more to have appraised those lands than their agreed upon value. Please note that the average value of the school trust lands outside of Washington County is $85 per-acre; if each individual parcel was required to be formally appraised the high appraisal costs would place this land exchange, and all of its benefits, in jeopardy. Nevertheless both the state of Utah and the Department of the Interior have maintained their fiduciary responsibility by putting together a package that is equal, in both value and acreage.

The second issue that has been raised is in regard to the LaVerkin tract. Governor Leavitt, in his testimony before the United States House of Representatives Committee on Resources, stated: ''I want to assure you the state of Utah will be sensitive to local needs as this tract is developed, and will comply with, and participate in, local planning and zoning decisions. Also, you can be assured the scenic views at the entrance to Zion National Park will be protected to the maximum extent practicable,'' It is my hope that this commitment made by Governor Levitt will satisfy those concerned by the exchange of the LaVerkin tract.

The Utah West Desert Land Exchange Act of 2000 is the result of over 12 months of negotiations between the state of Utah and the Department of the Interior. For too long the school trust lands in the West Desert have been held captive by neighboring federal lands, unable to produce the revenue that are legally required to for Utah's schools. This bill provides that Congress with an opportunity to reduce the state of Utah's holdings in Federal wilderness study areas and other sensitive areas while increasing lands that are more suitable for long-term economic development to the state of Utah for its school children. Additionally, the Federal Government will consolidate its ownership in the existing wilderness study area, which will allow for more consistent management. This bill is a win-win proposal, and the right thing to do. I look forward to working with my colleagues to pass this legislation in the remaining months of the session.

Mr. HATCH. Mr. President, I rise today to announce my support for the West Desert Wilderness Land Exchange Act, introduced by my good friend and colleague, Senator ROBERT BENNETT. This is a proposal of importance to the citizens of my home state of Utah and to all Americans.

Utah is the home to some of the most environmentally diverse lands in the nation. These lands contain environmentally significant plants, animals, geology, and many priceless archaeological sites.

This legislation will transfer 106,000 acres of state school trust lands that are currently held within Wilderness Study Areas to areas where they may better benefit Utah schools. School trust lands are intended to raise revenue for Utah's schools. The economic benefits of these lands are vital to Utah schools and their funding. Trapped within Wilderness Study Areas, these lands have not been able to be developed, and Utah's school children have been left holding the short end of the stick. This proposal will allow for a land swap between the Department of the Interior and the State of Utah, and both parties have given their blessing to this proposal.

The lands that will be given to the Department of the Interior are home to a variety of endangered and threatened species of plants and animals. A few of these are: the desert tortoise, the chuckawalla, purple-spined hedgehog cactus, and the golden and bald eagles. These lands also contain some of the most magnificent vistas in the western United States with views of Zions National Park, Elephant Butte, and the Deep Creek Mountains. This land exchange will preserve the unparalleled landscapes characteristic of Utah.

The Utah State School Lands Trust was established at the time Utah became a state with lands deeded to the trust by the federal government for the purpose of creating a reliable source of income to support our state's educational system. Every student in Utah benefits from the resources made available by the school trust lands. It is a critical source of support for Utah education.

This proposal, therefore, has the backing of all major Utah educational organizations, including the Utah PTA and Utah Education Association. This land exchange will unlock our school trust lands for the long-term benefit of Utah's school children. And, quite frankly, we will never be able to designate more wilderness in Utah without protecting the integrity of our Utah State School Lands Trust.

This is one proposal where everyone benefits—our schools as well as our environmental interests. It is a logical proposal; it is a fair proposal. I urge my colleagues to support this legislation, and I look forward to working with them on this important piece of legislation.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 2755. A bill to further continued economic viability in the communities on the southern High Plains by promoting sustainable groundwater management of the southern Ogallala Aquifer; to the Committee on Agriculture, Nutrition, and Forestry.

THE SOUTHERN HIGH PLAINS GROUNDWATER RESOURCE CONSERVATION ACT

Mr. BINGAMAN. Mr. President, I rise today to introduce legislation which will bring focus to an issue that concerns the long-term economic viability of communities in much of America's heartland: the southern High Plains stretching from the middle of Kansas through Oklahoma and the Texas Panhandle and including eastern portions of the State of Colorado, and the eastern counties of my home state of New Mexico. This is farm country, and the cornerstone of its economy is its groundwater supply, the Ogallala aquifer, which allows for irrigated agriculture.

The Natural Resource & Conservation Service estimates that there are over six million acres of irrigated farmland overlying the southern Ogallala. These farms use between six and nine million acre-feet of water each year. The problem is that current use of the aquifer is not sustainable, and it is being depleted rapidly.

As shown on this U.S. Geological Survey Map, the High Plains Aquifer, which is mostly the Ogallala Aquifer, starts in South Dakota, encompasses most of Nebraska and parts of Wyoming, and then continues down into the southern High Plains.

This next chart shows the change in water levels in the aquifer over a seventeen year period from 1980 to 1997. As shown by the gray and blue markings on this map, the northern portion of this aquifer is in pretty good shape. The rate of water recharge from rainfall and irrigation water from the Platte River, for the most part matches or is greater than the rate of water depletions.

However, the story is quite different in the southern High Plains. In just the 17 years characterized on this map, we have seen large areas of the southern aquifer experience a 10 to 20 foot drop in their water table. That is shown in the dark orange areas on the map. More alarming is that for an almost equal area, as depicted in red on the map, the drop in the water table has been 40 feet or greater.

These changes in the level of the water table mean that it takes more wells at a greater pumping cost to produce the same amount of water, and that's if the wells don't go completely dry. This raises the serious question about the viability of continued farming on the southern High Plains. However, while irrigated agriculture uses the lion's share of the water, farm viability is only part of the economic story. This aquifer is also the primary source for municipal water on the southern High Plains. Diminishing productivity from municipal wells and the increased cost of pumping can place huge strains on local and county resources.

The insecurity of groundwater resources on the southern High Plains is a multi-state issue with significant economic and social consequences for America as a nation. We must act now to help steer the communities on the southern High Plains toward a sustainable use of the Ogallala aquifer. Ignoring the problem and allowing continuing uses to go unabated invites tremendous economic dislocation for a large section of our country.

