Having served on a wide variety of professional committees—including the advisory committee for the District of Maine that was assembled pursuant to the Civil Justice Reform Act—George's impeccable credentials and reputation for impartiality led to his appointment in 1993 to the Governor's Judicial Selection Committee by my husband, Governor McKernan.

That appointment, and the fact that he now chairs this prestigious committee that assists in the appointment of judges across the state under Independent Governor Angus King, is why it's a special pleasure for me to speak on his behalf today.

Of note, the enthusiastic support George has received from both sides of the aisle in Maine speaks volumes about Mr. Singal's talents and work ethic, as well as the universal respect he has earned over his years of work in the Maine judicial system.

Throughout his career, Mr. Singal displayed remarkable legal acumen, thanks in large part to his thorough, reflective and balanced approach to his work. This approach has justifiably earned him accolades throughout his career, including his selection to the American College of Trial Lawyers—an award given to less than one percent of trial lawyers nationwide—and his naming to the Best Lawyers in America, a designation that is made by his colleagues in the legal profession.

Mr. Singal possesses precisely the kind of judicial temperament and experience I think we should expect from all our judicial nominees. I am certain this is due, in no small part, to his family's background and the perseverance and work ethic they instilled in him as an immigrant brought to the United States by the ravages of World War II.

Further, his work during the late-1960s in the office of then-Congressman Bill Hathaway undoubtedly impressed upon him the need for balance between the three branches of government. In fact, it is his broad range of experiences that has undoubtedly instilled in Mr. Singal a proper perspective on the appropriate role and appropriate constitutional limitations of each branch of our government.

Clearly, George Singal has not only the professional qualifications to serve us well on the federal circuit, but also the personal credentials to match.

My work with George over the past few weeks has only confirmed what I had already heard—this is a man of the highest integrity and personal character.

In conclusion, I am most proud to be able to express my support for Mr. George Singal. He has the qualifications, the intellect, the experience, the perspective, and the integrity to be an outstanding judge. Accordingly, I am pleased that my colleagues support his confirmation to the U.S. District Court for the District of Maine.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

MEASURE INDEFINITELY POSTPONED—S. 2553

Mr. LOTT. Mr. President, I ask unanimous consent that S. 2553 be indefinitely postponed.

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

ORDER FOR COMMITTEES TO FILE LEGISLATIVE MATTERS

Mr. LOTT. Mr. President, I ask unanimous consent that notwithstanding the adjournment of the Senate, committees have from 11 a.m. until 1 p.m. on Wednesday, July 5, in order to file legislative matters.

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

EXPRESSING SENSE OF CONGRESS REGARDING VALUE OF EDUCATION IN U.S. HISTORY

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 129, submitted earlier today by Senators LIEBERMAN, SMITH of Oregon, CLELAND, and others.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 129) expressing the sense of Congress regarding the importance and value of education in United States history.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LOTT. Mr. President, I ask unanimous consent that the concurrent resolution and the preamble be agreed to, en bloc, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 129) was agreed to.

The preamble was agreed to.

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

S. CON. RES. 129

Whereas basic knowledge of United States history is essential to full and informed participation in civic life and to the larger vibrancy of the American experiment in self-government;

Whereas basic knowledge of the past serves as a civic glue, binding together a diverse people into a single Nation with a common purpose;

Whereas citizens who lack knowledge of United States history will also lack an understanding and appreciation of the democratic principles that define and sustain the Nation as a free people, such as liberty, justice, tolerance, government by the consent of the governed, and equality under the law;

Whereas a recent Roper survey done for the American Council of Trustees and Alumni reveals that the next generation of American leaders and citizens is in danger of losing America's civic memory;

Whereas the Roper survey found that 81 percent of seniors at elite colleges and universities could not answer basic high school level questions concerning United States history, that scarcely more than half knew general information about American democracy and the Constitution, and that only 22 percent could identify the source of the most famous line of the Gettysburg Address;

Whereas many of the Nation's colleges and universities no longer require United States history as a prerequisite to graduation, including 100 percent of the top institutions of higher education;

Whereas 78 percent of the Nation's top colleges and universities no longer require the study of any form of history;

Whereas America's colleges and universities are leading bellwethers of national priorities and values, setting standards for the whole of the United States' education system and sending signals to students, teachers, parents, and public schools about what every educated citizen in a democracy must know;