To address this issue I am introducing the Southern High Plains Groundwater Resource Conservation Act. This bill creates three levels of approach to the problem.

First, it recognizes that to guide government decision makers and private investors, accurate, up-to-date, scientific information about the groundwater resources in their area is necessary. Therefore it calls upon the United States Geological Survey to initiate a comprehensive hydrogeologic mapping, modeling, and monitoring program for the Southern Ogallala, to provide a report to Congress and to the relevant states with maps and information on a county by county basis, and to renew and update that report every year.

Second, it acknowledges that an effective water conservation plan can only be measured against a multi-year goal. Also, modeling by the U.S.G.S. indicates that groundwater conservation is not economically effective if implemented on a small scale basis. Measures must be implemented over a sufficiently large area in order to see a long-term groundwater savings, and return on the investment in conservation. To ensure groundwater savings over an appropriate area, this bill would authorize the Secretary of Agriculture to provide planning assistance, on a cost-share basis, to states, tribes, counties, conservation districts, or other local government units to create water conservation plans designed to benefit their groundwater resource over at least 20 years.

Finally, if the Secretary certifies that such a plan is in place, this bill would provide two primary forms of assistance for groundwater conservation on individual farms. They are a cost-share assistance program to upgrade the water use efficiency of farming equipment, and the creation of an ''Irrigated Land Reserve.''

The cost-share program is based on the knowledge that, while significant water savings could be made from moving farms from historical row or center-pivot irrigation to more modern techniques, the upfront cost is often prohibitive to family farmers. However, estimates by the Natural Resources Conservation Service and the High Plains Underground Water Conservation District in Lubbock, Texas, are that an initial $20,000 in Federal investment in equipment on a cost-share basis would save between 325 to nearly 490 acre-feet of water over a ten year period. A bargain price, considering water prices on the West.

The Irrigated Land Reserve in this bill, is designed to convert 10 percent, or approximately 600,000 acres, of the irrigated farmland on the southern High Plains to dryland agriculture. Dryland agriculture, obviously, is less productive than irrigation. So this bill would provide for a rental rate to farmers to ease the economic impact of changing over. It is estimated that when fully implemented this program would save between 600,000 and 900,000 acre-feet of water per year at a cost of $33 to $50 per acre-foot.

These two programs, the cost-share program for water conservation, and enrollment in an Irrigated Land Reserve are completely voluntary. However, from the interest I have received in discussions with farmers on the southern High Plains, I expect that there will be no shortage of participants.

The program outlined in this bill would cost $70 million per year if fully implemented. Given the opportunity to move the southern High Plains communities to a sustainable use of their groundwater without massive dislocations in their economy, I think it will be an investment worth making.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2755

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Southern High Plains Groundwater Resource Conservation Act.''

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress Finds that—

(1) A reliable source of groundwater is an essential element of the economy of the communities on the High Plains.

(2) The High Plains Aquifer and the Ogallala Aquifer are closely related hydrogeographic structures. The High Plains Aquifer consists largely of the Ogallala Aquifer with small components of other geologic units.

(3) The High Plains Aquifer experienced a dramatic decline in water table levels in the latter half of the twentieth century. The Average weighted decline in the aquifer from 1950 to 1997 was 12.6 feet (USGS Fact Sheet 124–99, Dec. 1999).

(4) The decline in water table levels is especially pronounced in the Southern Ogallala Aquifer, reporting that large areas in the states of Kansas, New Mexico, and Texas experienced declines of over 100 feet in that period (USGS Fact Sheet 124–99, Dec. 1999).

(5) The saturated thickness of the High Plains Aquifer has declined by over 50% in some areas (1186 USGS Circular 27, 1999). Furthermore, the Survey has reported that the percentage of the High Plains Aquifer which has a saturated thickness of 100 feet or more declined from 54 percent to 51 percent in the period from 1980 to 1997 (USGS Fact Sheet 124–99, Dec. 1999).

(6) The decreased water levels in the High Plains Aquifer coupled with higher pumping lift costs raise concerns about the long-term sustainability of irrigated agriculture in the High Plains. (''External Effects of Irrigators' Pumping Decisions, High Plains Aquifer,'' Alley and Schefter, American Geophysical Union paper #7W0326; Water Resources Research, Vol. 23, No. 7 1123–1130, July 1987).

(7) Hydrological modeling by the United States Geological Survey indicates that in the context of sustained high groundwater use in the surrounding region, reductions in groundwater pumping at the single farm level or at a very local level of up to 100 square miles, have a very time limited impact on conserving the level of the local water table, thus creating a disincentive for individual water users to invest in water conservation measures. (''External Effects of Irrigators' Pumping Decisions, High Plains Aquifer,'' Alley and Schefter, American Geophysical Union, paper #7W0326; Water Resources Research, Vol. 23, No. 7 1123–1130, July 1987).

(8) Incentives must be created for conservation of groundwater on a regional scale, in order to achieve an agricultural economy on the Southern High Plains that is sustainable.

(9) For water conservation incentives to function, federal, state, tribal, and local water policy makers, and individual groundwater users must have access to reliable information concerning aquifer recharge rates, extraction rates, and water table levels at the local and regional levels on an ongoing basis.

(b) PURPOSES.—To promote groundwater conservation on the Southern High Plains in order to extend the usable life of the Southern Ogallala Aquifer.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(a) HIGH PLAINS AQIFER:—The term ''High Plains Aquifer'' is the groundwater reserve depicted as Figure 1 in the United States Geological Survey Professional Paper 1400–B, titled Geohydrology of the High Plains Aquifer in Parts of Colorado, Kansas, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, and Wyoming.

(b) HIGH PLAINS.—The term ''High Plains'' refers to the approximately 174,000 square miles of land surface overlying the High Plains Aquifer in the states of New Mexico, Colorado, Wyoming, South Dakota, Nebraska, Kansas, Oklahoma, and Texas.

(c) SOUTHERN OGALLALA AQUIFER.—The term ''Southern Ogallala Aquifer'' refers to that part of the High Plains Aquifer lying below 39 degrees north latitude which underlies the states of New Mexico, Texas, and Oklahoma, Colorado, and Kansas.

(d) SOUTHERN HIGH PLANS—The term ''Southern High Plains'' refers to the portions of the states of New Mexico, Texas, and Oklahoma, Colorado, and Kansas which overlie the Southern Ogallala Aquifer.

(e) SECRETARY.—The term ''Secretary'' refers to either the secretary of the Interior or the Secretary of Agriculture as appropriate.

(f) The term ''water conservation measures'' includes measures which enhance the groundwater recharge rate of a given piece of land, or which increase water use efficiencies.

SEC. 4. HYDROLOGIC MAPPING, MODELING, AND MONITORING.

(a) The Secretary of the Interior, working though the United States Geological Survey, shall develop a comprehensive hydrogeologic mapping, modeling, and monitoring program for the Southern Ogallala Aquifer. The program shall include on a county-by-county basis—

(1) A map of the hydrological configuration of the Aquifer; and

(2) An analysis of:

(A) the current and past rate at which groundwater is being withdrawn and recharged, and the net rate of decrease or increase in aquifer storage;

(B) the factors controlling the rate of horizontal migration of water within the Aquifer;

(C) the degree to which aquifer compaction caused by pumping and recharge methods in impacting the storage and recharge capacity of the groundwater body; and

(D) the current and past rate of loss of saturated thickness within the Aquifer.

(b) ANNUAL REPORT.—One year after the enactment of this Act, and once per year thereafter, the Secretary shall submit a report on the status of the Southern Ogallala Aquifer to the Senate Committee on Energy and Natural Resources, to the House Committee on Resources, and to the Governors of the States of New Mexico, Oklahoma, Texas, Colorado, and Kansas.

SEC. 5. GROUNDWATER CONSERVATION ASSISTANCE.

(a) FEDERAL ASSISTANCE.—The Secretary of Agriculture, working through the Natural Resources Conservation Service, is hereby authorized and directed to establish a groundwater conservation assistance program for Southern Ogallala Aquifer.

(b) DESIGN AND PLANNING.—The Secretary shall provide financial and technical assistance, including modeling and engineering design to states, tribes, and counties, conservation districts, or other political subdivisions recognized under state law, for the development of comprehensive groundwater conservation plans within the Southern High Plains. This assistance shall be provided on a cost share basis ensuring that:

(1) The federal funding for the development of any given plan shall not exceed fifty percent of the cost; and

(2) The federal funding for groundwater water conservation planning for any one county, conservation district, or similar political subdivision recognized under state law shall not exceed $50,000.

(c) CERTIFICATION.—The Secretary shall create a certification process for comprehensive groundwater conservation plans developed under this program, or developed independently by states, tribes, counties, or other political subdivisions recognized under state law. To be certified, a plan must:

(1) Cover a sufficient geographic area to provide a benefit to the groundwater resource over at least a 20 year time scale; and

(2) Include a set of goals for water conservation; and

(3) Include a process for an annual evaluation of the plan's implementation to allow for modifications if goals are not being met.

SEC. 6. IMPLEMENTATION ASSISTANCE.

Farming operations within jurisdictions which have a certified conservation plan in accordance with subsection (5)(c) of this title shall be eligible for:

(a) WATER CONSERVATION COST-SHARE ASSISTANCE.—The Secretary, working through the Natural Resources Conservation Service, may provide grants to individual farming operations of up to $50,000 for implementing on farm water conservation measures including the improvement of irrigation systems and the purchase of new equipment: *Provided,* that the Federal share of the water conservation investment in any one operation be no greater than 50%: *Provided further,* that each water conservation measure be in accordance with a conservation plan certified under section 5(c) of this title.

(b) IRRIGATED LAND RESERVE.—Through the 2020 calendar year, the Secretary shall formulate and carry out the enrollment of lands in a groundwater conservation reserve program through the use of multiple year contracts for irrigated lands which would result in significant per acre savings of groundwater resources if converted to dryland agriculture.

(c) CONSERVATION RESERVE PROGRAM ENHANCEMENT.—Lands eligible for the Conservation Reserve Program established under 16 U.S.C. 3831 which would result in significant per acre savings of groundwater resources if removed from agricultural production shall be awarded 20 Conservation Reserve Program bid points, to be designated as groundwater conservation points, in addition to any other ratings the lands may receive.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $70,000,000 annually through the fiscal year 2020 to carry out this Act. Of that total amount:

(1) There are authorized to be appropriated $5 million annually through the fiscal year 2020 for hydrogeologic mapping, modeling, and monitoring under this Act;

(2) There are authorized to be appropriated $5 million annually through fiscal year 2020 for groundwater conservation planning, design, and plan certification under this Act;

(3) There are authorized to be appropriated $30 million annually through fiscal year 2020 for cost-share assistance for on farm water conservation measures; and

(4) There are authorized to be appropriated $30 million annually through fiscal year 2020 for enrollment of lands in an Irrigated Lands Reserve.

By Mr. ROBB:

S. 2756. A bill to amend the Federal Water Pollution Control Act to establish a National Clean Water Trust Fund and to authorize the Administrator of the Environmental Protection Agency to use amounts in the Fund to carry out projects to promote the recovery of waters of the United States from damage resulting from violations of that Act, and for other purposes; to the Committee on Environment and Public Works.

THE NATIONAL CLEAN WATER TRUST FUND ACT 0F 2000

● Mr. ROBB. Mr. President, I'm introducing a bill that will help clean up and restore our nation's waters. This bill, The National Clean Water Trust Fund Act of 2000, creates a trust fund from fines, penalties and other monies collected through enforcement of the Clean Water Act. The money deposited into the National Clean Water Trust Fund would be used to address the pollution problems that initiated those enforcement actions.

A highly publicized case in Virginia illustrated the need for this legislation. On August 8 1997, U.S. District Court Judge Rebecca Smith issued a $12.6 million judgement against Smithfield Foods for polluting the Pagan River in Isle of Wight County, Virginia. The judge stated in her opinion that the civil penalty imposed on Smithfield should be directed toward the restoration of the Pagan and James Rivers, tributaries to the Chesapeake Bay. Unfortunately, due to current federal law, the court had no discretion over the damages, and the fine was deposited into the Treasury's general fund, defeating the very spirit of the Clean Water Act.