Whereas many of America's most distinguished historians and intellectuals have expressed alarm about the growing historical illiteracy of college and university graduates and the consequences for the Nation; and

Whereas the distinguished historians and intellectuals fear that without a common civic memory and a common understanding of the remarkable individuals, events, and ideals that have shaped the Nation, people in the United States risk losing much of what it means to be an American, as well as the ability to fulfill the fundamental responsibilities of citizens in a democracy: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the historical illiteracy of America's college and university graduates is a serious problem that should be addressed by the Nation's higher education community;

(2) boards of trustees and administrators at institutions of higher education in the United States should review their curricula and add requirements in United States history;

(3) State officials responsible for higher education should review public college and university curricula in their States and promote requirements in United States history;

(4) parents should encourage their children to select institutions of higher education with substantial history requirements and students should take courses in United States history whether required or not; and

(5) history teachers and educators at all levels should redouble their efforts to bolster the knowledge of United States history among students of all ages and to restore the vitality of America's civic memory.

Mr. BYRD. Mr. President, will the distinguished majority leader yield?

Mr. LOTT. I will be happy to yield.

Mr. BYRD. Mr. President, parliamentary inquiry. Is my name on the matter that was just acted on?

The PRESIDING OFFICER. It is.

Mr. BYRD. I thank the Chair.

ELECTRIC RELIABILITY 2000 ACT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 642, S. 2071.

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

The legislative clerk read as follows:

A bill (S. 2071) to benefit electricity consumers by promoting the reliability of the bulk-power system.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Energy and Natural Resources with an amendment, as follows:

(The amendment will be printed in a future edition of the RECORD.)

Mr. GORTON. Mr. President, today I urge the Senate to unanimously adopt S. 2071, my bill also known as ''the Electric Reliability 2000 Act.'' The bill consists of a striking amendment adopted in the Energy Committee and sponsored by Senators MURKOWSKI, BINGAMAN, and myself. It includes the original legislation and compromise language that addresses the concerns of the States on this issue.

We should be pro-active in addressing electricity reliability, and S. 2071 is the correct approach at this time. The language has been endorsed by all of the major groups associated with the electricity industry, including investor-owned utilities, public power, rural cooperatives, states groups, reliability groups, power producers, and consumer organizations. Not only does this bill provide a long-term solution to electricity reliability by creating a national reliability organization—modeled loosely on the Securities and Exchange Commission—it will give the Federal Energy Regulatory Commission immediate authority to prevent blackouts this summer.

Enacting S. 2071 is critical for all electricity consumers in the United States. This Nation's interstate electric transmission system is an extremely complex network that connects with Canada and Mexico. It developed over decades with various voluntary agreements that allow areas to work together depending on changing power needs that vary from minute to minute. Yet a fundamental change has made this voluntary system unworkable. The system of buying and selling wholesale power is now many times more complex than it was just a decade ago. With a stronger economy, electricity usage and its importance to the economy has increased. Due to the uncertain nature of evolving retail and wholesale electricity markets, many utilities have cut investment that traditionally enhanced the reliability of the nation's grid.

The fact is that the voluntary agreements just do not work any longer because there is no enforcement. With the beginning of competition, we need a referee on the bulk-power system. A multitude of studies and incidents over the past several years show that the Nation's reliability is at its lowest point in decades. Certain entities can ''game'' the transmission system—with potential of causing brownouts and blackouts within a region—and suffer no consequences for such actions. With continued extreme heat predicted for this summer, the problem will continue. Blackouts hit the San Francisco area and Detroit in the past month, and even the Northwest is facing shortages this summer.

As I said in February when I introduced this bill, reliability is more than creating legally-enforceable rules on the electricity transmission grid. It also includes cost-effective conservation and demand-side management. Reliability will be enhanced with open-access transmission policies and with more generation distributed throughout the grid, whether it is small fuel cells or larger plants with clean technology. Sending the right signals to the investment community will be aided by passage of a truly comprehensive bill next year that allows all regions of the country—including the Northwest—the ability to benefit from a truly open and competitive marketplace. All of these factors, along with S. 2071, contribute to electricity reliability.

The Electric Reliability 2000 Act is not a total solution to the electricity reliability problem in this nation, but it is a solid start. Enacting this legislation will have immediate benefits for American consumers and the economy of the United States.