Today, there is no guarantee that fines or other money levied against parties who violate provisions in the Clean Water Act will be used to correct short and long term damage from water pollution. Instead the money is directed into the fund of the U.S. Treasury with no provision that it be used to improve the quality of our water. Pollution from spills or illegal discharges can have a profound effect on our environment and can degrade our public water supplies, and recreational areas. Water pollution causes long term damage to fish and shellfish habitat and destroys the livelihood of watermen, and leads to the long term degradation of scenic areas. While the Environmental Protection Agency's enforcement activities are extracting large sums of money from industry and others through enforcement of the Clean Water Act, we are missing an opportunity to pay for the cleanup and restoration of pollution problems for which the penalties were levied. To ensure the successful implementation of the Clean Water Act, we should put these enforcement funds to work and actually clean up the nation's waters.

This legislation will establish a National Clean Water Trust Fund within the U.S. Treasury to earmark fines, penalties, and other funds, including consent decrees, obtained through enforcement of the Clean Water Act that would otherwise be placed into the Treasury's general fund. The EPA Administrator would be authorized, after consultation with the States, to prioritize and carry out projects to restore and recover waters of the United States using the funds collected from the violations of the Clean Water Act. This legislation would not preempt citizen suits or in any way preclude EPA's authority to undertake and complete supplemental environmental projects as part of settlements related to violations of the Clean Water Act or any other legislation. The bill also provides court discretion over civil penalties from Clean Water Act violations to be used to carry out mitigation and restoration projects. In this bill, EPA is directed to give priority consideration to projects in the watershed where the original violation was discovered. With this legislation, we can avoid another predicament like the one faced in Virginia.

Mr. President, it only makes sense that fines occurring from violations of the Clean Water Act be used to restore the waters that were damaged. This bill provides a real opportunity to improve the quality of our nation's waters.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

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

S. 2756

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Clean Water Trust Fund Act of 2000''.

SEC. 2. NATIONAL CLEAN WATER TRUST FUND.

Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended by adding at the end the following:

''(h) NATIONAL CLEAN WATER TRUST FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury a National Clean Water Trust Fund (referred to in this subsection as the 'Fund') consisting of amounts transferred to the Fund under paragraph (2) and amounts credited to the Fund under paragraph (3).

''(2) TRANSFER OF AMOUNTS.—For fiscal year 2001, and each fiscal year thereafter, the Secretary of the Treasury shall transfer to the Fund an amount determined by the Secretary to be equal to the total amount deposited in the general fund of the Treasury in the preceding fiscal year from fines, penalties, and other funds obtained through judgments from courts of the United States for enforcement actions conducted under this section and section 505(a)(1), excluding any amounts ordered to be used to carry out mitigation projects under this section or section 505(a).

''(3) INVESTMENT OF AMOUNTS.—

''(A) IN GENERAL.—The Secretary of the Treasury shall invest in interest-bearing obligations of the United States such portion of the Fund as is not, in the Secretary's judgment, required to meet current withdrawals.

''(B) ADMINISTRATION.—The obligations shall be acquired and sold and interest on, and the proceeds from the sale or redemption of, the obligations shall be credited to the

Fund in accordance with section 9602 of the Internal Revenue Code of 1986.

''(4) USE OF AMOUNTS FOR REMEDIAL PROJECTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), amounts in the Fund shall be available, as provided in appropriations Acts, to the Administrator to carry out projects to restore and recover waters of the United States from damage resulting from violations of this Act that are subject to enforcement actions under this section or from the discharge of pollutants into the waters of the United States, including—

''(i) soil and water conservation projects;

''(ii) wetland restoration projects; and

''(iii) such other similar projects as the Administrator determines to be appropriate.

''(B) CONDITION FOR USE OF FUNDS.—Amounts in the Fund shall be available under subparagraph (A) only for a project conducted in the watershed, or in a watershed adjacent to the watershed, in which a violation of this Act described in subparagraph (A) results in the institution of an enforcement action.

''(5) SELECTION OF PROJECTS.—

''(A) PRIORITY.—In selecting projects to carry out under this subsection, the Administrator shall give priority to a project described in paragraph (4) that is located in the watershed, or in a watershed adjacent to the watershed, in which there occurred a violation under this Act for which an enforcement action was brought that resulted in the payment of any amount into the general fund of the Treasury.

''(B) CONSULTATION WITH STATES.—In selecting a project to carry out under this section, the Administrator shall consult with the State in which the Administrator is considering carrying out the project.

''(C) ALLOCATION OF AMOUNTS.—In determining an amount to allocate to carry out a project to restore and recover waters of the United States from damage described in paragraph (4), the Administrator shall, in the case of a priority project described in subparagraph (A), take into account the total amount deposited in the general fund of the Treasury as a result of enforcement actions conducted with respect to the violation under this section or section 505(a)(1).

''(6) IMPLEMENTATION.—The Administrator may carry out a project under this subsection directly or by making grants to, or entering into contracts with, another Federal agency, a State agency, a political subdivision of a State, or any other public or private entity.

''(7) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this subsection, and every 2 years thereafter, the Administrator shall submit to Congress a report on implementation of this subsection.''.

SEC. 3. USE OF CIVIL PENALTIES FOR MITIGATION PROJECTS.

(a) IN GENERAL.—Section 309(d) of the Federal Water Pollution Control Act (33 U.S.C. 1319(d)) is amended by inserting after the second sentence the following: ''The court may order that a civil penalty be used for carrying out mitigation, restoration, or other projects that are consistent with the purposes of this Act and that enhance public health or the environment.''.

(b) CONFORMING AMENDMENT.—Section 505(a) of the Federal Water Pollution Control Act (33 U.S.C. 1365(a)) is amended in the last sentence by inserting before the period at the end the following: '', including ordering the use of a civil penalty for carrying out mitigation, restoration, or other projects in accordance with section 309(d)''.

By Mr. DOMENICI:

S. 2757. A bill to provide for the transfer or other disposition of certain lands at Melrose Air Force Range, New Mexico, and Yakima Training Center, Washington; to the Committee on Energy and Natural Resources.

LAND TRANSFER AND WITHDRAWAL OF CERTAIN LANDS IN MELROSE AIR FORCE RANGE, NEW MEXICO

Mr. DOMENICI. Mr. President, I rise today to offer legislation that would allow for the transfer of administrative jurisdiction over the Melrose Air Force Range in New Mexico and the Yakima Training Center in Washington to the appropriate Service in the Defense Department. Both of these affected areas are public domain lands under the Department of Interior. This legislation simply transfers authority from the Department of Interior to the Secretary of the Air Force in the case of the Melrose Range and to the Secretary of the Army in the case of the Yakima Training Center.

Transfer and conversion of the lands to real property is proposed in lieu of the more customary withdrawal pursuant to the Act of February 28, 1958. The affected lands are multiple parcels of public domain lands within a large block of Military Service acquired real property. Enactment on this transfer would provide for simplified management of these lands by the respective Defense Department Service.

Melrose Air Force Range in Roosevelt County, New Mexico, is comprised of six parcels of public land, totaling about 6,714 acres. Over 1,118 acres are utilized as bomb impact zone; the remainder is required as a safety buffer. The transfer is needed to provide the Air Force with complete control over land uses on the Range. This should serve to minimize potential safety concerns, liability of the United States, and land use conflicts that could interfere with the training mission.

The lands have been used as part of the Range since 1957, under lease or other arrangement with the State of New Mexico which had ownership of the lands at the time. Expansion of the Range was authorized by Public Law 89–568, in September 1966. In 1970 and 1973, the Bureau of Land Management (BLM) acquired the lands through a land exchange with the State. During this same period, a land acquisition program to enlarge the Range was being conducted by the Air Force through the U.S. Army Corps of Engineers. The BLM exchange was undertaken in aid of that effort. In 1975, the U.S. Army Corps, on behalf of the Air Force, applied for withdrawal of the lands that the BLM had acquired.

The lands that would be transferred through enactment of this legislation are an integral part of the Range, and continue to be suitable for training purposes. These lands will continue to be needed for Air Force training for the foreseeable future.

The second installation affected by this legislation is the Yakima Training Center in Kittitas County, Washington. Congress authorized a 63,000 acre expansion of the existing Center by the National Defense Authorization Act for fiscal years 1992 and 1993 and the Military Construction Appropriations Act of 1992.

The lands to be transferred at the Center consist of 19 scattered small tracts of public lands totaling 6,649 acres within the expansion area. The remaining approximately 56,400 acres of real property within the expansion have already been acquired by the Army. There are an additional 3,090 acres of public domain mineral estate associated with the acquired land to be withdrawn from the general mining laws.

In conclusion, Mr. President, this bill provides for the transfer of public domain lands to the Secretaries of the appropriate military service to complete the acquisitions at both installations as authorized by previous Acts of Congress. The consolidation of these lands as real property with the surrounding military acquired lands would provide a common management situation for the Military Service. This should serve to increase the efficiency and effectiveness of their range operations and natural resource management.

Mr. President, I ask unanimous consent that a copy of the legislation be printed in the RECORD following my statement.

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

S. 2757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND TRANSFER AND WITHDRAWAL, MELROSE AIR FORCE RANGE, NEW MEXICO, AND YAKIMA TRAINING CENTER, WASHINGTON.

(a) MELROSE AIR FORCE RANGE, NEW MEXICO.—

(1) TRANSFER.—Administrative jurisdiction over the surface estate of the following lands is hereby transferred from the Secretary of the Interior to the Secretary of the Air Force:

NEW MEXICO PRIME MERIDIAN

T. 1 N., R. 30 E.
Sec. 2: S½.
Sec. 11: All.
Sec. 20: S½SE¼.
Sec. 28: All.
T. 1 S., R. 30 E.
Sec. 2: Lots 1–12, S½.
Sec. 3: Lots 1–12, S½.
Sec. 4: Lots 1–12, S½.
Sec. 6: Lots 1 and 2.
Sec. 9: N½, N½S½.
Sec. 10: N½, N½S½.
Sec. 11: N½, N½S½.
T. 2 N., R. 30 E.
Sec. 20: E½SE¼.
Sec. 21: SW¼, W½SE¼.
Sec. 28: W½E½, W½.
Sec. 29: E½E½.
Sec. 32: E½E½.
Sec. 33: W½E½, NW¼, S½SW¼.
Aggregating 6,713.90 acres, more or less.

(2) STATUS OF SURFACE ESTATE.—Upon transfer of the surface estate of the lands described in paragraph (1), the surface estate shall be treated as real property subject to the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(3) WITHDRAWAL OF MINERAL ESTATE.—Subject to valid existing rights, the mineral estate of the lands described in paragraph (1) is withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral and geothermal leasing laws, but not the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 601 et seq.).

(4) USE OF MINERAL MATERIALS.—Notwithstanding any other provision of this subsection or the Act of July 31, 1947, the Secretary of the Air Force may use, without application to the Secretary of the Interior, the sand, gravel, or similar mineral material resources on the lands described in paragraph (1), of the type subject to disposition under the Act of July 31, 1947, when the use of such resources is required for construction needs on Melrose Air Force Range, New Mexico.

(b) YAKIMA TRAINING CENTER, WASHINGTON.—

(1) TRANSFER.—Administrative jurisdiction over the surface estate of the following lands is hereby transferred from the Secretary of the Interior to the Secretary of the Army:

WILLAMETTE MERIDIAN

T. 17 N., R. 20 E.
Sec. 22: S½.
Sec. 24: S½SW¼ and that portion of the E½ lying south of the Interstate Highway 90 right-of-way.
Sec. 26: All.
T. 16 N., R. 21 E.
Sec. 4: SW¼SW¼.
Sec. 12: SW¼.
Sec. 18: Lots 1, 2, 3, and 4, E½ and E½W½.
T. 17 N., R. 21 E.
Sec. 30: Lots 3 and 4.
Sec. 32: NE¼SE¼.
T. 16 N., R. 22 E.
Sec. 2: Lots 1, 2, 3, and 4, S½N½ and S½.
Sec. 4: Lots 1, 2, 3, and 4, S½N½ and S½.
Sec. 10: All.
Sec. 14: All.
Sec. 20: SE¼SW¼.
Sec. 22: All.
Sec. 26: N½.
Sec. 28: N½.
T. 16 N., R. 23 E.
Sec. 18: Lots 3 and 4, E½SW¼, W½SE¼, and that portion of the E½SE¼ lying westerly of the westerly right-of-way line of Huntzinger Road.
Sec. 20: That portion of the SW¼ lying westerly of the easterly right-of-way line of the railroad.
Sec. 30: Lots 1 and 2, NE¼ and E½NW¼.
Aggregating 6,640.02 acres.