Mr. MURKOWSKI. Mr. President, I rise in support of S. 2071.

S. 2071 will promote the reliability of our electric power grid.

I strongly support the enactment of this legislation, but there should be no misunderstanding that it does only part of the job of protecting consumers.

It establishes enforceable rules for the use of the interstate transmission grid, but it does not stimulate the construction of new generation and transmission.

New transmission and generation are essential if we are going to avoid electricity shortages this summer and in the future.

While it is too late to avoid the problems this summer, if we start now it is not too late for the future.

The best way to ensure that consumers have a reliable and reasonably-priced supply of electricity is through comprehensive legislation—which addresses other impediments to competition.

Along with provisions to stimulate construction of new generation and transmission, it is essential that we repeal both the Public Utility Holding Company Act, PUHCA, and the Public Utility Regulatory Policies Act, PURPA.

Both PUHCA and PURPA have long out-lived their usefulness, and they are now hurting both consumers and competition.

PUHCA prevents electric utilities and others from fully competing in the electric power market, and that hurts competition.

PUHCA is an archaic 65-year-old law that has long outlived its usefulness.

Sixty five years ago PUHCA was needed to protect consumers, but other laws and Federal agencies now fully protect consumers.

Thus, repeal of PUHCA would benefit consumers by enhancing competition without any loss of any needed consumer protections.

Legislation to repeal PUHCA is on the Senate Calendar, S. 313, Calendar No. 23, and I would urge that the Senate move to its consideration.

Turning now to PURPA, it also harms consumers, and thus deserves to be repealed.

PURPA makes electric utilities purchase power whether or not they need it, and to pay so-called ''full avoided cost'' for that power whether or not that price is above true market price.

And these costs are just passed on to consumers through higher electricity prices.

It is estimated that as a result of PURPA consumers are today paying $8 billion per year extra for their electricity.

I would have liked to bring to the floor comprehensive legislation, such as the bill which I introduced, S. 2098, but I could not reach agreement with my Democratic colleagues on the Committee.

As a result, we were able to report only this more limited measure to create rules of the road for our interstate electricity transmission grid.

I will now discuss the background and need for this legislation.

The Nation's interstate electric transmission grid is an extremely complex network that is also interconnected with the transmission grids of Canada and Mexico.

It has developed over decades with various voluntary agreements between utilities and others that allow areas to work together to respond to changing power needs that vary from day-to-day, hour-to-hour and even minute-to-minute.

Many of these voluntary agreements were developed after a disastrous event in 1965 that led to a major blackout in New York City and throughout other parts of the Northeast.

While this voluntary system has worked well for the past 35 years, fundamental changes in the electric power industry are making this voluntary system less workable for the future.

With the expansion of competition in the wholesale electric power market—starting with the 1992 Energy Policy Act—the system of buying and selling wholesale power is now many times more complex than it was less than a decade ago.

With a stronger economy, electricity usage has increased while thousands of new electricity marketers and buyers have created new stresses on the system.

Moreover, the emergence of competition in the wholesale power market has changed the ability and willingness of market participants to act voluntarily, particularly when it is not in their economic interest to do so.

As a result, the existing scheme of voluntary compliance with voluntary industry reliability rules is simply no longer adequate.

There has been a marked increase in the number and seriousness of violations of voluntary reliability rules.

Under a voluntary system, there is no penalty for violating a reliability standard.

The users and operators of the system, who used to cooperate voluntarily on reliability matters, are now competitors without the same incentives to cooperate with each other or comply with voluntary reliability rules.

For example, last summer during an extremely hot period one Midwest utility took without any penalty electric power from the grid that it was not entitled to.

It did so without even informing other utilities on the grid what it was doing.

This action came close to jeopardizing power reliability in several States.

This legislation will prevent that kind of inappropriate activity in the future.

In order to maintain grid reliability, rules must be made mandatory and enforceable, and fairly applied to all participants in the electricity market.

To address this need, more than a year ago a group of electricity industry officials began meeting to develop legislative language.

As a result of this effort, the North American Electric Reliability Council and a broad coalition of industry organizations have jointly proposed the language which is embodied in S. 2071.

The legislation is supported by virtually all aspects of the electric power industry, including: the American Public Power Association, the Edison Electric Institute, the Electric Power Supply Association, the Electricity Consumers Resource Council, the National Rural Electric Cooperative Association, and the Canadian Electricity Association.