(2) STATUS OF SURFACE ESTATE.—Upon transfer of the surface estate of the lands described in paragraph (1), the surface estate shall be treated as real property subject to the Federal Property and Administrative Services Act of 1949 (40 U.S.C 471 et seq.).

(3) WITHDRAWAL OF MINERAL ESTATE.—Subject to valid existing rights, the mineral estate of the lands described in paragraph (1) and of the following lands are withdrawn from all forms of appropriation under the public land laws, including the mining laws and the geothermal leasing laws, but not the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 601 et seq.) and the Mineral Leasing Act (30 U.S.C. 181 et seq.):

WILLAMETTE MERIDIAN

T. 16 N., R. 20 E.
Sec. 12: All.
Sec. 18: Lot 4 and SE¼.
Sec. 20: S½.
T. 16 N., R. 21 E.
Sec. 4: Lots 1, 2, 3, and 4, S½NE½.
Sec. 8: All.
T. 16 N., R. 22 E.
Sec. 12: All.
T. 17 N., R. 21 E.
Sec. 32: S½SE¼.
Sec. 34: W½.
Aggregating 3,090.80 acres.

(4) USE OF MINERAL MATERIALS.—Notwithstanding any other provision of this subsection or the Act of July 31, 1947, the Secretary of the Army may use, without application to the Secretary of the Interior, the sand, gravel, or similar mineral material resources on the lands described in paragraphs (1) and (3), of the type subject to disposition under the Act of July 31, 1947, when the use of such resources is required for construction needs on the Yakima Training Center, Washington.

By Mr. GRAHAM (for himself, Mr. BRYAN, Mr. ROBB, Mr. CONRAD, Mr. L. CHAFEE, Mr. BAUCUS, Mr. ROCKFELLER, and Mrs. LINCOLN):

S. 2758. A bill to amend title XVIII of the Social Security Act to provide coverage of outpatient prescription drugs under the Medicare Program; to the Committee on Finance.

THE MEDICARE OUTPATIENT DRUG ACT (THE MOD ACT)

Mr. GRAHAM. Mr. President, I rise today with Senators BRYAN, ROBB, CONRAD, CHAFEE, BAUCUS, ROCKEFELLER, and LINCOLN to introduce the Medicare Outpatient Drug Act of 2000.

We are all aware of the fundamental changes in Americans' life expectancy throughout the century. When Medicare was created in 1965, the average life expectancy for a woman who reached the age of 65 was 80 and for a man 78 years of age. In 1998, the life expectancy jumped to 84 years for a woman and 81 for a man. Projections for the year 2100 assume that the average life span for an individual who reaches 65 will be 94 years for a woman and 91 for a man.

These statistics paint a clear picture—seniors are living longer and to ensure their quality of life, they must have guaranteed access to prescription medications. The Republicans say that they want a prescription drug benefit. The Democrats say that they want a prescription drug benefit. The question facing both parties is this: Do they really want a benefit or just an election year bully pulpit? If the answer is a benefit, we're here today to help.

On far too many occasions in the last few years, important legislation has been knocked off the tracks by election year, partisan train wrecks. We hope that this year can be different. That is why we are offering a new Medicare prescription drug benefit—one that we believe represents a workable compromise between the Democratic and Republican positions.

Our Proposal—the Medicare Outpatient Drug Act of 2000—is centrist. It is bipartisan. It is innovative. And we think it can pass Congress this year. I must mention that this effort has been a truly collaborative one from start to finish. The MOD Act has several key components:

Universality—access for everyone;

Consistency—keeps with the important tradition of the Medicare program by providing a defined, reliable benefit for all seniors alike. A senior in Fargo, North Dakota is assured access to the same defined benefit structure as a senior in Miami, Florida;

Voluntary participation, like Medicare Part B;

Special protections for low income Americans;

True stop-loss protection, which ensures seamless insurance without gaps in coverage;

A ramp-up payment system, which decreases beneficiary payments based on their increased prescription medication needs; and

The use of Multiple Pharmacy Benefit Managers (PBMs) to administer the benefit and promote competition and choice.

For many years I have spoken about the need to move the Medicare program from one based on acute care and illness to one focused on prevention and wellness. The Medicare Wellness Act of 2000, of which many of my colleague are cosponsors and which ensures seniors access to a variety of preventive programs and screenings, represents the first piece of this puzzle—The MOD Act represents the second step in my three-point plan for accomplishing this goal.

Prescription drugs are an integral part of health care and must be integrated in to the current Medicare system as a defined benefit—not as an ''add on.'' It is my understanding that the House Republicans have proposed a bill that entrusts the private insurance market to provide a prescription drug benefit to seniors. Though, on the surface these ideals have appeal and they are initially less expensive or claim to be ''more flexible'' than a comprehensive, universal benefit, I find myself asking the question: Are there other Medicare benefits that are or should be treated in this capacity?

Let's take the example of physician services, for example, anesthesiology services. Would we ask private insurance companies to create anesthesiology-only insurance packages? Would beneficiaries purchase such policies? Would they be available? What would be the result of extricating this benefit from the Medicare program.

With prescription drugs representing one of the most prevalent treatments in health care today—I ask myself, ''Is it wise to look toward an approach to providing coverage of prescritpion medication which is arguably unworkable in everyother sector of medicine?''

Leaders in the health insurance industry have stated that ''Lawmakers should avoid drug insurance-only coverage, which is unlikely to get off the ground and which would be impossible to price affordably.'' The MOD Act creates a defined, affordable, consistent prescription drug benefit within the Medicare system where it should be.

The third piece to solving the Medicare puzzle lies in the need to give the Medicare program the tools to compete in the current health care market

place. My colleagues and I will soon be introducing a reform bill that will have the dual effect of providing significant savings to offset the bill that we are introducing today.

I encourage my colleagues to join us in cosponsoring this important piece of legislation.

Mr. BRYAN. Mr. President, I am very pleased to join my colleagues in unveiling this important bipartisan legislation. Our proposal to offer a prescription drug benefit for all Medicare beneficiaries is sound, comprehensive, and workable.

We are introducing this bill for a very simple reason: the majority of Medicare beneficiaries lack meaningful prescription drug coverage, and we have an historic opportunity to do something about.

The inadequacy of the current Medicare benefits package is clear. It simply does not make sense for a health insurance program to exclude coverage of one of the most critical components of health care.

In 1996, 90 percent of Medicare beneficiaries had at least one chronic condition; drugs are frequently the best way to manage those conditions. Why offer hospitalization and physician visits to treat high blood pressure, heart problems, and depression, but not one of the most effective treatment options?

Many Medicare beneficiaries are faced with the choice of paying extremely high prices at retail outlets—much higher than the prices paid by those with coverage—or going without medically necessary prescription drug.

With bipartisan support and unprecedented budget surpluses we can give our seniors and those with disabilities another choice: to enroll in a Medicare prescription drug plan that is guaranteed to be accessible and affordable.

What should this plan look life? The Medicare Outpatient Drug Act contains several important provisions:

First, it provides prescription drugs as a defined, comprehensive and integral component of the Medicare Program. We need to be able to say exactly what we are promising seniors, and we need to make sure they will get it—the only way to do that is to include it in the basic Medicare benefits package along with everything else.

Relying on private insurers to offer this benefit ''would result in a false promise'' to use the words of the President of the HIAA.

Second, our bill provides the greatest help to those with the greatest need—beneficiaries with the lowest incomes and the highest drug expenditures.

We do that by providing additional subsidies for those with the lowest-incomes, increasing the government's share of coinsurance as the beneficiaries out-of-pocket costs increase, and income-relating the premium for high-income beneficiaries.

The bottom line: all seniors will be guaranteed access to affordable drugs, and will have the peace of mind of knowing that full coverage is provided for any and all expenses above $4000.

Third, ''The Medicare Outpatient Drug Act'' encourages maximum competition to achieve the greatest discounts, and uses the private sector to deliver and manage the benefit.

Finally, it is consistent with the need to strengthen and modernize the Medicare program overall. Providing drug coverage is the first step, but more work is needed. We will be introducing legislation soon that takes the next steps.

The bill we are offering today bridges the gap between the proposals offered by the President and the House GOP.

It gives beneficiaries what they need: long-overdue coverage of prescription drugs, and also injects competition into the program and provides choices for beneficiaries.

This is the first bill to offer universal, guaranteed, affordable, fully-defined comprehensive coverage—no limits, not gaps, no gimmicks.

Beneficiaries will know what they are getting, and they will know without a doubt that the benefit will actually be provided.

''The Medicare Outpatient Drug Act'' is not a tough call. It will accomplish our goals of providing affordable, accessible coverage, and it will work.

This is legislation that Congress should enact this year. I look forward to working with my colleagues on both sides of the aisle to ensure that we do just that.

Mr. ROBB. Mr. President, 2 weeks ago, at a health care forum I sponsored in Virginia, a doctor told me of a woman with breast cancer splitting her Tamoxofin pills with two other breast cancer patients, because the drug was so expensive that the other two couldn't afford it. This is a touching story from the perspective of a woman trying to help two peers, but from a health care perspective, it's an abomination. Not only does splitting a dose for one person into three negate the effects of the drug for all three women, but the lack of access to this drug only makes them sicker.

Unfortunately, stories like these are all too common today. Modern medicine has become more and more dependent on prescription drugs, yet the Medicare program, which provides health care for our nation's elderly and disabled, has not changed with the times. As a result, Medicare often finds itself in the position of paying for expensive hospital care, yet not paying for the prescription drugs that could help keep a patient out of the hospital. And as prescription drugs become more essential to seniors' health care, we hear many stories like the one I've told you today.

It's time we did something to change this. While over 90 percent of private sector employees with employer-based health insurance have prescription drug coverage, the 38 million Medicare beneficiaries in America today have no basic prescription drug benefit. At the same time, the average Medicare beneficiary fills eighteen prescriptions each year, and will have an estimated average annual drug cost of nearly $1,100 in 2000. We have an obligation to our seniors, and future generations of seniors, to strengthen and modernize Medicare by adding a prescription drug benefit.

Unfortunately, both the House and Senate have made little progress toward passing a drug benefit this year. By and large, moderate, bipartisan solutions have been absent from the debate.

I am pleased to join my colleagues Senator GRAHAM, Senator BRYAN, Senator CONRAD, Senator CHAFEE and Senator BAUCUS in introducing a bill which we believe will break this logjam, the Medicare Outpatient Drug Act, or MOD Act, of 2000. In crafting the MOD Act, we have combined the best elements of insurance-based plans—which aim to promote competition and innovation—and the President's plan—which offers a dependable, universal benefit to all seniors. The result is a bill that all sides should be able to agree on.

Like the President's plan, our bill will offer a defined Medicare benefit that will be available to all seniors, regardless of their health status or place of residence. But unlike the President's plan, our bill will allow private entities to compete for Medicare beneficiaries—allowing seniors and the disabled to choose from a variety of options that are custom-tailored to their specific prescription drug needs.

Moreover, the MOD Act is the first prescription drug bill to offer Medicare beneficiaries a comprehensive drug benefit, with no gaps in coverage, and full protection against sky-high out-of-pocket costs. The MOD Act gradually increases its level of coverage as beneficiaries get sicker, so that the greatest assistance is devoted to those who need it most.