The proposal follows the model of the Securities and Exchange Commission in its oversight of the securities industry's self-regulatory organizations—the stock exchanges and the National Association of Securities Dealers.

Let me now describe the key elements of S. 2071.

S. 2071 helps protect grid reliability by creating an industry-run, FERC overseen, organization that sets enforceable rules for the use of the interstate transmission grid.

It also has provisions to ensure that States have an appropriate role in promoting reliability.

S. 2071 authorizes the establishment of a self-regulating Electric Reliability Organization.

Both the establishment of the Electric Reliability Organization and the reliability rules it establishes are subject to approval and oversight by the FERC.

The legislation spells out specific criteria required for the new Electric Reliability Organization. In essence, the requirements are that the Organization be independent and fair.

The Electric Reliability Organization would establish, monitor and enforce compliance with reliability standards for the interstate bulk power system.

The legislation does not give the Electric Reliability Organization or any affiliated regional reliability entity any authority to build or to pay for the building of any transmission or other facility necessary for a bulk power user to comply with a reliability requirement.

The reliability standards established by the Electric Reliability Organization would be mandatory on all owners, users and operators of the interstate bulk power system.

The cost of complying with a reliability requirement is the responsibility of bulk power users, not the Electric Reliability Organization or any affiliated regional reliability entity.

The reliability standards only concern the operational security of the bulk power system. They do not deal with generation adequacy, reserve margins; distribution system reliability; safety; transmission siting; or retail customer choice plans.

Activities conducted in compliance with the statutory requirements receive a rebuttable presumption of compliance with the Federal antitrust laws.

Until the new Electric Reliability Organization is up and running, the existing North American Electric Reliability Council and its individual regional reliability councils may file with FERC those existing reliability standards they propose to be mandatory in the interim.

The Electric Reliability Organization may delegate authority to implement and enforce regional standards to an Affiliated Regional Reliability Entity, which can enforce reliability standards and take disciplinary action against system operators and users.

As I said before, the real way to prevent brownouts and blackouts is through comprehensive legislation that stimulates the construction of new generation and transmission.

This legislation will help, but much, much more needs to be done.

I urge my colleagues to support this legislation and to pass it without amendment.

Mr. SMITH of New Hampshire. Mr. President, I commend the chairman of the Committee on Energy and Natural Resources on this important piece of legislation. I believe that this legislation, and the electric reliability organizations created by this legislation, will significantly improve the reliability of our transmission system. I understand that a question has been raised, however, about the potential scope of authority of these electric reliability organizations and specifically their authority to waive environmental requirements. I would like to seek clarification of this issue. It is my understanding that nothing in this legislation in any way waives or modifies any environmental requirements, or exempts any facilities covered by the bill from any otherwise applicable federal or State environmental law or regulations, including the requirements of the Clean Air Act, the Clean Water Act, the Resource Conservation and Recovery Act, the Endangered Species Act, or any other environmental law.

Mr. BAUCUS. Mr. President, I share the concerns that have been raised about the potential scope of authority of the electric reliability organizations and would also seek clarification on this point. It is my understanding that in addition to not diminishing or affecting any environmental obligations, this legislation does not authorize the electric reliability organizations to direct or authorize any covered facility to violate or disregard the requirements of any Federal or State environmental law or regulation.

Mr. MURKOWSKI. Mr. President, the chairman and ranking member of the Committee on Environment and Public Works are both correct that the legislation will not affect or modify any requirements of our important environmental laws or authorize the electric reliability organizations to waive or modify those requirements.

Mr. BINGAMAN. Mr. President, I concur with the clarification by the chairman.

Mr. SMITH of New Hampshire. I thank the chairman for this important clarification.

Mr. BAUCUS. I also thank the chairman for his clarification.

Mr. LOTT. Mr. President, I ask unanimous consent that the committee amendment in the nature of a substitute be agreed to.

The committee amendment in the nature of a substitute was agreed to.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be read a third time and passed, as amended, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 2071), as amended, was read the third time and passed.

DEATH TAX ELIMINATION ACT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to the estate tax repeal bill.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object. In fact, I should object. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I ask unanimous consent that when the Senate considers the estate tax bill, it be considered under the following limitation: That the bill be limited to relevant amendments, with the following exemptions of the minority: estate taxes