There is only a handful of legislative days left in the Senate this year, and if we're going to get anything done on the prescription drug front, we'll have to settle on a proposal that is moderate and bipartisan. The Medicare Outpatient Drug Act is that bill, and I urge each of my colleagues to give it their full support.

Mr. L. CHAFEE. Mr. President, I am pleased to join Senators GRAHAM, BRYAN, ROBB, CONRAD, and BAUCUS in introducing the Medicare Outpatient Drug (MOD) Act of 2000 today.

The Medicare Outpatient Drug Act addresses an area of great concern to our nation's seniors: the need for a Medicare prescription drug benefit. Seniors today are facing staggering and burdensome drug prices. Studies show that the average American over 65 spends more than $700 per year on drug prescriptions. In Rhode Island, seniors pay twice as much for certain prescription drugs as the drug companies' most favored customers (for example, Medicaid and the Veteran's Administration). On average, Rhode Island seniors pay 84 percent more than prescription drug consumers in Canada or Mexico.

We must update the Medicare program to include a prescription drug benefit. This bipartisan, comprehensive bill will provide universal coverage to all 39 million Medicare beneficiaries in this country. As you know, Medicare was established in 1965 at a time when prescription drugs were not widely used. These days, drug therapies have replaced overnight stays in hospitals and long convalescence in nursing facilities. In light of this, we must update the Medicare program to keep pace with these scientific and medical advances.

This legislation does many things that other legislative proposals do not. First, it provides universal coverage on a voluntary basis to every Medicare-eligible individual. Second, it is based on a standard insurance model, with coinsurance, a deductible, and a defined stop-loss benefit. In other words, once a senior pays $4,000 in annual drug costs, our plan covers the rest. Third, the amount of a senior's premium would be directly related to his/her income, on a sliding scale. In other words, the lowest-income senior will receive the greatest subsidy. Conversely, the highest-income senior will receive the lowest federal subsidy.

Finally, this legislation emulates market-based insurance coverage by allowing multiple ''pharmacy benefit managers'' (PBMs) to contract with Medicare to provide the pharmaceutical benefit to seniors. This would ensure competition in the delivery of this benefit, which means a better benefit and lower prices for consumers. This competition would also prevent the government from ''setting'' drug prices. In my view, price setting would weaken the ability of pharmaceutical companies to conduct valuable research and development into new drug therapies that one day may cure diseases such as cancer, Parkinson's Alzheimer's, diabetes, and HIV/AIDS.

In sum, I believe our proposal to be one of the most responsible and comprehensive drug bills in Congress. It achieves these twin goals while relieving seniors of the huge burden of high drug bills. Seniors should never have to choose between filling a prescription for needed medication or buying groceries. Sadly, this is often the case today.

This past April, I received a letter from an elderly couple in Rhode Island, with a list of their prescription drug expenses for 1999 enclosed. This couple spent almost $7,000 in 1999 on these prescriptions. They are living on a fixed income, and told me that their savings are being wiped out by the high cost of prescription medications. In addition, the grandmother of one of my staffers cannot afford Prilosec, which she needs to prevent nausea. She cannot hold down food without this drug. This grandmother has to get her Prilosec prescription from her daughter, who has it prescribed and then ships it to her mother.

This should not be happening. Our bill will ensure that these seniors will get the prescription medications they need without having to wipe out their personal savings or resort to getting the prescription through a relative.

I urge my colleagues to join us in supporting this important legislation and finally provide this necessary medical coverage to our nation's seniors.

ADDITIONAL COSPONSORS—JUNE 19, 2000

S. 486

At the request of Mr. ASHCROFT, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 486, a bill to provide for the punishment of methamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States, and for other purposes.

S. 827

At the request of Mr. ROCKEFELLER, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 827, a bill to establish drawback for imports of N-cyclohexyl-2-benzothiazolesulfenamide based on exports of N-tert-Butyl-2-benzothiazolesfulfenamide.

S. 1066

At the request of Mr. ROBERTS, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1066, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to encourage the use of and research into agricultural best practices to improve the environment, and for other purposes.

S. 1128

At the request of Mr. KYL, the names of the Senator from Wyoming (Mr. THOMAS), the Senator from Montana (Mr. BURNS), and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 1128, a bill to amend the Internal Revenue Code of 1986 to repeal the Federal estate and gift taxes and gift taxes and the tax on generation-skipping transfers, to provide for a carryover basis at death, and to establish a partial capital gains exclusion for inherited assets.

S. 1291

At the request of Mr. DEWINE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1291, a bill to amend the Internal Revenue Code of 1986 to allow small business employers a credit against income tax for certain expenses for long-term training of employees in highly skilled small business trades.

S. 1855

At the request of Mr. MURKOWSKI, the name of the Senator from Nevada (Mr. REID) was withdrawn as a cosponsor of S. 1855, a bill to establish age limitations for airmen.

S. 2183

At the request of Mr. CRAPO, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 2183, a bill to ensure the availability of spectrum to amateur radio operators.

S. 2274

At the request of Mr. GRASSLEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity coverage under the medicaid program for such children.

S. 2282

At the request of Mr. CAMPBELL, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2282, a bill to encourage the efficient use of existing resources and assets related to Indian agricultural research, development and exports within the United States Department of Agriculture, and for other purposes.

S. 2459

At the request of Mr. COVERDELL, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 2459, a bill to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation.

S. 2528

At the request Ms. COLLINS, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 2528, a bill to provide funds for the purchase of automatic external defibrillators and the training of individuals in advanced cardiac life support.

S. 2580

At the request Mr. JOHNSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2580, a bill to provide for the issuance of bonds to provide funding for the construction of schools of the Bureau of Indian Affairs of the Department of the Interior, and for other purposes.

S. 2619

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2619, a bill to provide for drug-free prisons.

S. 2639

At the request of Mr. DOMENICI, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2639, a bill to amend the Public Health Service Act to provide programs for the treatment of mental illness.

S. 2742

At the request of Mr. SMITH of Oregon, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2742, a bill to amend the Internal Revenue Code of 1986 to increase disclosure for certain political organizations exempt from tax under section 527 and section 501 (c), and for other purposes.

S. CON. RES. 122

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr.