S. 2058. A bill to extend filing deadlines for applications for adjustment of status of certain Cuban, Nicaraguan, and Haitian nationals; to the Committee on the Judiciary.

By Mr. SARBANES:

S. 2059. A bill to modify land conveyance authority relating to the former Naval Training Center, Bainbridge, Cecil County, Maryland, and for other purposes; to the Committee on Armed Services.

By Mrs. FEINSTEIN (for herself, Mr. DURBIN, Mrs. BOXER, Mr. BAUCUS, and Mr. HELMS):

S. 2060. A bill to authorize the President to award a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 2061. A bill to establish a crime prevention and computer education initiative; to the Committee on the Judiciary.

By Mr. DEWINE (for himself, Mr. DURBIN, Mr. ABRAHAM, Mr. BAUCUS, Mr. CLELAND, Mr. DODD, Mr. LEVIN, and Mr. SESSIONS):

S. 2062. A bill to amend chapter 4 of title 39, United States Code, to allow postal patrons to contribute to funding for organ and tissue donation awareness through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Governmental Affairs.

By Mr. TORRICELLI (for himself and Mr. FEINGOLD):

S. 2063. A bill to amend title 18, United States code, to provide for the applicability to operators of Internet Web sites of restrictions on the disclosure or records and other information relating to the use of such sites, and for other purposes; to the Committee on the Judiciary.

By Mr. EDWARDS (for himself and Mr. BIDEN):

S. 2064. A bill to amend the Missing Children's Assistance Act, to expand the purpose of the National Center for Missing and Exploited Children to cover individuals who are at least 18 but have not yet attained the age of 22; to the Committee on the Judiciary.

By Mr. EDWARDS:

S. 2065. A bill to authorize the Attorney General to provide grants for organizations to find missing adults; to the Committee on the Judiciary.

By Mr. CLELAND:

S. 2066. A bill to amend the Internal Revenue Code of 1986 to exclude United States savings bond income from gross income if used to pay long-term care expenses; to the Committee on Finance.

By Mr. FRIST (for himself and Mr. ABRAHAM):

S. 2067. A bill to provide education and training for the information age; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GREGG:

S. 2068. A bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations; to the Committee on Commerce, Science, and Transportation.

By Mr. ENZI:

S. 2069. A bill to permit the conveyance of certain land in Powell, Wyoming; to the Committee on Energy and Natural Resources.

By Mr. FITZGERALD (for himself and Mrs. LINCOLN):

S. 2070. A bill to improve safety standards for child restraints in motor vehicles; to the Committee on Commerce, Science, and Transportation.

By Mr. GORTON:

S. 2071. A bill to benefit electricity consumers by promoting the reliability of the bulk-power system; to the Committee on Energy and Natural Resources.

By Mr. KERRY (for himself, Mr. LAUTNEBERG, Mr. LIEBERMAN, and Mr. JEFFORDS):

S. 2072. A bill to require the Secretary of Energy to report to Congress on the readiness of the heating oil and propane industries; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself, Mr. LEVIN, Mr. FEINGOLD, Mr. MOYNIHAN, and Mr. AKAKA):

S. 2073. A bill to reduce the risk that innocent people may be executed, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SPECTER (for himself, Mr. AKAKA, Mr. ASHCROFT, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mrs. BOXER, Mr. BREAUX, Mr. CHAFEE, Mrs. LINCOLN, Mr. CLELAND, Ms. COLLINS, Mr. CONRAD, Mr. CRAIG, Mr. DEWINE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. HATCH, Mr. HELMS, Mr. INOUYE, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LUGAR, Mr. MACK, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. ROTH, Mr. SARBANES, Mr. SCHUMER, Mr. SHELBY, Mr. SMITH of Oregon, Mr. THURMOND, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, Mr. WYDEN, Ms. SNOWE, Mr. JEFFORDS, Mr. JOHNSON, Mr. SESSIONS, Mr. STEVENS, and Mr. LIEBERMAN):

S. Res. 256. A resolution designating the week of February 14–18, 2000, as ''National Heart Failure Awareness Week''; considered and agreed to.

By Mr. CRAIG (for himself, Mr. INHOFE, Mrs. HUTCHISON, and Mr. CRAPO):

S. Res. 257. A resolution expressing the sense of the Senate regarding the responsibility of the United States to ensure that the Panama Canal will remain open and secure to vessels of all nations; to the Committee on Foreign Relations.

By Mr. CRAIG (for himself, Mr. AKAKA, Mr. ALLARD, Mr. CLELAND, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mrs. FEINSTEIN, Mr. GORTON, Mr. GRAMS, Mrs. HUTCHISON, Mr. INOUYE, Mr. JOHNSON, Mr. KERRY, Ms. LANDRIEU, Mr. LOTT, Mr. MCCONNELL, Mrs. MURRAY Mr. SMITH of Oregon, and Mr. SPECTER):

S. Res. 258. A resolution designating the week beginning March 12, 2000 as ''National Safe Place Week''; to the Committee on the Judiciary.

By Mr. LOTT:

S. Con. Res. 80. A concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives; considered and agreed to.

By Mr. ROTH (for himself, Mrs. MURRAY, Mr. BINGAMAN, Mr. EDWARDS, Mr. CRAPO, Mr. DODD, Mr. THOMAS, and Mrs. FEINSTEIN):

S. Con. Res. 81. A concurrent resolution expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 2051. A bill to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes; to the Committee on Energy and Natural Resources.

THE GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT ACT OF 2000

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce this legislation to permit the National Park Service to expand the boundaries of the Golden Gate National Recreation Area (GGNRA) by acquiring critical natural landscapes and scenic vistas. This includes land in San Mateo County, as well as land in San Francisco and Marin County.

A key component of this legislation is that about half of the total cost of purchasing these lands will be donated by the local community. This legislation specifically provides that all land transactions involve a willing seller and willing buyer.

In introducing this bill, I am joined by my esteemed colleague from California, Senator BARBARA BOXER. This bill also has the bipartisan support of the entire Bay Area Congressional Delegation including original co-sponsors in the House, Representatives TOM LANTOS, NANCY PELOSI, and LYNN WOOLSEY.

Furthermore, this bill also has the strong support of local environmental and advocacy and preservation groups, the Point Reyes National Seashore Advisory Commission, and the National Park Service. I know of no opposition to this bill.

The three Marin County properties lie in the Marin headlands. Preservation of these lands will protect habitat, ridge-top trails and scenic views of San Francisco Bay and the Pacific Ocean.

The San Francisco land along the pacific coastline, the city of San Francisco would like to donate to the federal government and has authorized $100,000 for the restoration of this site.

The legislation also proposes to include land near Labos Creek, adjacent to the Presido-West Gate, which was damaged during a severe storm in 1997. The American Land Conservancy intends to acquire this land and donate it to the National Park Service. Lobos Creek is the key source of the Presidio's water supply and a unique ecological resource.

Together, these parcels offer beautiful vistas, sweeping coastal views and spectacular headland scenery and the preservation of unique bayland ecosystems with added public access. Much of this land also protects the

habitat of several species of rare or endangered plants and animals. Several of the vegetation communities is home to at least 18 endangered or threatened species including the winter-run chinook salmon, American peregrine falcon, the mission blue butterfly and the southwestern pond turtle.

I urge my colleagues to support passage of the Golden Gate National Recreation Area Boundary Adjustment Act.

By Mr. CAMPBELL:

S. 2052. A bill to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to community, business, and the economic development of Native American communities; to the Committee on Indian Affairs.

INDIAN TRIBAL DEVELOPMENT CONSOLIDATED FUNDING ACT OF 2000

Mr. CAMPBELL. Mr. President, though there are glimmers of hope in Native communities, most Native Americans remain racked by unemployment, mired in poverty, and rank at or near the bottom of nearly every social and economic indicator in the nation.

For years the Committee on Indian Affairs, which I chair, has made strengthening Indian economies a top priority. Healthy tribal economies and lower unemployment rates are imperative if tribes are to achieve the goals of self-sufficiency and true self-determination.

Although federal economic development assistance has been available for years, poverty, ill health, and unemployment remain rampant.

One of the reasons for the lack of success despite spending billions of dollars, is the lack of a consistent or consolidated federal policy to target development resources. Indian business, economic and community development programs span the entire federal government and for any given project undertaken by a tribe, there may be 6 to 8 or more agencies involved. This fragmentation and lack of coordination is not producing the kind of progress Indian country so badly needs.

To begin to remedy this problem, today I am pleased to introduce legislation that builds on the most successful federal Indian policy to date: Indian self-determination.

The Indian Self-Determination and Education Assistance Act, which was enacted in 1975, authorizes Indian tribes and tribal consortia to ''step into the shoes'' of the federal government to administer programs and services historically provided by the United States.

This Act has worked as it was intended and has resulted in improved efficiency of program delivery and service quality; better managed tribal institutions; stronger tribal economies; and a general shift away from federal control over Indian lives to more local, tribal authority.

What began as a Demonstration Project in 1975 has blossomed as more and more tribal governments realize the benefits of self governance.

As of 1999, nearly 48% of all Bureau of Indian Affairs (BIA) and 50% of all Indian Health Service (IHS) programs and services have been assumed by tribes under the Indian Self-Determination Act.

The legislation I introduce today will begin the second phase of the Self-Determination experiment by assistant Indian tribes in their use and maximization of existing federal resources for purposes of economic development.

By authorizing tribes and tribal consortia to consolidate and target existing federal funds for development purposes, this bill will promote a more efficient use of federal resources. Perhaps more importantly, the legislation will lay the foundation for a development strategy that looks to employment creation, investment and improved standards of living in Indian country as the real measure of a successful development policy.

One of the key goals of this bill is to eliminate inconsistencies and duplication in federal policies that continue to be a barrier to Indian development through the issuance of uniform regulations and policies governing the use of funds across federal agencies.

By authorizing federal-tribal arrangements to combine and coordinate federal resources, this bill will make the best use of existing federal programs to assist tribes in attracting private investment and capital onto Indian reservations.

Already in this session we have addressed other building blocks to Indian development such as financing housing construction and physical infrastructure, the need for good governance practices at the federal and tribal levels, ensuring adequate capital for entrepreneurs, and encouraging private sector investment into Native communities.

I am hopeful that the legislation I introduce today will signal a new day for how the federal government assists Native communities in creating jobs and building a better future for their members.

I ask unanimous consent that a copy 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. 2052

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

SECTION 1. TITLE.

The Act may be cited as the ''Indian Tribal Development Consolidated Funding Act of 2000''.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) A unique legal and political relationship exists between the United States and Indian tribes that is reflected in article I, clause 3 of the Constitution of the United States, various treaties, Federal statutes, Supreme Court decisions, executive agreements, and course of dealing.

(2) Despite the infusion of substantial Federal dollars into Native American communities over several decades, the majority of Native Americans remain mired in poverty, unemployment, and despair.

(3) The efforts of the United States to foster community, economic, and business development in Native American communities have been hampered by fragmentation of authority, responsibility and performance and by lack of timeliness and coordination in resources and decision-making.

(4) The effectiveness of Federal and tribal efforts to generate employment opportunities and bring value-added activities and economic growth to Native American communities depends on cooperative arrangements among the various Federal agencies and Indian tribes.

(b) PURPOSES.—It is the purpose of this Act to—

(1) enable Indian tribes and tribal organizations to use available Federal assistance more effectively and efficiently;

(2) adapt and target such assistance more readily to particular needs through wider use of projects that are supported by more than 1 executive agency, assistance program, or appropriation of the Federal Government;

(3) encourage Federal-tribal arrangements under which Indian tribes and tribal organizations may more effectively and efficiently combine Federal and tribal resources to support economic development projects;

(4) promote the coordination of Native American economic programs to maximize the benefits of these programs to encourage a more consolidated, national policy for economic development; and

(5) establish a demonstration project to aid Indian tribes in obtaining Federal resources and in more efficiently administering these resources for the furtherance of tribal self-governance and self-determination.

SEC. 3. DEFINITIONS.

In this title:

(1) APPLICANT.—The term ''applicant'' means an Indian tribe or tribal organization applying for assistance for a community, economic, or business development project, including facilities to improve the environment, housing, roads, community facilities, business and industrial facilities, transportation, roads and highway, and community facilities.

(2) ASSISTANCE.—The term ''assistance'' means the transfer of anything of value for a public purpose or support or stimulation that is—

(A) authorized by a law of the United States; and

(B) provided by the Federal Government through grant or contractual arrangements, including technical assistance programs providing assistance by loan, loan guarantee, or insurance.

(3) ASSISTANCE PROGRAM.—The term ''assistance program'' means any program of the Federal Government that provides assistance for which Indian tribes or tribal organizations are eligible.

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given such term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(5) PROJECT.—The term ''project'' means an undertaking that includes components that contribute materially to carrying out 1 purpose or closely-related purposes that are proposed or approved for assistance under more than 1 Federal Government program.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the meaning given such term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)).

SEC. 4. LEAD AGENCY.

The lead agency for purposes of carrying out this Act shall be the Department of the Interior.

SEC. 5. SELECTION OF PARTICIPATING TRIBES.

(a) PARTICIPANTS.—

(1) IN GENERAL.—The Secretary may select not to exceed 24 Indian tribes in each fiscal year from the applicant pool described in subsection (b) to participate in the projects carried out under this Act.

(2) CONSORTIA.—Two or more Indian tribes that are otherwise eligible to participate in a program or activity to which this Act applies may form a consortium to participate as a single Indian tribe under paragraph (1).

(b) APPLICANT POOL.—The applicant pool described in this subsection shall consist of each Indian tribe that—

(1) successfully completes the planning phase described in subsection (c);

(2) has requested participation in a project under this Act through a resolution or other official action of the tribal governing body; and

(3) has demonstrated, for the 3 fiscal years immediately preceding the fiscal year for which the requested participation is being made, financial stability and financial management capability as demonstrated by the Indian tribe having no material audit exceptions in the required annual audit of the self-determination contracts of the tribe.

(c) PLANNING PHASE.—Each Indian tribe seeking to participate in a project under this Act shall complete a planning phase that shall include legal and budgetary research and internal tribal government and organizational preparation. The tribe shall be eligible for a grant under this section to plan and negotiate participation in a project under this Act.

SEC. 6. AUTHORITY OF HEADS OF EXECUTIVE AGENCIES.

(a) IN GENERAL.—The President, acting through the heads of the appropriate executive agencies, shall promulgate regulations necessary to carry out this Act and to ensure that this Act is applied and implemented by all executive agencies.

(b) SCOPE OF COVERAGE.—The executive agencies that are included within the scope of this Act shall include—

(1) the Department of Agriculture;

(2) the Department of Commerce;

(3) the Department of Defense;

(4) the Department of Education;

(5) the Department of Health and Human Services;

(6) the Department of Housing and Urban Development;

(7) the Department of the Interior;

(8) the Department of Labor; and

(9) the Environmental Protection Agency.

(c) ACTIVITIES.—Notwithstanding any other provision of law, the head of each executive agency, acting alone or jointly through an agreement with another executive agency, may—

(1) identify related Federal programs that are likely to be particularly suitable in providing for the joint financing of specific kinds of projects;

(2) assist in planning and developing projects to be financed through different Federal programs;

(3) with respect to Federal programs or projects that are identified or developed under paragraphs (1) or (2), develop and prescribe—

(A) guidelines;

(B) model or illustrative projects;

(C) joint or common application forms; and

(D) other materials or guidance;

(4) review administrative program requirements to identify those requirements that may impede the joint financing of projects and modify such requirement when appropriate;

(5) establish common technical and administrative regulations for related Federal programs to assist in providing joint financing to support a specific project or class of projects; and

(6) establish joint or common application processing and project supervision procedures, including procedures for designating—

(A) a lead agency responsible for processing applications; and

(B) a managing agency responsible for project supervision.

(d) REQUIREMENTS.—In carrying out this Act, the head of each executive agency shall—

(1) take all appropriate actions to carry out this Act when administering a Federal assistance program; and

(2) consult and cooperate with the heads of other executive agencies to carry out this Act in assisting in the administration of Federal assistance programs of other executive agencies that may be used to jointly finance projects undertaken by Indian tribes or tribal organizations.

SEC. 7. PROCEDURES FOR PROCESSING REQUESTS FOR JOINT FINANCING.

In processing an application or request for assistance for a project to be financed in accordance with this Act by at least 2 assistance programs, the head of an executive agency shall take all appropriate actions to ensure that—

(1) required reviews and approvals are handled expeditiously;

(2) complete account is taken of special considerations of timing that are made known to the head of the agency involved by the applicant that would affect the feasibility of a jointly financed project;

(3) an applicant is required to deal with a minimum number of representatives of the Federal Government;

(4) an applicant is promptly informed of a decision or special problem that could affect the feasibility of providing joint assistance under the application; and

(5) an applicant is not required to get information or assurances from 1 executive agency for a requesting executive agency when the requesting agency makes the information or assurances directly.

SEC. 8. UNIFORM ADMINISTRATIVE PROCEDURES.

(a) IN GENERAL.—To make participation in a project simpler than would otherwise be possible because of the application of varying or conflicting technical or administrative regulations or procedures that are not specifically required by the statute that authorizes the Federal program under which such project is funded, the head of an executive agency may promulgate uniform regulations concerning inconsistent or conflicting requirements with respect to—

(1) the financial administration of the project including accounting, reporting and auditing, and maintaining a separate bank account, to the extent consistent with this Act;

(2) the timing of payments by the Federal Government for the project when 1 payment schedule or a combined payment schedule is to be established for the project;

(3) the provision of assistance by grant rather than procurement contract; and

(4) the accountability for, or the disposition of, records, property, or structures acquired or constructed with assistance from the Federal Government under the project.

(b) REVIEW.—In making the processing of applications for assistance under a project simpler under this Act, the head of an executive agency may provide for review of proposals for a project by a single panel, board, or committee where reviews by separate panels, boards, or committees are not specifically required by the statute that authorizes the Federal program under which such project is funded.

SEC. 9. DELEGATION OF SUPERVISION OF ASSISTANCE.

Pursuant to regulations established to implement this Act, the head of an executive agency may delegate or otherwise enter into an arrangement to have another executive agency carry out or supervise a project or class or projects jointly financed in accordance with this Act. Such a delegation—

(1) shall be made under conditions ensuring that the duties and powers delegated are exercised consistent with Federal law; and

(2) may not be made in a manner that relieves the head of an executive agency of responsibility for the proper and efficient management of a project for which the agency provides assistance.

SEC. 10. JOINT ASSISTANCE FUNDS AND PROJECT FACILITATION.

(a) JOINT ASSISTANCE FUND.—In providing support for a project in accordance with this Act, the head of an executive agency may provide for the establishment by the applicant of a joint assistance fund to ensure that amounts received from more than 1 Federal assistance program or appropriation are more effectively administered.

(b) AGREEMENT.—A joint assistance fund may only be established under subsection (a) in accordance with an agreement by the executive agencies involved concerning the responsibilities of each such agency. Such an agreement shall—

(1) ensure the availability of necessary information to the executive agencies and Congress;

(2) provide that the agency administering the fund is responsible and accountable by program and appropriation for the amounts provided for the purposes of each account in the fund; and

(3) include procedures for returning an excess amount in the fund to participating executive agencies under the applicable appropriation (an excess amount of an expired appropriation lapses from the fund).

SEC. 11. FINANCIAL MANAGEMENT, ACCOUNTABILITY AND AUDITS.

(a) SINGLE AUDIT ACT.—Recipients of funding provided in accordance with this Act shall be subject to the provisions of chapter 75 of title 31, United States Code.

(b) RECORDS.—With respect to each project financed through an account in a joint management fund established under section 10, the recipient of amounts from the fund shall maintain records as required by the head of the executive agencies responsible for administering the fund. Such records shall include—

(1) the amount and disposition by the recipient of assistance received under each Federal assistance program and appropriation;

(2) the total cost of the project for which such assistance was given or used;

(3) that part of the cost of the project provided from other sources; and

(4) other records that will make it easier to conduct an audit of the project.

(c) AVAILABILITY.—Records of a recipient related to an amount received from a joint management fund under this Act shall be made available to the head of the executive agency responsible for administering the fund and the Comptroller General for inspection and audit.

SEC. 12. TECHNICAL ASSISTANCE AND PERSONNEL TRAINING.

Amounts available for technical assistance and personnel training under any Federal assistance program shall be available for technical assistance and training under a project

approved for joint financing under this Act where a portion of such financing involves such Federal assistance program and another assistance program.

SEC. 13. JOINT FINANCING FOR FEDERAL-TRIBAL ASSISTED PROJECTS.

Under regulations promulgated under this Act, the head of an executive agency may enter into an agreement with a State to extend the benefits of this Act to a project that involves assistance from at least 1 executive agency and at least 1 tribal agency or instrumentality. The agreement may include arrangements to process requests or administer assistance on a joint basis.

SEC. 14. REPORT TO CONGRESS.

Not later than 1 year after the date of enactment of this Act, the President shall prepare and submit to Congress a report concerning the actions taken under this Act together with recommendations for the continuation of this Act or proposed amendments thereto. Such report shall include a detailed evaluation of the operation of this Act, including information on the benefits and costs of jointly financed projects that accrue to participating Indian tribes and tribal organizations.

By Mr. JEFFORDS:

S. 2053. A bill to amend the Internal Revenue Code of 1986 to provide marriage tax penalty relief for earned income credit; to the Committee on Finance.

MARRIAGE TAX PENALTY RELIEF

Mr. JEFFORDS. Mr. President, today I am introducing a bill to reduce the marriage penalty built into the Earned Income Tax Credit—the EITC. It appears that Congress may well act to address the marriage penalty this year. Eliminating the marriage penalty is a worthwhile goal. A marriage license shouldn't come with a higher tax bill from Uncle Sam. As we consider this issue, however, I want to make sure that low-income taxpayers are not left out of the debate. In terms of dollars, the EITC marriage penalty may be relatively small, but for workers trying to raise children on low wages it represents a significant loss of income, and it may well deter couples from marrying.

Though our nation's economy continues to thrive, many Americans still struggle to make ends meet. Working families across the nation hover above the poverty level, striving to stay off welfare and yearning to provide a decent life for their children. We can and must do more to help these families. And we can do it through the tax code in a manner that is proven and fair, using the earned income tax credit. The EITC is a refundable tax credit specifically targeted to help low-income workers and their families. In my state of Vermont, with soaring housing costs and spiking fuel costs, the EITC has proven effective in supplementing the income of working families.

By some estimates, the EITC has moved more than two million children out of poverty. One recent report calls it the most effective safety net program for children in working poor families. In 1999, the EITC provided low-income working families with two children a subsidy of roughly 40 cents for every dollar of income. But after income reaches a certain point, the EITC is gradually phased out.

Unfortunately, a marriage penalty is built into the EITC. This marriage penalty exists because a married couple's combined earnings put them at a higher point in the EITC phase-out range than where one or both of them would have been if they had remained single. If, for example, one minimum wage earner marries another minimum wage earner with two children, the couple's EITC would be over $1,300 less than the combined EITC they would have received if they hadn't gotten married. For working families that subsist on the minimum wage, this is a significant loss—more than half of their combined wages for a month.

To reduce the EITC marriage penalty, the bill I'm introducing will extend the point at which the EITC begins to phase out. This is the approach I advocated, and which was subsequently adopted in last year's tax bill. It is also the approach adopted in the bill passed by the Ways and Means Committee. The difference between my bill and these other bills is the amount by which the beginning point of the phase-out range would be extended. The other bills proposed to extend it by $2,000. I propose to extend it by $3,500; this would provide significantly more marriage penalty relief. My back-of-the-envelope calculations indicate that my bill would eliminate about half of the marriage penalties built into the EITC.

I do not have a cost estimate for this bill. For the Ways and Means marriage penalty bill, the Joint Committee on Taxation estimated that a $2,000 extension of the beginning point of the EITC phase-out would cost $11 billion over 10 years. This is a relatively small part of a bill whose overall 10-year cost is $182 billion.

Last year, the conferees on the tax bill initially chose not to include help for EITC taxpayers in the marriage penalty provisions. I threatened to vote against the bill, probably depriving it of a majority in the Senate. The conference was reopened, and relief of the EITC marriage penalty was included in the final bill. I think that shows how strongly I feel about this issue. I'm glad that the House has looked out for low-income taxpayers in its marriage penalty bill. Still, I think we can do better.

By Mr. WELLSTONE:

S. 2055. A bill to establish the Katie Poirier Abduction Emergency Fund, and for other purposes; to the Committee on the Judiciary.

KATIE'S LAW

Mr. WELLSTONE. Mr. President, I rise to introduce a piece of legislation that I hope will be called Katie's Law. This past year, colleagues, in Carlton County, we lost a young, beautiful woman who worked at a convenience store. She was abducted. Everybody in the community helped the family. Tragically, later her body was recovered. A suspect has been arrested for her murder.

I have, along with Sheila, stayed in close touch with Katie's family. We have talked quite often with her mother Pam, her dad Steve, and her brother Patrick.

When I went to the service, I couldn't even stand it, just to see the pain. This never should have happened.

I thought about what I could do as a Senator to make a difference. I, therefore, started talking to a lot of our rural law enforcement people. They told me that whatever we could do in Congress, the key would be to enhance their ability to respond quickly and aggressively to such crimes, that that would make a difference.

So there are two pieces to this piece of legislation. I hope I will get tremendous bipartisan support.

The first is an abduction emergency fund called the Katie Poirier Abduction Emergency Fund. Basically, what I am saying, colleagues, is that for rural law enforcement, especially in the critical first 72 hours, they should never have to worry about whether they will have the resources and what the cost will be. This will be an emergency fund they can draw upon from the Attorney General, to State agencies, down to the local level. For our rural law enforcement community, this is critically important.

Then the second piece is to provide local law enforcement officers with resources to use the latest identification systems to solve and prevent crime. In our metropolitan areas we have the technology, but in our rural communities quite often our local law enforcement communities do not have the capacity to link up with systems such as the FBI's very sophisticated fingerprint identification system. This can be the difference between 2 hours and 2 months. There will be money that will go to local law enforcement, rural law enforcement so they can be able to take advantage of this technology.

Altogether, with the abduction emergency fund, we are talking about $10 million over 3 years, for $30 million; and on the technology upgrade for rural law enforcement, we are talking about $20 million over 3 years, for $60 million—total cost for 3 years, $90 million.

This is incredibly important to rural America. It is an investment we should make. While I know no piece of legislation can ever provide 100 percent safety for our children, I do know this piece of legislation will make a difference for rural law enforcement and will provide some protection for our children and will provide some protection for our rural citizens.

I have never been more determined to pass any piece of legislation than this small step. It is something I think I should do as a Senator. I think as Senators talk to their rural communities from around the country, they will find this does meet a very critical need.

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

S. 2056. A bill to amend the Richard B. Russell National School Lunch Act to ensure an adequate level of commodity purchases under the school lunch program; to the Committee on Agriculture, Nutrition, and Forestry.

EMERGENCY COMMODITY DISTRIBUTION ACT

Mr. CRAIG. Mr. President, I rise today to join my colleague Senator JOHNSON in introducing the Emergency Commodity Distribution Act of 2000.

Children are our future. I strongly believe each child deserves at least one warm, nutritious meal every day. I stand before you today with a new bill that will restore $500 million to the School Lunch Program. The positive impacts of this program are endless. Children should not have to pay the price of not having enough money for food.

Originally enacted in 1946, the school lunch program set goals to improve children's nutrition, increase low-income children's access to nutritious meals, and to help support the agricultural industry. A family of four has to have an income at or below 130 percent of the federal poverty level to qualify for a free lunch. The income for these families is tragically low. Congress has a role in providing these children with assistance their families cannot provide.

Last year, Congress enacted the Ticket to Work and Work Incentives Improvement Act. This legislation amended the School Lunch Act to require the United States Department of Agriculture to count the value of bonus commodities when it determines the total amount of commodity assistance provided to schools. This change will result in a $500 million budget cut for the school lunch program over a nine-year period.

In FY1998, the school lunch program comprised over 90 percent of schools, with some 90,000 schools enrolling 46.5 million children. Children receiving free lunches averaged 13 million a day, and those receiving reduced price lunches averaged 2.2 million a day. Each state and millions of children are affected. This program provides a basic requirement of food for needy children.

No child should be without food. The Emergency Commodity Distribution Act of 2000 would ensure that schools receive the full value of entitlement commodity assistance, and allow the School Lunch Program to continue to meet its dual purpose of supporting American agriculture while providing nutritious food to schools across the country. I urge members to support this bill, support children, and support our future.

By Mr. MURKOWSKI:

S. 2057. A bill to amend the Communications Act of 1934 to prohibit the use of electronic measurement units (EMUs); to the Committee on Commerce, Science, and Transportation.

THE MOTORISTS PRIVACY ACT OF 2000

Mr. MURKOWSKI. Mr. President, I rise today to introduce the Motorists Privacy Act of 2000. This legislation has become necessary because technological advancements threaten to allow government and private enterprise to develop a vast database of information about the comings and goings of ordinary Americans.

Recently, I learned of a device known as an electronic measurement unit (EMU). EMUs are placed on billboards along highways and at the entrances to stadiums and concert locations in Atlanta, Indianapolis, Los Angeles, Phoenix, Boston, and a variety of other cities throughout the nation. These shoebox size devices instantly determine what radio station a car radio is tuned to by detecting electronic signals emitted from the oscillators in every car radio.

These devices are capable of measuring tens of thousands of radios in passing cars every day. And they provide nearly instantaneous information on the number of people listening to a radio station at any given time. This valuable data can then be sold to radio owners, who can then adjust their advertising rates based on listenership.

Mr. President, there is nothing wrong with surveying radio usage so long as a citizen voluntarily chooses to participate in such a survey. However, when private enterprise or the government begin to monitor radio or television usage, without the knowledge of the citizen, then a line is crossed that can only lead down the path to Big Brother. And as far as this Senator is concerned, that is not going to happen so long as I am a Member of the Senate.

When a citizen is sitting inside of his or her car, there is a 100 percent expectation of privacy that what is said and listened to is private. Motorists, rightfully, should have no suspicion that they are being monitored by the government or by private enterprise. However, in the case of EMUs, few motorists are aware that these devices even exist and in most cases, no attempt is made to inform motorists when they enter an area in which EMUs are utilized.

Mr. President, what right does a company or government have to snoop on what people are listening to in their automobiles? It is not a very great leap to imagine a world where EMUs track not only what you listen to in the car, but combined with remote television cameras, track your driving patterns. And surely, such devices could be installed in neighborhoods in order to monitor what families watch on television in their homes. Surely such invasions of privacy cannot be tolerated.

Therefore, I am today introducing the Motorists Privacy Act which outlaws the use of electronic measurement units to scan car radios. Regardless of whether or not these scans are anonymous, motorists deserve the same expectation of privacy within their cars as does a homeowner. 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. 2057

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 ''Motorists Privacy Act of 2000''.

SEC. 2. PROHIBITION ON USE OF ELECTRONIC MEASUREMENT UNITS.

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following new section:

''SEC. 338. PROHIBITION ON USE OF ELECTRONIC MEASUREMENT UNITS.

''(a) PROHIBITION.—No person may install, post, operate, or otherwise use an electronic measurement unit (EMU).

''(b) ELECTRONIC MEASUREMENT UNIT DEFINED.—In subsection (a), the term 'electronic measurement unit (EMU)' means a device that determines the frequency of the radio broadcast being received by a radio receiver located within a vehicle passing through the operating range of the device.''.

By Mr. GRAHAM (for himself, Mr. MACK, Mr. KENNEDY, Mr. DURBIN, and Mrs. FEINSTEIN):

S. 2058. A bill to extend filing deadlines for applications for adjustment of status of certain Cuban, Nicaraguan, and Haitian nationals; to the Committee on the Judiciary.

LEGISLATION TO EXTEND FILING DEADLINES FOR APPLICATIONS FOR ADJUSTMENT OF STATUS OF CERTAIN CUBAN, NICARAGUAN, AND HAITIAN NATIONALS

Mr. GRAHAM. Mr. President, I come to the Senate floor this afternoon to introduce legislation which has as its objective to assure a greater measure of fairness to a particularly vulnerable group of Central American and Caribbean nationals who, in many cases, for many years have resided in the United States.

I appreciate the support of my colleagues: Senators MACK, KENNEDY, DURBIN, and FEINSTEIN, who join in this effort as cosponsors.

For some background: In 1997, and again in 1998, Congress passed legislation to protect, first, a group of Central American and Cuban nationals and then a similar group of Haitian nationals who were refugees and were threatened with deportation.

Action was needed in those 2 years because of passage of the 1996 Illegal Immigration Reform and Immigrant Responsibility Act, which changed immigration rules and did so, in many instances, retroactively. The history of this group of people started during the Presidency of Ronald Reagan. The United States offered protection and legal status to many Central American nationals who were fighting for democracy in their home country or fleeing the war that had ensued. Similarly, during the Presidency of George Bush, Haitian nationals were forced to flee after the overthrow of the elected President, Jean-Bertrand Aristide, in

1994. They were offered protection and legal status in the United States.

In 1996, these Central American and Haitian nationals had been living in our country for years; in the cases of the Central Americans, often longer than a decade. They established businesses. They formed and raised families. They bought homes. They strengthened the communities in which they lived. Then in 1996, with the passage of the Illegal Immigration Reform and Immigrant Responsibility Act, these Central American and Haitian individuals and families were made retroactively deportable. These deportations would have occurred years and years after these nationals had established their lives in the United States.

Congress moved quickly to protect their legal status here by passing the Nicaraguan Adjustment and Central American Relief Act in November of 1997, and then the Haitian Refugee Immigration Fairness Act in October of 1998. These two bills made certain sections of the 1996 immigration law nonretroactive. We mandated in those two pieces of legislation that to apply for relief from deportation under this measure, applications had to be made by a date certain: March 31, 2000.

The sad fact is, in 3 years after one of these pieces of legislation was passed and more than 2 years after another, we are still waiting for the final regulations to be issued for both of these pieces of legislation. The final rules that would help families apply for relief have not yet been issued. Interim regulations were issued for both bills in 1998 and 1999, but in neither case have the regulations become final. There is the very real possibility that the application deadline, March 31, 2000, could come and go before the final regulations, which establish the rules and procedures by which applications will be submitted and evaluated, have even been issued.

Both for reasons of fairness and to promote good Government, we should extend the application deadline for relief. Under this legislation, the new deadline for relief will be 1 year after the date the regulations become final.

I point out to my colleagues that this legislation will not cover any additional individuals who will have the right to apply for the right to live in the United States. No additional persons will be granted eligibility as a result of this legislation beyond those who were made eligible in 1997 and again in 1998. What this legislation does is create a more realistic and fair deadline for individuals Congress has already passed legislation to protect.

This action should be taken because it is fair. First, it is fair to the immigrants. We shouldn't expect them to go through the arduous and very costly application process without the certainty that the regulations which will govern their applications are final.

It is easy to put a human face on this issue. There are scores, hundreds, thousands of examples. Let me just cite one which was brought to my attention by a prominent immigration attorney in Florida. I will call this young woman, in order to protect her privacy, Frances. She is a real human being. Frances is 22 years old. Her parents fled Haiti in the 1980s, when she was a child. Her family settled in Florida. She now has three U.S. citizen brothers and sisters. Tragedy has struck her family on several occasions. Her father died when she was just 7 years old. Her mother died when she was still in her early teens. She finished high school and is now raising her younger brothers and sisters while working. She is an orphan. She would be in the class of persons protected by the 1998 legislation. She is trying now to put together the documents necessary to apply to stay in the United States and not be separated from her U.S. citizen brothers and sisters, the only family she has left.

The 1-year extension and the ability to apply for relief once regulations are final will make a huge difference in the life of this woman, will make a huge difference in her ability to comply with procedures which are probably the most significant in her life.

Today, I am introducing this in an effort to secure as rapid a resolution of these concerns as possible. I am not unmindful of the magnitude of the task Congress has asked the Immigration and Naturalization Service to perform. I don't want to imply that the INS and other Federal agencies should rush through these technical pieces of legislation. However, in situations such as this, where a longer time than expected was needed to develop the regulations, it is only fair to allow a longer time for those who are going to be affected by the law.

I understand the INS has been very thorough and understanding. It has met with individual groups on all sides of this issue. Many of them have been my constituents in Florida. I commend the INS for its willingness to hear all points of view and be thorough in their review before issuing final regulations. However, having said that, I believe nearly 3 years is a reasonable amount of time to have finalized these regulations.

The Nicaraguan Adjustment and Central American Relief Act took only nine pages of text in Public Law 105–100 when it was passed. Similarly, the Haitian Refugee Immigration Fairness Act took less than two pages to print in the CONGRESSIONAL RECORD. These were concise, targeted pieces of legislation. They were not lengthy, complex overhauls of major components of the immigration law. It is plain unfair to give someone a deadline and charge them a substantial fee to file and then to be uncertain as to what the rules will be that will govern those applications. With this legislation, I seek the flexibility to allow more time to apply for relief in a situation where more time than expected was necessary by the agency, the INS, to issue the regulations.

I send to the desk a few of the letters I have received from individuals and advocacy groups and religious leaders calling for this deadline extension, and I ask unanimous consent that these letters from the American Immigration Lawyers Association of South Florida, the Haitian American Foundation, the Haiti Advocacy Agency, all be printed in the RECORD.

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

(See Exhibit 1.)

Mr. GRAHAM. Mr. President, I send the legislation to the desk, which has been cosponsored by Senators MACK, KENNEDY, DURBIN, and FEINSTEIN. I ask my colleagues for their understanding and their support for this legislation—legislation that will ensure the most basic elements of fairness in our democratic system, which will allow people who have fled war and persecution to come to the freedom of the United States and to be treated fairly by our laws.

EXHIBIT NO. 1

AMERICAN IMMIGRATION
LAWYERS ASSOCIATION,
SOUTH FLORIDA CHAPTER,
January 24, 2000.

Senator BOB GRAHAM,
U.S. Senate,

Re: Letter of support for your effort to extend application period for HRIFA & NACARA.

DEAR SENATOR GRAHAM: On behalf of the South Florida Chapter of the American Immigration Lawyers Association (AILA) I write this letter of support to encourage you in your effort to introduce legislation to extend the application period for HRIFA & NACARA beneficiaries.

My organization has long-supported both bills and is appreciative of your great efforts in support of these efforts. Please let us know if there is anything we can do to help.

Thank you, Senator GRAHAM.

Sincerely,

MICHAEL D. RAY,
President, AILA South Florida Chapter.

HAITIAN AMERICAN FOUNDATION, INC.,
January 24, 2000.

Hon. BOB GRAHAM,
U.S. Senate, Senate Office Bldg.
Washington, DC.

DEAR SIR: Thank you for introducing legislation to extend the filing period under which HRIFA and NACARA can be filed.

Haitians have had an extraordinarily short period of time to apply—a mere nine months. Due to this narrow time period, many eligible poor people have not been able to apply because of the uncapped INS fee structure and the reluctance of the few pro bono attorneys serving them to submit fee waiver requests for fear that INS might deem the application untimely. As you know, as of December 31, 1999 only 18,000 individuals had applied (of 50,000 INS estimates are eligible).

This low number of applicants is due to the high costs involved. Most families must pay between $1,000 to $2,000 in INS fees alone. Supplement fees—such as the requisite medical exams—are additional financial burdens for applicants.

Extension of the HRIFA and NACARA filing deadline is essential if Congress hopes to help Haitian refugees. Some 30,000 Haitians in South Florida are expected to benefit from such extension.

Your legislation is indispensable and crucial. I applaud your leadership in introducing the legislation and thereby serving as a champion to your constituents.

Sincerely,

LEONIE M. HERMANTIN,
Executive Director.

HAITI ADVOCACY, INC.,
1309 INDEPENDENCE AVENUE SE
Washington, DC, January 31, 2000.

Office of the Hon. BOB GRAHAM,
524 Hart Senate Office Building, Washington, DC.

Re: Extension of HRIFA/NACARA Filing Deadlines.

DEAR SENATOR GRAHAM: We are greatly encouraged that you are introducing legislation to extend the deadlines for applications under the Nicaraguan Adjustment and Central American Relief Act (NACARA) and the Haitian Refugee Immigration Fairness Act (HRIFA).

As you know, more than 2 years has passed since the passage of NACARA and more than one since the passage of HRIFA and the INS has yet to issue final regulations implementing these laws. The statutory deadline for applications under both laws, April 1, 2000, is fast approaching.

Interim regulations contained unreasonably burdensome documentary requirements, excessive fees and lack of appropriate consideration for special groups such as abandoned children and refugees who were compelled to use false documents in order to flee. These and other deficiencies have, to date, prevented all but a minority of those eligible from filing applications.

Hundreds of comments were filed critiquing these and other restrictions as inconsistent with the remedial intent of Congress. We certainly hope that the INS will give full and fair consideration to these comments and ameliorate the shortcomings in the final version. Nevertheless, it is now apparent that any such improvements will be largely, if not completely, negated by the short time remaining before the deadline.

Accordingly, it is fitting and proper to extend the deadlines to one year following the promulgation of such final regulations so that the intended beneficiaries of this important legislation receive the full measure of justice provided under law.

Thank you for your support and kind consideration of our views.

Respectfully,

Merrill Smith, Director; And: Linda Wood Ballard; Maurice Belanger, Senior Policy Associate; National Immigration Forum; 220 I Street NE, Suite 220; Washington DC 20002; Phillip J. Brutus, Esq.; 645 NE 127 Street; North Miami FL 33161; Alison Laird Craig, Member Haitian Studies Association; Ralston H. Deffenbaugh, Jr., President; Lutheran Immigration and Refugee Service; Geary Farrell; 0–261 Luce SW; Grand Rapids, MI 49544; Michael A. Foulkes, Attorney At-Law; 4770 Biscayne Boulevard, Suite 570; Miami FL 33137; Muriel Heiberger, Executive Director Massachusetts Immigrant and Refugee Advocacy; Trevor Jackson, Senior Programmer Analyst; Connecticut Community Colleges—Board of Trustees; Maureen T. Kelleher, Florida Immigrant Advocacy Center; Guy H. Larreur, President, Konbit, L.L.C.; Haitian Immigration Support & Advocate Center; P.O. Box 6736; St. Thomas, VI 00804; John B. Percy; 35 Parsons Road; Enfield CT 06082; Edwige Romulus, Chair; Haitian-American Support Group of Central Florida; William Sage, Interim Director; Church World Service Immigration and Refugee Program; Daniel M. Schweissing; The Center for Haitian Ministries; William Shagan, Supervising Attorney; Lutheran Family and Community Services, Inc.; Althea Stahl, Assistant Professor; Earlham College, Languages and Literatures; Rick Swartz, President, Swartz & Associates; Michele Wucker, Author. Why the Cocks Fight: Dominicans, Haitians, and the Struggle for Hispaniola; 245 West 107th Street, Apt. 9D; New York NYC 10025

By Mr. SARBANES:

S. 2059. A bill to modify land conveyance authority relating to the former Naval Training Center, Bainbridge, Cecil County, Maryland, and for other purposes; to the Committee on Armed Services.

BAINBRIDGE NAVAL TRAINING CENTER LAND CONVEYANCE

Mr. SARBANES. Mr. President, today I am introducing legislation that would alleviate the $500,000 cost associated with the transfer of the former Bainbridge Naval Training Center in Cecil County, Maryland. It is my hope that this bill will help expedite the development of this property by the Bainbridge Development Corporation and the State of Maryland, and allow this site to realize its tremendous potential as soon as possible. Moreover, the money that the BDC will save through this waiver will be put towards salvaging several of the historic buildings on the site, namely, the historic Tome School.

Next week, I will participate in the transfer ceremony for this base, which now represents 1200 acres of pristine and strategically located land. The transfer follows decades of negotiations and cleanup, and I, along with the Navy, my constituents in Cecil County, and the other members of the Maryland State congressional delegation hope to see development of this site begin promptly.

In my view, the transfer of the Bainbridge site is a shining example of what can be accomplished through partnerships between Federal, State, and local governments. I introduce this bill to sustain our momentum and move this property into productive use as expeditiously as possible. Mr. President, I have spoken with the appropriate Navy officials regarding this matter and they have raised no concerns about this waiver. Indeed, this is truly a noncontroversial measure with a very modest cost and I urge my colleagues to support its swift passage.

By Mrs. FEINSTEIN (for herself, Mr. DURBIN, Mrs. BOXER, Mr. BAUCUS, and Mr. HELMS):

S. 2060. A bill to authorize the President to award a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

LEGISLATION TO AWARD CHARLES SCHULTZ THE CONGRESSIONAL GOLD MEDAL

Mrs. FEINSTEIN. Mr. President, on January 3rd, 2000, Charles Schulz published his last daily ''Peanuts'' comic strip ending a remarkable fifty year run. To commemorate Charles Schulz's extraordinary career, I urge my colleagues to join me in awarding him a Congressional Medal of Honor.

Charles Schulz's body of work in the ''Peanuts'' strip deserves recognition as a national treasure. For half a century, his cartoon illustrations have inspired millions of Americans with its wry humor and endearing cast of characters. Who has not been touched by the trials and tribulations of Charlie Brown, Snoopy, Linus, Lucy, and the rest of the ''Peanuts'' family?

At its peak, Peanuts appeared in close to 3,000 newspapers in 75 countries and was published in over 20 different languages to more than 355 million daily readers. Charles Schulz's television special, ''A Charlie Brown Christmas,'' has run for 34 consecutive years. In all, more that 60 animated specials have been created based on ''Peanuts'' characters. Four feature films, 1,400 books, and a hit Broadway musical about the ''Peanuts'' characters also have been produced.

Charles Schulz's achievements are all the more remarkable because, throughout his career, he has worked without any artistic assistants, unlike most syndicated cartoonists. Schulz has painstakingly drawn every line and frame in his comic strip for 50 years, an unparalleled commitment to his art and profession.

In 1994, while speaking before the National Cartoonists Society, Charles Schulz said of his comic strip, ''There's still a market for things that are clean and decent.'' Charles Schulz has given generations of children a cast of colorful characters to grow up with and to teach the small and large lessons of life.

Seventeen Americans from the arts and entertainment world have been awarded the Congressional Gold Medal for their achievements in the enrichment of American culture. I urge that Charles Schulz become the eighteenth individual so honored. Please join me in recognizing the lifetime contributions of Charles Schulz by awarding him the Congressional Gold Medal.

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

S. 2061. A bill to establish a crime prevention and computer education initiative; to the Committee on the Judiciary.

THE KIDS 2000 ACT

Mr. BIDEN. Mr. President, there has been incredible prosperity that the vast majority of our country is benefiting from—and that prosperity was built on a combination of communication and computers. This technology has opened a whole new world for America. This new technology has driven our economic growth. And, the future lies with those who can master the tools of this new economic age.

It wasn't too long ago that it looked like our time in the sun was behind us.

Behind us was the idea of prosperity in our country. But times have changed over the past few years. And we stand here today with the prospect of a new era of prosperity.

With flexible financial markets, a historic wave of entrepreneurial activity, and the convergence of new technologies from the personal computer to the Internet, we are transforming ourselves into what is now called the ''new economy.''

Look at the numbers: In recent years, Information Technology industries contributed 35% to Gross Domestic Product growth. The Information Technology sector is growing at twice the rate of the rest of the economy. And by 2006, more than half of the U.S. workforce will be employed by industries that are either major producers, or intensive users, of Information Technology.

A lot of what we do—manufacturing, shipping, marketing, are basically the same old functions. But we do virtually all of them in new and better ways thanks to the explosion of information technology. This has increased our productivity in ways that the best economists still don't completely understand.

But, there is one thing that we do understand: those who can master technology will be able to benefit from this great expansion—and that is why we are here today. So no one is left behind.

That is why today I am proud to be introducing legislation, aptly titled Kids 2000, that will be one step in our mission to provide all children with access to technology.

It is my hope, that through a public/private partnership, led by members of Congress and Steve and Jean Case, state-of-the-art computer centers will be placed in Boys & Girls Clubs nationwide. Located in largely under-served communities, Club computer centers will reach precisely the kids who need these resources the most. And none of these kids will be left behind.

One goal of Kids 2000 is to help close the digital divide by providing kids with computers, internet access, and fully comprehensive technical training. As the wonders of computers become increasingly evident and celebrated, certain segments of society still lack access to these resources. Some segments are not participating in this technological revolution that is sweeping across our country.

And the disparities are alarming. Look at the figures: Of households making over $75,000, 80% own computers and 60% use the Internet. Yet, for households making between $10,000–$15,000, only 16% own a computer and only 7% use the Internet.

And it's not just income levels. There are disparities amongst races, education levels and geography. In addition, at all income levels, households with two parents are far more likely than one-parent households to own computers and have Internet access.

The digital divide is also significant because the new digital economy can't run on computers alone. Businesses need workers with computer know-how and Internet literacy. Those who are not competent with the tools of technology will be left behind. Some of them are our kids. They are our responsibility and we cannot let this happen.

And we know what happens to our kids when they are left behind. Their opportunities are vastly reduced, there is despair, and even criminal behavior. But there is something that we can do. And we are here today to begin a significant effort to do just that—to close the digital divide.

Addressing the problems associated with the digital divide is not all this initiative seeks to do. Another goal is to reduce juvenile crime by providing kids with substantive after-school programs.

Everyone has heard me say this time and time again, but let me say this one more time—prevention works.

While kids are learning in these computer centers, they will be off the street and out of harm's way. They will be occupied with constructive activities. School dropout rates will be reduced because kids will realize that they have great potential. Kids 2000 is the ultimate after-school program.

That is precisely why I have asked the Boys and Girls Clubs to host my computer initiative. For decades, the Boys & Girls Clubs of America have provided young people all across the United States with the support and inspiration they need to make it in a world full of peer pressure and crime.

Kids 2000 also makes sense economically. It is estimated that allowing a single youth to drop out of high school and enter a life of drug abuse and crime costs society between $1.7 and $2.3 million. In comparison, Kids 2000 will cost the government a mere $40 per child.

Because I believe that there is a role for the private sector, I have asked my good friends Jean and Steve Case and PowerUp to be an integral part of this initiative. That means computers, America On-Line accounts, educational curriculum, and fully comprehensive technical training in Boys and Girls Clubs nationwide.

And PowerUp is not alone. 3-Com has committed to donating $1 million in networking equipment, MCI Worldcom will be donating educational software and training, American Airlines has agreed to donate free airline travel to train teachers, Ripple Effects Software will donate educational software, and Sabre Inc. will be donating computers.

I want to thank all the corporations that have stepped forward and I hope that there will be many more in the coming months. We can't do this project without the private sector's help.

I want to say thanks to Steve and Jean Case who have been in the forefront of this issue since the beginning and who are participating in this initiative in a very significant way. You know we could not do this without you and I appreciate your generosity and commitment to the cause.

This initiative has brought together so many integral sectors of society. Business, government, the non-profit world. Together, we can make this program a success. Together we can make a difference in the lives of kids and provide our children with the tools they need to live and learn in a world that has become so dependent on technology.

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

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

S. 2061

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 ''Kids 2000 Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) There is an increasing epidemic of juvenile crime throughout the United States.

(2) It is well documented that the majority of juvenile crimes take place during after-school hours.

(3) Knowledge of technology is becoming increasingly necessary for children in school and out of school.

(4) The Boys and Girls Clubs of America have 2,300 clubs throughout all 50 States, serving over 3,000,000 boys and girls primarily from at-risk communities.

(5) The Boys and Girls Clubs of America have the physical structures in place for immediate implementation of an after-school technology program.

(6) Building technology centers and providing integrated content and full-time staffing at those centers in the Boys and Girls Clubs of America nationwide will help foster education, job training, and an alternative to crime for at-risk youth.

(7) Partnerships between the public sector and the private sector are an effective way of providing after-school technology programs in the Boys and Girls Clubs of America.

(8) PowerUp: Bridging the Digital Divide is an entity comprised of more than a dozen nonprofit organizations, major corporations, and Federal agencies that have joined together to launch a major new initiative to help ensure that America's underserved young people acquire the skills, experiences, and resources they need to succeed in the digital age.

(9) Bringing PowerUp into the Boys and Girls Clubs of America will be an effective way to ensure that our youth have a safe, crime-free environment in which to learn the technological skills they need to close the divide between young people who have access to computer-based information and technology-related skills and those who do not.

SEC. 3. AFTER-SCHOOL TECHNOLOGY GRANTS TO THE BOYS AND GIRLS CLUBS OF AMERICA.

(a) PURPOSES.—The Attorney General shall make grants to the Boys and Girls Clubs of America for the purpose of funding effective after-school technology programs, such as PowerUp, in order to provide—

(1) constructive technology-focussed activities that are part of a comprehensive program to provide access to technology and technology training to youth during after-

school hours, weekends, and school vacations;

(2) supervised activities in safe environments for youth; and

(3) full-time staffing with teachers, tutors, and other qualified personnel.

(b) SUBAWARDS.—The Boys and Girls Clubs of America shall make subawards to local boys and girls clubs authorizing expenditures associated with providing technology programs such as PowerUp, including the hiring of teachers and other personnel, procurement of goods and services, including computer equipment, or such other purposes as are approved by the Attorney General.

SEC. 4. APPLICATIONS.

(a) ELIGIBILITY.—In order to be eligible to receive a grant under this Act, an applicant for a subaward (specified in section 3(b)) shall submit an application to the Boys and Girls Clubs of America, in such form and containing such information as the Attorney General may reasonably require.

(b) APPLICATION REQUIREMENTS.—Each application submitted in accordance with subsection (a) shall include—

(1) a request for a subgrant to be used for the purposes of this Act;

(2) a description of the communities to be served by the grant, including the nature of juvenile crime, violence, and drug use in the communities;

(3) written assurances that Federal funds received under this Act will be used to supplement and not supplant, non-Federal funds that would otherwise be available for activities funded under this Act;

(4) written assurances that all activities funded under this Act will be supervised by qualified adults;

(5) a plan for assuring that program activities will take place in a secure environment that is free of crime and drugs;

(6) a plan outlining the utilization of content-based programs such as PowerUp, and the provision of trained adult personnel to supervise the after-school technology training; and

(7) any additional statistical or financial information that the Boys and Girls Clubs of America may reasonably require.

SEC. 5. GRANT AWARDS.

In awarding subgrants under this Act, the Boys and Girls Clubs of America shall consider—

(1) the ability of the applicant to provide the intended services;

(2) the history and establishment of the applicant in providing youth activities; and

(3) the extent to which services will be provided in crime-prone areas and technologically underserved populations, and efforts to achieve an equitable geographic distribution of the grant awards.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $20,000,000 for each of the fiscal years 2001 through 2006 to carry out this Act.

(b) SOURCE OF FUNDS.—Funds to carry out this Act may be derived from the Violent Crime Reduction Trust Fund.

(c) CONTINUED AVAILABILITY.—Amounts made available under this section shall remain available until expended.

By Mr. DEWINE (for himself, Mr. DURBIN, Mr. ABRAHAM, Mr. BAUCUS, Mr. CLELAND, Mr. DODD, Mr. LEVIN, and Mr. SESSIONS):

S. 2062. A bill to amend chapter 4 of title 39, United States Code, to allow postal patrons to contribute to funding for organ and tissue donation awareness through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Governmental Affairs.

ORGAN AND TISSUE DONATION AWARENESS ''SEMI-POSTAL'' STAMP

Mr. DEWINE. Mr. President, I am pleased to be here today with my friend and colleague from Illinois, Senator DURBIN, to introduce legislation that would authorize the issuance of the organ and tissue donation awareness ''semi-postal'' stamp. With 67,000 people on the organ donation waiting list, we have no time to lose in educating the public about the importance of life-giving organ and tissue donations.

In August 1998, as a result of strong public and congressional interest, the U.S. Postal Service issued a 32-cent organ and tissue donation commemorative stamp. But, just five months later, the postal rate increased to 33-cents. To use the stamp, that meant purchasers would have to buy an additional one-cent stamp to make up the postage difference. Yet, despite this hassle, more than 47 million of the 50 million stamps originally printed have been purchased, demonstrating the strong demand for an organ and tissue donation awareness postage stamp.

Since the U.S. Postal Service does not re-issue commemorative stamps, we are seeking authorization for a ''semi-postal'' stamp. This stamp would sell for up to 25 percent above the value of a first-class stamp, regardless of the price of the first-class stamp, itself. The surplus revenues would be directed to programs that increase organ and tissue donation awareness. The decision to donate an organ or tissue is a life-saving one. However, it is frequently one that family members and loved ones fail to communicate to one another. Every effort we make to remind people that this is a decision that should be communicated before a tragedy strikes is an effort toward saving lives. Whether it is an organ and tissue donation postage stamp or a box that drivers can mark as they renew their drivers' licenses, they are steps that raise awareness of the importance of communicating to family and friends the decision to become an organ or tissue donor.

I would like to thank my colleague, Senator DURBIN, for joining me in introducing this legislation, and Senators ABRAHAM, BAUCUS, CLELAND, DODD, and LEVIN for their co-sponsorship. I have appreciated their support for this bill and for their tremendous work on behalf of organ and tissue donation awareness. I would also like to thank a number of organ and tissue donation groups who support this legislation—the Minority Organ Tissue Transplant Education Program (MOTTEP); the National Kidney Foundation (NKF); the United Network for Organ Sharing (UNOS); Transplant Recipients International Organization, Inc. (TRIO); the Coalition on Donation; Hadassah; the Eye Bank Association of America; the American Society of Transplantation; the American Society of Transplant Surgeons; LifeBanc; and the Association of Organ Procurement Organizations.

I urge my colleagues to join us in supporting this important legislation. Time is of the essence. The waiting list for organs includes 67,000 people, with a new name added to that list every 16 minutes. Moreover, ten to twelve people die every day waiting for an organ to become available. There is simply no time to lose. Every effort we make to increase, and in this case help generate, funds for organ and tissue donation awareness will help to save someone's life.

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

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

S. 2062

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

SECTION 1. SPECIAL POSTAGE STAMPS TO BENEFIT ORGAN AND TISSUE DONATION AWARENESS.

(a) IN GENERAL.—Chapter 4 of title 39, United States Code, is amended by inserting after section 414 the following:

''§ 414a. Special postage stamps for organ and tissue donation awareness

''(a) In order to afford the public a convenient way to contribute to funding for organ and tissue donation awareness, the Postal Service shall establish a special rate of postage for first-class mail under this section.

''(b) The rate of postage established under this section—

''(1) shall be equal to the regular first-class rate of postage, plus a differential of not to exceed 25 percent;

''(2) shall be set by the Governors in accordance with such procedures as the Governors shall by regulation prescribe (in lieu of the procedures under chapter 36); and

''(3) shall be offered as an alternative to the regular first-class rate of postage.

''(c) The use of the special rate of postage established under this section shall be voluntary on the part of postal patrons.

''(d)(1) The Postal Service shall pay the amounts becoming available for organ and tissue donation awareness under this section to the Department of Health and Human Services for organ and tissue donation awareness programs. Payments under this paragraph to the Department of Health and Human Services shall be made under such arrangements as the Postal Service shall by mutual agreement with the Department establish in order to carry out the purposes of this section, except that, under those arrangements, payments to the Department shall be made at least twice a year. In consultation with donor organizations and other members of the transplant community, the Department of Health and Human Services may make any funds paid to the Department under this section available to donor organizations and other members of the transplant community for donor awareness programs.

''(2) For purposes of this section, the term 'amounts becoming available for organ and tissue donation awareness under this section' means—

''(A) the total amounts received by the Postal Service that it would not have received but for the enactment of this section, reduced by

''(B) an amount sufficient to cover reasonable costs incurred by the Postal Service in

carrying out this section, including those attributable to the printing, sale, and distribution of stamps under this section,
as determined by the Postal Service under regulations that the Postal Service shall prescribe.

''(e) It is the sense of Congress that nothing in this section should—

''(1) directly or indirectly cause a net decrease in total funds received by the Department of Health and Human Services or any other agency of the Government (or any component or program thereof) below the level that would otherwise have been received but for the enactment of this section; or

''(2) affect regular first-class rates of postage or any other regular rates of postage.

''(f) Special postage stamps under this section shall be made available to the public beginning on such date as the Postal Service shall by regulation prescribe, but in no event later than 12 months after the date of the enactment of this section.

''(g) The Postmaster General shall include in each report rendered under section 2402 with respect to any period during any portion of which this section is in effect information concerning the operation of this section, except that, at a minimum, each shall include—

''(1) the total amount described in subsection (d)(2)(A) which was received by the Postal Service during the period covered by such report; and

''(2) of the amount under paragraph (1), how much (in the aggregate and by category) was required for the purposes described in subsection (d)(2)(B).

''(h) This section shall cease to be effective at the end of the 2-year period beginning on the date on which special postage stamps under this section are first made available to the public.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 4 of title 39, United States Code, is amended by striking the item relating to section 414 and inserting the following:

''414. Special postage stamps to benefit breast cancer research.
''414a. Special postage stamps to benefit organ and tissue donation awareness.''.

(2) SECTION HEADING.—The heading for section 414 of title 39, United States Code, is amended to read as follows:

''§ 414. Special postage stamps to benefit breast cancer research''.

By Mr. EDWARDS (for himself and Mr. BIDEN):

S. 2064. A bill to amend the Missing Children's Assistance Act, to expand the purpose of the National Center for Missing and Exploited Children to cover individuals who are at least 18 but have not yet attained the age of 22; to the Committee on the Judiciary.

ABDUCTED YOUNG ADULTS ACT

By Mr. EDWARDS:

S. 2065. A bill to authorize the Attorney General to provide grants for organizations to find missing adults; to the Committee on the Judiciary.

KRISTEN'S LAW

● Mr. EDWARDS. Mr. President, today I introduce two bills that are very important crime fighting measures. My legislation will help provide law enforcement with additional assistance in locating missing people. One bill, the ''Abducted Young Adults Act,'' will give the National Center for Missing and Exploited Children the legal authority to assist law enforcement officers in locating abducted young adults aged 18 through 21. The second bill, ''Kristen's Law,'' authorizes the Attorney General to provide grants to public agencies and nonprofit private organizations that help find missing adults.

Mr. President, let me tell you a story about a girl from my State of North Carolina. Her name is Kristen Modafferi. Kristen was a bright, hard-working student at North Carolina State University. After finishing up her freshman year of college, she traveled to San Francisco to spend the summer taking a photography class at Berkeley. Once Kristen arrived in San Francisco, she started her class and got a couple of jobs to help pay for her expenses. She was settling in and making friends.

On Monday, June 23, 1997, Kristen left work to visit a local beach. She has not been seen since. Kristen was three weeks over the age of 18 when she disappeared.

Law enforcement devoted a great deal of time to finding Kristen and should be commended for their efforts. Despite a number of leads, Kristen has never been found.

For 15 years, since the creation of the National Center for Missing and Exploited Children, our Nation has recognized the vulnerability of young children to abductions and exploitation. We have provided the funding and support vital to ensuring rapid and multi jurisdictional responses to these cases. But in Kristen's case we could not—and all because she was 3 weeks past her 18th birthday. The charter for the National Center for Missing and Exploited Children only allows the Center to help law enforcement search for missing children aged 0 to 18.

When a person involuntarily disappears, time is of the essence. Search efforts must begin quickly, and they must reach across jurisdictions. Abducted youngsters are often taken across state lines. In order to effectively coordinate a search, the groups conducting the search must have an easy way to share information with each other, no matter how far away from one another they may be. The greater the number of agencies helping in the search, the more likely it is that the person will be found. But there is no central, federally-established organization that exists to aid law enforcement in their efforts to locate missing 18–21 year-olds. Unfortunately, Kristen's tragic story illustrates the need for such an organization. And what better way to fill this need than to build upon a reputable, federally-partnered organization—the National Center for Missing and Exploited Children—that already exists to search for missing individuals under 18?

The National Center for Missing and Exploited Children serves as the national clearinghouse for information on missing children and the prevention of child victimization. The Center works in partnership with the Office of Juvenile Justice and Delinquency Prevention at the U.S. Department of Justice, and its mission is codified in federal law.

Because the Center was established for the purpose of assisting with cases that involve missing children under the age of 18, the Center does not typically assist with cases involving involuntarily missing college students and other people who happen to be 18 through 21 years old. The sad fact is that had Kristen been just a few weeks younger when she disappeared, the Center would have immediately mobilized to start a search.

One of the measures I introduce today, The Abducted Young Adults Act, would expand the Center's charter to allow it to use its expertise and resources to help find involuntarily missing young adults in the 18 through 21 year-old age group.

Mr. President, some people might inquire why I chose to limit expansion of the Center's mission by only covering individuals under age 22. For example, my bill would not affect the Center's ability to help police search for Kristen's sister Allison and other individuals who are 22 and over. The second bill I am introducing today, Kristen's Act, will help fill this gap. I will discuss that bill in a moment. However, the reason for my decision to limit the expansion of the Center's mission is twofold.

First, although a person is considered a legal adult when they attain the age of 18, I think most people would agree that college-aged kids are just that—kids. Members of this age group are particularly vulnerable to criminals and are frequently victims of crime. They are away from home for the first time in their lives, in an unfamiliar area, without the presence of their parents. I believe that most people would agree that this age group needs special protection.

Statistics demonstrate the need to address the issue of missing young adults and to find a way to provide some additional resources for this group. In fact, according to data from the Charlotte-Mecklenburg Sheriff's office in my state of North Carolina, in 1999, they received reports of 132 missing persons aged 18–21. That's the number for just one city, in just one state in the country. If we were to amass similar statistics for every jurisdiction across the country, I believe we would be astounded at the high rate of disappearances for this age group. For example, in February, 1999, the FBI reported 1,896 new cases of missing 18 through 21-year-olds—1,896 new cases in just one month. This is a frighteningly large number. And I believe that the Abducted Young Adults Act is a necessary protective measure. It will provide some comfort to the millions of parents who send their children to

college every year and worry about their safety: If anything does happen, a national effort will be mobilized to help.

The second reason that the legislation would apply to a limited age group is that I believe the National Center for Missing and Exploited Children should stay focused on its central mission—to help search for missing children.

Since its founding, the Center has helped recover nearly 48,000 children. Imagine the benefit to families and law enforcement if the Center were to help search for abducted young adults. Surely the number of active missing young adult cases would decline if the Center helped with the search efforts. I believe my legislation is a logical extension of the Center's current mission.

My bill would authorize appropriations of $2.5 million per year through 2003 so that the Center does not have to divert any of the funding it needs to effectively search for children. I have worked closely with the Center's staff to ensure that my bill will enhance not harm the Center's current mission. As a result, the Abducted Young Adults Act is fully supported by the Center.

The Fraternal Order of Police (FOP) also strongly supports my legislation. Gilbert Gallegos, National President of the FOP, is a member of the Board of Directors for the Center. As he so aptly states in his letter of support for the bill, ''Just because you turn eighteen is no guarantee that you will not be the victim of a crime.''

Mr. President, I believe that it is important to mention that it is true that some individuals aged 18 through 21 may disappear because they want to. Some of these individuals may live in abusive households. Others may want to start a new life. And because they are considered legal adults, they have the choice to remain missing. In these cases, it may not make sense for law enforcement, the Center, or anyone else to launch a search.

My legislation ensures that the National Center for Missing and Exploited Children will use its public resources to search for only those missing young adults aged 18–21 that law enforcement has first determined to be missing involuntarily.

Specifically, my bill says that in order for an individual to be defined as an involuntarily missing young adult, the following criteria must be met: (1) their whereabouts must be unknown to their parent or guardian; (2) law enforcement must have entered a missing persons report on the individual into the National Crime Information Center; and (3) there must be a reasonable indication or suspicion that the individual has been abducted or is missing under circumstances suggesting foul play or a threat to life; or (4) the individual is known to be suicidal or has a severe medical condition that poses a threat to his or her life.

I believe that the Abducted Young Adults Act is a common-sense way to help prevent further incidences like the one involving Kristen Modafferi. For every child the Center assists in locating, there are a handful of individuals that it cannot help find. If my bill enables the Center to help find just one more missing youngster, then I believe the bill will have succeeded in its goal.

I am pleased that the Abducted Young Adults Act is co-sponsored by Senator BIDEN. Senator BIDEN was instrumental to the establishment of the National Center for Missing and Exploited Children, and I thank him for his leadership and support.

Mr. President, the Abducted Young Adults Act is only one part of the solution. The other part of the solution is to provide the organizations that are devoted to searching for missing adults with the resources they need to be more effective in their efforts to search for all adults, regardless of age.

That is why I am also introducing Kristen's Law, named after Kristen Modafferi. This bill has been introduced in the House of Representatives by Representative SUE MYRICK, and I thank her for her involvement in this issue.

As I mentioned, Kristen's Law would allow the Attorney General to make grants to public agencies or nonprofit private organizations to assist law enforcement and families in locating missing adults. Grants could also be used by these agencies and organizations for a number of other reasons. For example, funds could be used to maintain a national, interconnected database for the purpose of tracking missing adults who are determined by law enforcement to be endangered due to age, diminished mental capacity, or the circumstances of disappearance. And the grants could be used to help establish a national clearinghouse for missing adults and to assist with victim advocacy related to missing adults.

Generally, the greater the number of people conducting a search, the greater the chance is of locating missing individuals. The combination of the Abducted Young Adults Act and Kristen's Law sends a message to families that they deserve all of the help necessary to locate endangered and involuntarily missing loved ones. Together, these bills will help ensure that all endangered and involuntarily missing adults—regardless of age—will receive not only the benefit of search efforts by law enforcement, but also by experienced, specialized organizations.

I request that the text of the two bills be printed in the RECORD.

The material follows:

S. 2064

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 ''Abducted Young Adults Act''.

SEC. 2. FINDINGS IN REGARD TO VULNERABLE INVOLUNTARILY MISSING YOUNG ADULTS.

(a) CONFORMING AMENDMENTS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended—

(1) in paragraph (2), by inserting after ''these children'' the following: ''and involuntarily missing young adults'';

(2) in paragraph (3), by inserting after ''these children'' the following: ''and involuntarily missing young adults'';

(3) in paragraph (4), by inserting after ''many missing children'' the following: ''and involuntarily missing young adults'';

(4) in paragraph (6), by inserting after ''abducted children'' the following: ''and involuntarily missing young adults''; and

(5) in paragraph (7)—

(A) by inserting after ''leads in missing children'' the following: ''and involuntarily missing young adults''; and

(B) by inserting after ''where the child'' the following: ''or involuntarily missing young adult''.

(b) ADDITIONAL FINDINGS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended by—

(1) redesignating paragraphs (2) through (21) as paragraphs (3) through (22), respectively; and

(2) inserting after paragraph (1) the following:

''(2) each year many young adults are abducted or are involuntarily missing under circumstances which immediately place them in grave danger;''.

SEC. 3. EXPANSION OF PURPOSE OF NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

Section 403 of the Missing Children's Assistance Act (42 U.S.C. 5772) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(2) by adding after paragraph (1) the following:

''(2) the term 'involuntarily missing young adult' means any individual who is at least 18 but has not attained the age of 22 whose whereabouts are unknown to such individual's parent or guardian if law enforcement determines—

''(A) there is a reasonable indication or suspicion that the individual has been abducted or is missing under circumstances suggesting foul play or a threat to life; or

''(B) the individual is known to be suicidal or has a severe medical condition that poses a threat to his or her life;

''(3) the term 'young adult' means any individual who is at least 18 but has not attained the age of 22;''.

SEC. 4. DUTIES AND FUNCTIONS OF THE ADMINISTRATOR IN REGARD TO INVOLUNTARILY MISSING YOUNG ADULTS.

Section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting after ''missing children'' the following: ''and involuntarily missing young adults'';

(B) in paragraph (5)(A), by inserting after ''missing children'' the following: ''and involuntarily missing young adults'';

(C) in paragraph (5)(B), by inserting after ''missing children'' the following: ''and involuntarily missing young adults'';

(D) in paragraph (5)(C), by—

(i) inserting after ''missing children'' the following: ''or involuntarily missing young adults''; and

(ii) inserting after ''or to children'' the following: ''or involuntarily missing young adults''; and

(E) in paragraph (5)(I)(iv), by inserting after ''missing children'' the following: ''and involuntarily missing young adults'';

(2) in subsection (b)(1)—

(A) in subparagraph (A)(i), by—

(i) inserting after ''regarding the location of any'' the following: ''involuntarily missing young adult or''; and

(ii) inserting after ''reunite such child with such child's legal custodian'' the following:

'', or request information pertaining to procedures necessary to notify law enforcement about such involuntarily missing young adult'';

(B) in subparagraph (C)(i), by inserting after ''children and their families'' the following: ''and involuntarily missing young adults and their families'';

(C) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively;

(D) by inserting after subparagraph (D) the following:

''(E) to coordinate public and private programs which locate or recover involuntarily missing young adults;'';

(E) in subparagraph (F), as redesignated, by inserting after ''missing and exploited children'' the following: ''and involuntarily missing young adults;'';

(F) in subparagraph (G), as redesignated by inserting after ''missing and exploited children'' the following: ''and involuntarily missing young adults''; and

(G) in subparagraph (H), as redesignated, by inserting after ''missing and exploited children'' the following: ''and involuntarily missing young adults,''; and

(3) in subsection (c)—

(A) paragraph (1), by inserting after ''number of children'' each place it appears (except after ''who are victims of parental kidnapings'') the following: ''and involuntarily missing young adults''; and

(B) in paragraph (2), by inserting after ''missing children'' the following: ''and involuntarily missing young adults''.

SEC. 5. AUTHORITY OF ADMINISTRATOR TO MAKE GRANTS AND ENTER IN CONTRACTS RELATING TO INVOLUNTARILY MISSING YOUNG ADULTS.

Section 405 of the Missing Children's Assistance Act (42 U.S.C. 5775) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting after ''children,'' the first place it appears the following: ''young adults,'';

(ii) by inserting after ''children'' the second place it appears the following: ''or involuntarily missing young adults'';

(B) in paragraph (2), by inserting after ''children'' the following: ''or involuntarily missing young adults'';

(C) in paragraph (3), by inserting after ''children'' the following: ''or involuntarily missing young adults'';

(D) in paragraph (4)—

(i) in the matter before subparagraph (A), by inserting after ''children'' the following: ''or involuntarily missing young adults'';

(ii) in subparagraph (A), by inserting after ''child'' each place it appears the following: ''or involuntarily missing young adult''; and

(iii) in subparagraph (B), by inserting after ''child'' the following: ''or involuntarily missing young adult'';

(E) in paragraph (5), by inserting after ''missing children's'' the following: ''or involuntarily missing young adults' '';

(F) in paragraph (6), by inserting after ''children'' the each place it appears the following: ''or involuntarily missing young adults'';

(G) in paragraph (7), by inserting after ''children'' each place it appears the following: ''or involuntarily missing young adults''; and

(H) in paragraph (9), by inserting after ''children'' the following: ''or involuntarily missing young adults''; and

(2) in subsection (b)(1)—

(A) in subparagraph (A), by inserting after ''children'' the first place it appears the following: ''or involuntarily missing young adults'';

(B) in subparagraph (B), by inserting after ''services to'' the following: ''involuntarily missing young adults,''; and

(C) in subparagraph (C), by inserting after ''children'' the following: ''or involuntarily missing young adults''.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 408(a) of the Missing Children's Assistance Act (42 U.S.C. 5777(a)) is amended by adding at the end the following: ''In addition, there is authorized to be appropriated $2,500,000 for fiscal years 2001 through 2003 to carry out the provisions of the amendments made to this Act by the Abducted Young Adults Act.''.

SEC. 7. SPECIAL STUDY AND REPORT.

(a) STUDY.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Office of Juvenile Justice and Delinquency Prevention shall begin to conduct a study to determine the obstacles that prevent or impede law enforcement from recovering involuntarily missing young adults.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Office of Juvenile Justice and Delinquency Prevention shall submit a report to the chairman of the Committee on the Judiciary of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate containing a description, and a summary of the results, of the study conducted under subsection (a).

SEC. 8. REPORTING REQUIREMENT.

Section 3701(a) of the Crime Control Act of 1990 (42 U.S.C. 5779) is amended by adding at the end the following: ''Each Federal, State, and local law enforcement agency may report each case of an involuntarily missing young adult reported to such agency to the National Crime Information Center of the Department of Justice.''.

SEC. 9. STATE REQUIREMENTS.

Section 3702 of the Crime Control Act of 1990 (42 U.S.C. 5780) is amended by—

(1) redesignating paragraph (3) as paragraph (4);

(2) inserting after paragraph (2) the following:

''(3) provide that each involuntarily missing young adult report and all necessary and available information with respect to such report, shall include—

''(A) the name, date of birth, sex, race, height, weight, and eye and hair color of the involuntarily missing young adult;

''(B) the date and location of the last known contact with the involuntarily missing young adult; and

''(C) once the State agency receiving the case has made a determination to enter such report into the State law enforcement system and the National Crime Information Center computer networks, and make such report available to the Missing and Exploited Children Information Clearinghouse within the State or other agency designated within the State to receive such reports, shall immediately enter such report and all necessary and available information described in subparagraphs (A) and (B);'';

(3) in paragraph (4), as redesignated, by striking ''paragraph (2)'' and inserting the following: ''paragraphs (2) and (3)''; and

(4) in paragraph (4)(C), as redesignated, by inserting after ''missing children'' the following: ''and involuntarily missing young adults''.

S. 2065

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 ''Kristen's Law''.

SEC. 2. GRANTS FOR THE ASSISTANCE OF ORGANIZATIONS TO FIND MISSING ADULTS.

(a) IN GENERAL.—The Attorney General may make grants to public agencies or nonprofit private organizations, or combinations thereof, for programs—

(1) to assist law enforcement and families in locating missing adults;

(2) to maintain a national, interconnected database for the purpose of tracking missing adults who are determined by law enforcement to be endangered due to age, diminished mental capacity, or the circumstances of disappearance, when foul play is suspected or circumstances are unknown;

(3) to maintain statistical information of adults reported as missing;

(4) to provide informational resources and referrals to families of missing adults;

(5) to assist in public notification and victim advocacy related to missing adults; and

(6) to establish and maintain a national clearinghouse for missing adults.

(b) REGULATIONS.—The Attorney General may make such rules and regulations as may be necessary to carry out this Act.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act $1,000,000 each year for fiscal years 2001 through 2004.●

By Mr. CLELAND:

S. 2066. A bill to amend the Internal Revenue Code of 1986 to exclude United States savings bond income from gross income if used to pay long-term care expenses; to the Committee on Finance.

TAX-EXEMPTION SAVINGS BOND LEGISLATION

● Mr. CLELAND. Mr. President, to support Americans faced with long-term care needs I am proposing a savings bond tax credit. Many people are struggling to pay for the assistive care needs associated with conditions such as Alzheimer's and Parkinson's diseases. An estimated 5.8 million Americans aged 65 or older need long-term care. Nursing home care is only one component of long-term care services that includes assisted living, adult day and home care. Medicare and health insurance do not cover long-term care. In 1995, federal and state spending for nursing home care was approximately $34 billion and an additional $21 billion was used for home care. It is projected that half of all women and a third of men in this country who are now age 65 are likely to spend some time in their later years in a nursing home at a cost from $40,000 to $90,000 per person. About 40% of all nursing home expenses are paid for out-of-pocket by patients and/or family members. Liquidating family assets is often the only way for many to fund the high costs for care. These staggering statistics and the pleas for help from Americans in such situations reinforce the critical need for long-term care assistance.

To qualify for this proposed tax credit, the person receiving care must have at least two limitations in activities of daily living or a comparable cognitive impairment. Activities of daily living, like eating, bathing, and toileting, are basic care needs that must be met. Families that claim parents or parents-in law as dependents on their tax returns can qualify for this tax credit if

savings bonds are used to pay for long-term care services. ''Sandwich generation'' families paying for both college education for their children and long-term care services for their parents can use this tax credit for either program or a combined credit up to the maximum.

Mr. President, I ask that this proposed measure to provide long-term care cost relief be printed in the RECORD.

The bill follows:

S. 2066

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

SECTION 1. EXCLUSION OF UNITED STATES SAVINGS BOND INCOME FROM GROSS INCOME IF USED TO PAY LONG-TERM CARE EXPENSES.

(a) IN GENERAL.—Subsection (a) of section 135 of the Internal Revenue Code of 1986 (relating to income from United States savings bonds used to pay higher education tuition and fees) is amended to read as follows:

''(a) EXCLUSION.—

''(1) GENERAL RULE.—In the case of an individual who pays qualified expenses during the taxable year, no amount shall be includible in gross income by reason of the redemption during such year of any qualified United States savings bond.

''(2) QUALIFIED EXPENSES.—For purposes of this section, the term 'qualified expenses' means—

''(A) qualified higher education expenses, and

''(B) eligible long-term care expenses.''.

(b) LIMITATION WHERE REDEMPTION PROCEEDS EXCEED QUALIFIED EXPENSES.—Section 135(b)(1) of the Internal Revenue Code of 1986 (relating to limitation where redemption proceeds exceed higher education expenses) is amended—

(1) by striking ''higher education'' in subparagraph (A)(ii), and

(2) by striking ''HIGHER EDUCATION'' in the heading thereof.

(c) ELIGIBLE LONG-TERM CARE EXPENSES.—Section 135(c) of the Internal Revenue Code of 1986 (relating to definitions) is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

''(4) ELIGIBLE LONG-TERM CARE EXPENSES.—The term 'eligible long-term care expenses' means qualified long-term care expenses (as defined in section 7702B(c)) and eligible long-term care premiums (as defined in section 213(d)(10)) of—

''(A) the taxpayer,

''(B) the taxpayer's spouse, or

''(C) any dependent of the taxpayer with respect to whom the taxpayer is allowed a deduction under section 151.''.

(d) ADJUSTMENTS.—Section 135(d) of the Internal Revenue Code of 1986 (relating to special rules) is amended by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and by inserting after paragraph (2) the following new paragraph:

''(3) ELIGIBLE LONG-TERM CARE EXPENSE ADJUSTMENTS.—The amount of eligible long-term care expenses otherwise taken into account under subsection (a) with respect to an individual shall be reduced (before the application of subsection (b)) by the sum of—

''(A) any amount paid for qualified long-term care services (as defined in section 7702B(c)) provided to such individual and described in section 213(d)(11), plus

''(B) any amount received by the taxpayer or the taxpayer's spouse or dependents for the payment of eligible long-term care expenses which is excludable from gross income.''.

(e) COORDINATION WITH DEDUCTIONS.—

(1) Section 213 of the Internal Revenue Code of 1986 (relating to medical, dental, etc., expenses) is amended by adding at the end the following new subsection:

''(f) COORDINATION WITH SAVINGS BOND INCOME USED FOR EXPENSES.—Any expense taken into account in determining the exclusion under section 135 shall not be treated as an expense paid for medical care.''.

(2) Section 162(l) of such Code (relating to special rules for health insurance costs of self-employed individuals) is amended by adding at the end the following new paragraph:

''(6) COORDINATION WITH SAVINGS BOND INCOME USED FOR EXPENSES.—Any expense taken into account in determining the exclusion under section 135 shall not be treated as an expense paid for medical care.''.

(f) CLERICAL AMENDMENTS.—

(1) The heading for section 135 of the Internal Revenue Code of 1986 is amended by inserting ''**AND LONG-TERM CARE EXPENSEST1" after "FEES**''.

(2) The item relating to section 135 in the table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting ''and long-term care expenses'' after ''fees''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1999.●

By Mr. FRIST (for himself and Mr. ABRAHAM):

S. 2067. A bill to provide education and training for the information age; to the Committee on Health, Education, Labor, and Pensions.

AMERICA'S MATH AND SCIENCE EXCELLENCE ACT

Mr. FRIST. Mr. President, I am proud to introduce America's Math and Science Excellence Act that will keep the United States on the cutting edge of the Information Technology (IT) revolution. If we are to prepare our children to meet the demands of our future workforce, we must dedicate ourselves to strengthening math and science literacy. America's Math and Science Excellence Act would authorize funding for math and science education and training through a series of grants awarded by the National Science Foundation and the National Institute of Standards and Technology. This bill would create a long-term strategy to ensure that the IT industry is employing American students who are prepared to enter the workforce with sufficient math and science skills necessary to compete both domestically and internationally.

The Third International Math and Science Study, the most comprehensive and rigorous comparison of quantitative skills across nations, reveals that the longer our students stay in the elementary and public school system, the worse they perform on standardized tests. Their average tests scores continue to drop from the fourth to the twelfth grade. The rapidly changing technology revolution demands skills and proficiency in mathematics, science, and technology. IT, perhaps the fastest growing sector of our economy, relies on more than basic high school literacy in mathematics and science.

This bipartisan legislation targets three specific goals: establishing teacher training and development outreach, providing internship opportunities for students in secondary and higher education, and assisting graduate math, science, and engineering students. America's Math and Science Excellence Act gives priority to applicants who obtain private sector or state matching funds. We must encourage private industry to not only get involved in the education of the future workforce, but also to help direct and guide it.

According to a study by the CEO Forum on Education and Technology, our schools spend an average of $88 per student on computers and only $6 on teacher training. And while the nation's 87,000 schools have approximately six million computers and about 80 percent of the schools have Internet access, the report stated that few teachers are ready to use the technology in their lessons. This is a national tragedy. During the past ten years, we have seen a transformation in classrooms throughout the country. Computers have replaced blackboards and students now depend on the Internet for basic knowledge. Yet teachers are not equipped to incorporate technological tools into their curricula.

The ''IT Teacher Training Grants'' created by this legislation support professional advancement in the related fields of IT for teachers who instruct elementary, secondary, or charter school students. These grants may be used for teacher salaries, fees for attending special conferences, workshops, or training sessions. They may also be used for the development of a compensation system that rewards excellence in math and science related areas. In administering these grants, the National Science Foundation shall give priority consideration to schools that score in the 25th percentile or below for academic performance according to their respective state standards, and programs that provide matching funds from the private sector.

The ''Twenty-First Century Workforce Internship Grants'' will consist of awards to students in secondary schools, as well as students from institutions of higher learning to explore internships in IT. The goal of this program is to transition students' math and science skills into the new digital workforce. By providing them with opportunities to explore the private sector, these grants will enable the next generation of labor to experience the IT professional domain, while maintaining their knowledge and proficiency in basic math, science, and engineering skills.

The national demand for computer scientists, computer engineers, and systems analysts by 2006 is projected to be more than double our current capacity. In addition, the supply of new graduates qualified for these positions is expected to fall significantly short of the number needed. This deficiency of qualified workers in the United States

is due in part to a lack of students pursuing advanced degrees in mathematics, science, and engineering technology. The number of degrees in technical science and engineering fields awarded by American institutions of higher learning has declined dramatically since 1990. Foreign national students in the United States were awarded 47 percent of Doctorate degrees in engineering, 38 percent of Master's degrees, and 46 percent of Doctorate degrees in computer science in 1996. The ''IT State Scholarship Program,'' established in this legislation, targets individual states to provide them with supplementary scholarships for students who want to pursue graduate and doctoral degrees in math, science, engineering, or related fields. Two-thirds of these funds shall be awarded to students from low-income families. Furthermore, the director of the National Science Foundation shall award these grants to states who provide at least one half of the cost of grant.

Finally, this act will reauthorize the National Institutes of Standards and Technology (NIST) to develop a Twenty-First Century Teacher Enhancement Program. This initiative was originally written into statute as part of the ''Technology Administration Authorization Act for Fiscal Year 1999.'' However, we have yet to see the implementation of this program. So I will again request through legislation that NIST establish summer program to provide professional development for elementary and secondary math and science teachers. I continue to believe that offering teachers opportunities to participate in ''hands-on'' experiences at NIST laboratories would be invaluable to their understanding of math and science. Not only would this program develop and improve their teaching strategies and self-confidence in instructing math and science, but it would also demonstrate their impact on commerce.

We cannot continue to marvel at our robust economy without also looking toward the next century and developing a plan to sustain it. The reality is simple: we must prepare our students to enter the workforce and to prosper in the new digital economy. It is not enough to put computers in every classroom if our nation's teachers cannot implement them effectively into their daily lesson plans. Educating our children and the teachers who instruct them is essential to our economic future.

Mr. President, I strongly believe that each of the programs within America's Math and Science Excellence Act will encourage state and local educators, as well as private industry, to engage themselves in the fight to increase basic math and science literacy. These grants target specific long-term deficiencies in the IT workforce shortage and will help create innovative solutions to our current national dilemma. I encourage my colleagues to join me in support of this critical piece of legislation.

By Mr. GREGG:

S. 2068. A bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations; to the Committee on Commerce, Science, and Transportation.

THE RADIO BROADCASTING PRESENTATION ACT OF 2000

● Mr. GREGG. Mr. President, I rise today to introduce the Radio Broadcasting Preservation Act of 2000. On January 20, 2000, the FCC approved a new non-commercial low-power FM (LPFM) radio service. In order for LPFM stations to fit in the FM band, the FCC will have to significantly weaken the existing interference protections it developed and has subscribed to for decades. The public commentary and technical analysis shows that LPFM will cause interference with current FM stations, and thus result in a loss of service to listeners. It is imperative that the integrity of the spectrum is protected and that all individuals have access to local news, weather and emergency information free from interference. Both public and commercial radio stations are opposed to the FCC's proposal in its current form.

These new FCC rules are inconsistent with sound spectrum management. I believe that this issue requires further study, as well as Congressional hearings, to fully examine the impact that LPFM would have on existing FM radio service. Therefore, I am introducing the Radio Broadcasting Preservation Act. This legislation would repeal any prescribed rules authorizing LPFM and revoke LPFM licenses that may be issued prior to the date of enactment of this bill.

While the desire to provide a forum for community groups to have a greater voice is laudable, a multitude of alternatives already exist. Currently, groups may obtain commercial or non-commercial radio licenses, use public access cable, publish newsletters, and utilize Internet web sites and e-mail. It is important that our efforts to create more opportunities for those who support LPFM do not lead to the denial of access for others who depend on FM radio for safety, news, and entertainment. For instance, inexpensive and older radios, particularly vulnerable to interference and most commonly used by low-income and elderly listeners, will sustain the greatest negative impact caused by LPFM.

Furthermore, it is not clear whether the relaxation of first, second, or third adjacent channel protection standards will have an adverse effect on the transition to digital radio. Unlike television broadcasters, who are being given additional free spectrum to broadcast in digital format, radio broadcasters must use the current spectrum allocations to transmit both digital and analog signals, making adjacent channel safeguards all the more important. At a minimum, adding a large number of LPFMs to the already congested FM band will make the transition to digital radio increasingly difficult and problematic.

Finally, the new low-power proposal makes formerly unlicensed, pirate radio operators eligible for LPFM licenses. This ruling re-enforces their unlawful behavior and encourages future illegal activity by opening the door to new unauthorized broadcasters. The introduction of thousands of LPFM stations not only rewards illegal activity, but is certain to undermine the integrity of the radio spectrum, interfering with current FM service and penalizing the listening public. The radio programming supplied to listeners by existing radio stations provides crucial news, weather, and emergency information, as well as cultural entertainment, which must be preserved.

I ask that the text of the bill be printed in the RECORD. The bill follows:

S. 2068

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 ''Radio Broadcasting Preservation Act of 2000''.

SEC. 2. PROHIBITION.

(a) RULES PROHIBITED.—Notwithstanding section 303 of the Communications Act of 1934 (47 U.S.C. 303), the Federal Communications Commission shall not prescribe rules authorizing the operation of new, low power FM radio stations, or establishing a low power radio service, as proposed in MM Docket No. 99–25.

(b) TERMINATION OF PREVIOUSLY PRESCRIBED RULES.—Any rules prescribed by the Federal Communications Commission before the date of the enactment of this Act that would be in violation of the prohibition in subsection (a) if prescribed after such date shall cease to be effective on such date. Any low power radio licenses issued pursuant to such rules before such date shall be void.●

By Mr. FITZGERALD (for himself and Mrs. LINCOLN):

S. 2070. A bill to improve safety standards for child restraints in motor vehicles; to the Committee on Commerce, Science, and Transportation.

THE CHILD PASSENGER SAFETY ACT OF 2000

Mr. FITZGERALD. Mr. President, today, I am introducing legislation that will help us fight one of the leading killers of America's children—the automobile collision. Car crashes account for 1 of every 3 deaths among children.

In the United States we lose an average of 7 of our children every day to car collisions. According to the Insurance Institute for Highway Safety, crash injuries are the leading cause of death for the 5 to 12 year old age group. Regrettably, up to half of the deaths involve children who already are buckled up or restrained in car seats and booster seats.

That is why I am introducing legislation to substantially improve the child safety seats that we buy to protect our children. My bill, ''The Child Passenger

Safety Act of 2000,'' would direct the National Highway Traffic Safety Administration to improve the safety features of car seats, to upgrade the way we test and certify car seats, to consider adopting measures to better protect older children, and to give parents the information they need to shop for, and install, safe car seats for their children.

Over the years, NHTSA has implemented many measures to improve child passenger safety. I applaud, in particular, the NHTSA Administrator's recent efforts to implement a new tether requirement for child seat makers and automobile manufacturers.

But we cannot allow these past successes to obscure a fundamental fact: too many of our children are killed or injured in car crashes every day. We should not wait to begin upgrading the safety of child car seats and booster seats.

The first thing this bill seeks to do is to improve the testing of car seats and booster seats. It calls for the government to consider using more dummies that simulate children of many different ages in these tests. A six-month old has a very different build than an eighteen-month-old, and an eighteen-month-old is very different from a six-year old. In Europe, they use as many as six different child dummies in testing their car seats and booster seats, ranging in age from newborn to ten years. In this country, we do not crash test child safety seats with dummies that represent a premature infant, an eighteen-month-old or a ten-year-old.

Currently, we test car seats on a sled. My bill directs NHTSA to put car seats in some of the actual cars that already are being tested under an existing program. Under this program, called the ''New Car Assessment Program,'' the government buys 40 or so vehicles and crash tests them to see how each would perform in a collision in the real world. Why, Mr. President, could we not put at least one car seat or booster seat in each of these cars? Doing it would help us better understand how these safety seats perform in the real world.

In addition, my bill calls for the government to study ways to update the seat bench that is used in tests of child safety seats to better reflect the design of modern vehicles. The seat bench from a 1975 Chevy Impala with lap belts is what we now use to test car seats.

I am also asking the government to focus attention on how car seats and booster seats perform in rollover, rear-impact, and side-impact crashes, as they do in Europe. These types of crashes are not as common as frontal collisions, but they result in a number of injuries and deaths. Finally, my proposal calls upon NHTSA to increase the funds they spend on testing car seats each year to at least $750,000, from the current $500,000.

Second, we must deal with the problem of head injuries in side-impact crashes and rollovers. Children's heads and necks are even more vulnerable than those of adults, because children's heads are larger in proportion to the rest of their bodies. In Europe, car seats have side impact padding to better protect children's heads in these types of crashes. My bill would require car seat manufacturers in the U.S. to provide the same type of protection.

Third, we must focus more attention on an issue that auto safety advocates have dubbed ''the forgotten child'' problem. The ''forgotten children'' (ages 8–12) have outgrown their car seats but do not fit properly in adult seat belts. In crashes, they are at greater risk than other passengers. My bill calls for NHTSA to close this child safety seat gap, but it leaves it up to NHTSA to decide when and how to do that. The agency could, for example, encourage the states to pass more laws requiring the use of booster seats for older children. They could do it by mounting a public information campaign about the importance of booster seats. Or they could amend our safety standards for seat belts.

Fourth and finally, we must get more information to parents about the safety of various car seats on the market today, as well, Mr. President, as on the correct means of installing car seats. My bill directs NHTSA to institute a new crash test results information system that will help equip parents with the safety information and knowledge they need to make rational choices when they are buying and installing car seats for their children. My bill also requires that the warning labels on child seats be straightforward and written in plain English.

Next week is National Child Passenger Safety Week. What better time than now to make these efforts to protect our children? I urge my colleagues to support this vitally important legislation.

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. 2070

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 ''Child Passenger Protection Act of 2000''.

SEC. 2. FINDINGS.

Congress finds that—

(1) each day, an average of 7 children are killed and 866 injured in motor vehicle crashes;

(2) certain standards and testing procedures for child restraints in the United States are not as rigorous as those in some other countries;

(3) although the Federal Government establishes safety standards for child restraints, the Federal Government—

(A) permits companies that manufacture child restraints to conduct their own tests for compliance with the safety standards and interpret the results of those tests, but does not require that the manufacturers make the results of the tests public;

(B) has not updated test standards for child restraints—

(i) to reflect the modern designs of motor vehicles in use as of the date of enactment of this Act;

(ii) to take into account the effects of a side-impact crash, a rear-impact crash, or a rollover crash; and

(iii) to require the use of anthropomorphic devices that accurately reflect the heights and masses of children at ages other than newborn, 9 months, 3 years, and 6 years; and

(C) has not issued motor vehicle safety standards that adequately protect children up to the age of 12 who weigh more than 50 pounds; and

(4) the Federal Government should update the test standards for child restraints to reduce the number of children killed or injured in automobile accidents in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) CHILD RESTRAINT.—The term ''child restraint'' has the meaning given the term ''child restraint system'' in section 571.213 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 4. TESTING OF CHILD RESTRAINTS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall update and improve crash test standards and conditions for child restraints.

(b) ELEMENTS FOR CONSIDERATION.—In carrying out subsection (a), the Secretary shall consider—

(1) whether to conduct more comprehensive and dynamic testing of child restraints than is typically conducted as of the date of enactment of this Act, including the use of test platforms designed—

(A) to simulate an array of accident conditions, such as side-impact crashes, rear-impact crashes, and rollover crashes; and

(B) to reflect the designs of passenger motor vehicles in use as of the date of enactment of this Act;

(2) whether to use an increased number of anthropomorphic devices in a greater variety of heights and masses; and

(3) whether to provide improved protection in motor vehicle accidents for children up to 59.2 inches tall who weigh more than 50 pounds.

(c) REQUIRED ELEMENTS.—In carrying out subsection (a), the Secretary shall—

(1) require that manufacturers design child restraints to minimize head injuries during side-impact and rollover crashes, including requiring that child restraints have side-impact protection;

(2) include a child restraint in each vehicle crash-tested under the New Car Assessment Program of the Department of Transportation; and

(3) prescribe readily understandable text for any labels that are required to be placed on child restraints.

(d) FUNDING.—For each fiscal year, of the funds made available to the Secretary for activities relating to safety, not less than $750,000 shall be made available to carry out crash testing of child restraints.

SEC. 5. CHILD RESTRAINT SAFETY RATING PROGRAM.

Not later than 2 years after the date of enactment of this Act, the Secretary shall develop and implement a safety rating program for child restraints to provide practicable, readily understandable, and timely information to parents and caretakers for use in making informed decisions in the purchase of child restraints.

By Mr. GORTON:

S. 2071. A bill to benefit electricity consumers by promoting the reliability

of the bulk-power system; to the Committee on Energy and Natural Resources.

ELECTRIC RELIABILITY 2000 ACT

● Mr. GORTON. Mr. President, today I introduce the Electric Reliability 2000 Act, a measure that deals with the somewhat mysterious world of the bulk electricity system. Although most Americans are not experts on the intricacies of interstate electric transmission grids, they need to have confidence that the system will work and their lights and heat will be there when they need them.

This nation's interstate electric transmission system is an extremely complex network that connects with Canada and Mexico. It has developed over decades with various voluntary agreements that allow areas to work together depending on changing power needs that vary from day to day and hour to hour and sometimes minute to minute. These voluntary agreements were developed after a disastrous event in 1965 led to a blackout in New York City and throughout other parts of the Northeast.

Yet a fundamental change has made this voluntary system unworkable for the future. With the expansion of competition in the wholesale electricity 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 just 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.

These stresses to the system have affected many parts of the country. In August 1996, a sagging power line in Oregon made contact with a tree, and combined with other factors led to a power outage that affected over 7 million consumers along the West Coast. Other outages have occurred in different parts of the country since that time.

To address this situation, more than a year ago a group of electricity industry officials began meeting to develop legislative language needed in this new era in electricity. They developed provisions that have been included as a small part of several bills, including the larger restructuring bills developed in the House and by the Clinton administration.

Events in recent months have lent urgency to this issue. I believe it is time to separate the issue of electricity reliability from the larger issue of restructuring. Our continued economic growth is fueled by electricity, and we need to assure the public that the power will be there for their homes and their jobs when they count on it.

The stresses in the system continue to mount. In the summer of 1999, Americans experienced a wide-range of severe electricity outages. The Department of Energy created a team of experts to investigate these outages, and it submitted its report last month. I quote from the report's summary:

In anticipation of competitive markets, some utilities have adopted a strategy of cost cutting that involves reduced spending on reliability. In addition, responsibility for reliability management has been disaggregated to multiple institutions, with utilities, independent system operators, independent power producers, customers, and markets all playing a role. The overall effect has been that the infrastructure for reliability assurance has been considerably eroded.

The report continues:

Moreover, historical levels of electric reliability may not be adequate for the future. The quality of electric power and the assurance that it will always be available are increasingly important in a society that is ever more dependent on electricity.

The report includes several findings that suggest a range of policy questions that need to be addressed in order to assure the reliability of the Nation's bulk power system.

The bill I introduce today includes what has been termed the ''consensus language'' that was developed over the past year by these experts who work on the reliability side of the electricity industry. This bill is not the complete solution to the reliability issue for this industry. It is a good starting point. It creates a process to develop enforceable rules for the bulk-power system, while giving various regions the ability to tailor these rules in ways that make sense for their individual systems and their specific geography.

In addition to setting up rules and a referee to enforce these rules, ''reliability'' also involves many other facets of the electricity industry that are not addressed in this bill: full and open access to transmission systems, effective conservation programs that can help reduce peak system demands, the ability to site electricity generation plants closer to the loads they serve, promoting small-scale distributed generation, such as fuel-cells, throughout the grid, and many other wide-ranging actions. Until we can gain a greater consensus of the need to address these issues, this bill provides the opportunity to begin these discussions.

Despite being described as a consensus bill, there may need to be changes to this legislative language so that it is effective. For example, there are ongoing discussions about the appropriate role for State regulators as their responsibilities relate to the interstate transmission system. Therefore I respectfully request Chairman MURKOWSKI to conduct hearings on this serious issue of the reliability of the bulk power system and also to hold hearings on this bill as the starting point for solving this problem.

Mr. President, I ask that a copy of the bill be printed in the RECORD.

The bill follows:

S. 2071

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 ''Electric Reliability 2000 Act''.

SEC. 2. ELECTRIC RELIABILITY ORGANIZATION.

(a) IN GENERAL.—Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding at the end the following:

''SEC. 215. ELECTRIC RELIABILITY ORGANIZATION.

''(a) DEFINITIONS.—In this section:

''(1) AFFILIATED REGIONAL RELIABILITY ENTITY.—The term 'affiliated regional reliability entity' means an entity delegated authority under subsection (h).

''(2) BULK-POWER SYSTEM.—

''(A) IN GENERAL.—The term 'bulk-power system' means all facilities and control systems necessary for operating an interconnected electric power transmission grid or any portion of an interconnected transmission grid.

''(B) INCLUSIONS.—The term 'bulk-power system' includes—

''(i) high voltage transmission lines, substations, control centers, communications, data, and operations planning facilities necessary for the operation of all or any part of the interconnected transmission grid; and

''(ii) the output of generating units necessary to maintain the reliability of the transmission grid.

''(3) BULK-POWER SYSTEM USER.—The term 'bulk-power system user' means an entity that—

''(A) sells, purchases, or transmits electric energy over a bulk-power system; or

''(B) owns, operates, or maintains facilities or control systems that are part of a bulk-power system; or

''(C) is a system operator.

''(4) ELECTRIC RELIABILITY ORGANIZATION.—The term 'electric reliability organization' means the organization designated by the Commission under subsection (d).

''(5) ENTITY RULE.—The term 'entity rule' means a rule adopted by an affiliated regional reliability entity for a specific region and designed to implement or enforce 1 or more organization standards.

''(6) Independent director.—The term 'independent director' means a person that—

''(A) is not an officer or employee of an entity that would reasonably be perceived as having a direct financial interest in the outcome of a decision by the board of directors of the electric reliability organization; and

''(B) does not have a relationship that would interfere with the exercise of independent judgment in carrying out the responsibilities of a director of the electric reliability organization.

''(7) INDUSTRY SECTOR.—The term 'industry sector' means a group of bulk-power system users with substantially similar commercial interests, as determined by the board of directors of the electric reliability organization.

''(8) INTERCONNECTION.—The term 'interconnection' means a geographic area in which the operation of bulk-power system components is synchronized so that the failure of 1 or more of the components may adversely affect the ability of the operators of other components within the interconnection to maintain safe and reliable operation of the facilities within their control.

''(9) ORGANIZATION STANDARD.—

''(A) IN GENERAL.—The term 'organization standard' means a policy or standard adopted by the electric reliability organization to provide for the reliable operation of a bulk-power system.

''(B) INCLUSIONS.—The term 'organization standard' includes—

''(i) an entity rule approved by the electric reliability organization; and

''(ii) a variance approved by the electric reliability organization.

''(10) PUBLIC INTEREST GROUP.—

''(A) IN GENERAL.—The term 'public interest group' means a nonprofit private or public organization that has an interest in the activities of the electric reliability organization.

''(B) INCLUSIONS.—The term 'public interest group' includes—

''(i) a ratepayer advocate;

''(ii) an environmental group; and

''(iii) a State or local government organization that regulates participants in, and promulgates government policy with respect to, the market for electric energy.

''(11) SYSTEM OPERATOR.—

''(A) IN GENERAL.—The term 'system operator' means an entity that operates or is responsible for the operation of a bulk-power system.

''(B) INCLUSIONS.—The term 'system operator' includes—

''(i) a control area operator;

''(ii) an independent system operator;

''(iii) a transmission company;

''(iv) a transmission system operator; and

''(v) a regional security coordinator.

''(12) VARIANCE.—The term 'variance' means an exception from the requirements of an organization standard (including a proposal for an organization standard in a case in which there is no organization standard) that is adopted by an affiliated regional reliability entity and is applicable to all or a part of the region for which the affiliated regional reliability entity is responsible.

''(b) COMMISSION AUTHORITY.—

''(1) JURISDICTION.—Notwithstanding section 201(f), within the United States, the Commission shall have jurisdiction over the electric reliability organization, all affiliated regional reliability entities, all system operators, and all bulk-power system users, including entities described in section 201(f), for purposes of approving organization standards and enforcing compliance with this section.

''(2) DEFINITION OF TERMS.—The Commission may by regulation define any term used in this section consistent with the definitions in subsection (a) and the purpose and intent of this Act.

''(c) EXISTING RELIABILITY STANDARDS.—

''(1) SUBMISSION TO THE COMMISSION.—Before designation of an electric reliability organization under subsection (d), any person, including the North American Electric Reliability Council and its member Regional Reliability Councils, may submit to the Commission any reliability standard, guidance, practice, or amendment to a reliability standard, guidance, or practice that the person proposes to be made mandatory and enforceable.

''(2) REVIEW BY THE COMMISSION.—The Commission, after allowing interested persons an opportunity to submit comments, may approve a proposed mandatory standard, guidance, practice, or amendment submitted under paragraph (1) if the Commission finds that the standard, guidance, or practice is just, reasonable, not unduly discriminatory or preferential, and in the public interest.

''(3) EFFECT OF APPROVAL.—A standard, guidance, or practice shall be mandatory and applicable according to its terms following approval by the Commission and shall remain in effect until it is—

''(A) withdrawn, disapproved, or superseded by an organization standard that is issued or approved by the electric reliability organization and made effective by the Commission under section (e); or

''(B) disapproved by the Commission if, on complaint or upon motion by the Commission and after notice and an opportunity for comment, the Commission finds the standard, guidance, or practice to be unjust, unreasonable, unduly discriminatory or preferential, or not in the public interest.

''(4) ENFORCEABILITY.—A standard, guidance, or practice in effect under this subsection shall be enforceable by the Commission.

''(d) DESIGNATION OF ELECTRIC RELIABILITY ORGANIZATION.—

''(1) REGULATIONS.—

''(A) PROPOSED REGULATIONS.—Not later than 90 days after the date of enactment of this section, the Commission shall propose regulations specifying procedures and requirements for an entity to apply for designation as the electric reliability organization.

''(B) NOTICE AND COMMENT.—The Commission shall provide notice and opportunity for comment on the proposed regulations.

''(C) FINAL REGULATION.—Not later than 180 days after the date of enactment of this section, the Commission shall promulgate final regulations under this subsection.

''(2) APPLICATION.—

''(A) SUBMISSION.—Following the promulgation of final regulations under paragraph (1), an entity may submit an application to the Commission for designation as the electric reliability organization.

''(B) CONTENTS.—The applicant shall describe in the application—

''(i) the governance and procedures of the applicant; and

''(ii) the funding mechanism and initial funding requirements of the applicant.

''(3) NOTICE AND COMMENT.—The Commission shall—

''(A) provide public notice of the application; and

''(B) afford interested parties an opportunity to comment.

''(4) DESIGNATION OF ELECTRIC RELIABILITY ORGANIZATION.—The Commission shall designate the applicant as the electric reliability organization if the Commission determines that the applicant—

''(A) has the ability to develop, implement, and enforce standards that provide for an adequate level of reliability of bulk-power systems;

''(B) permits voluntary membership to any bulk-power system user or public interest group;

''(C) ensures fair representation of its members in the selection of its directors and fair management of its affairs, taking into account the need for efficiency and effectiveness in decisionmaking and operations and the requirements for technical competency in the development of organization standards and the exercise of oversight of bulk-power system reliability;

''(D) ensures that no 2 industry sectors have the ability to control, and no 1 industry sector has the ability to veto, the applicant's discharge of its responsibilities as the electric reliability organization (including actions by committees recommending standards for approval by the board or other board actions to implement and enforce standards);

''(E) provides for governance by a board wholly comprised of independent directors;

''(F) provides a funding mechanism and requirements that—

''(i) are just, reasonable, not unduly discriminatory or preferential and in the public interest; and

''(ii) satisfy the requirements of subsection (l);

''(G) has established procedures for development of organization standards that—

''(i) provide reasonable notice and opportunity for public comment, taking into account the need for efficiency and effectiveness in decisionmaking and operations and the requirements for technical competency in the development of organization standards;

''(ii) ensure openness, a balancing of interests, and due process; and

''(iii) includes alternative procedures to be followed in emergencies;

''(H) has established fair and impartial procedures for implementation and enforcement of organization standards, either directly or through delegation to an affiliated regional reliability entity, including the imposition of penalties, limitations on activities, functions, or operations, or other appropriate sanctions;

''(I) has established procedures for notice and opportunity for public observation of all meetings, except that the procedures for public observation may include alternative procedures for emergencies or for the discussion of information that the directors reasonably determine should take place in closed session, such as litigation, personnel actions, or commercially sensitive information;

''(J) provides for the consideration of recommendations of States and State commissions; and

''(K) addresses other matters that the Commission considers appropriate to ensure that the procedures, governance, and funding of the electric reliability organization are just, reasonable, not unduly discriminatory or preferential, and in the public interest.

''(5) EXCLUSIVE DESIGNATION.—

''(A) IN GENERAL.—The Commission shall designate only 1 electric reliability organization.

''(B) MULTIPLE APPLICATIONS.—If the Commission receives 2 or more timely applications that satisfy the requirements of this subsection, the Commission shall approve only the application that the Commission determines will best implement this section.

''(e) ORGANIZATION STANDARDS.—

''(1) SUBMISSION OF PROPOSALS TO COMMISSION.—

''(A) IN GENERAL.—The electric reliability organization shall submit to the Commission proposals for any new or modified organization standards.

''(B) CONTENTS.—A proposal submitted under subparagraph (A) shall include—

''(i) a concise statement of the purpose of the proposal; and

''(ii) a record of any proceedings conducted with respect to the proposal.

''(2) REVIEW BY THE COMMISSION.—

''(A) NOTICE AND COMMENT.—The Commission shall—

''(i) provide notice of a proposal under paragraph (1); and

''(ii) allow interested persons 30 days to submit comments on the proposal.

''(B) ACTION BY THE COMMISSION.—

''(i) IN GENERAL.—After taking into consideration any submitted comments, the Commission shall approve or disapprove a proposed organization standard not later than the end of the 60-day period beginning on the date of the deadline for the submission of comments, except that the Commission may extend the 60-day period for an additional 90 days for good cause.

''(ii) FAILURE TO ACT.—If the Commission does not approve or disapprove a proposal within the period specified in clause (i), the proposed organization standard shall go into effect subject to its terms, without prejudice to the authority of the Commission to modify the organization standard in accordance with the standards and requirements of this section.

''(C) EFFECTIVE DATE.—An organization standard approved by the Commission shall take effect not earlier than 30 days after the date of the Commission's order of approval.

''(D) STANDARDS FOR APPROVAL.—

''(i) IN GENERAL.—The Commission shall approve a proposed new or modified organization standard if the Commission determines the organization standard to be just,

reasonable, not unduly discriminatory or preferential, and in the public interest.

''(ii) CONSIDERATIONS.—In the exercise of its review responsibilities under this subsection, the Commission—

''(I) shall give due weight to the technical expertise of the electric reliability organization with respect to the content of a new or modified organization standard; but

''(II) shall not defer to the electric reliability organization with respect to the effect of the organization standard on competition.

''(E) REMAND.—A proposed organization standard that is disapproved in whole or in part by the Commission shall be remanded to the electric reliability organization for further consideration.

''(3) ORDERS TO DEVELOP OR MODIFY ORGANIZATION STANDARDS.—The Commission, on complaint or on motion of the Commission, may order the electric reliability organization to develop and submit to the Commission, by a date specified in the order, an organization standard or modification to an existing organization standard to address a specific matter if the Commission considers a new or modified organization standard appropriate to carry out this section, and the electric reliability organization shall develop and submit the organization standard or modification to the Commission in accordance with this subsection.

''(4) VARIANCES AND ENTITY RULES.—

''(A) PROPOSAL.—An affiliated regional reliability entity may propose a variance or entity rule to the electric reliability organization.

''(B) EXPEDITED CONSIDERATION.—If expedited consideration is necessary to provide for bulk-power system reliability, the affiliated regional reliability entity may—

''(i) request that the electric reliability organization expedite consideration of the proposal; and

''(ii) file a notice of the request with the Commission.

''(C) FAILURE TO ACT.—

''(i) IN GENERAL.—If the electric reliability organization fails to adopt the variance or entity rule, in whole or in part, the affiliated regional reliability entity may request that the Commission review the proposal.

''(ii) ACTION BY THE COMMISSION.—If the Commission determines, after a review of the request, that the action of the electric reliability organization did not conform to the applicable standards and procedures approved by the Commission, or if the Commission determines that the variance or entity rule is just, reasonable, not unduly discriminatory or preferential, and in the public interest and that the electric reliability organization has unreasonably rejected or failed to act on the proposal, the Commission may—

''(I) remand the proposal for further consideration by the electric reliability organization; or

''(II) order the electric reliability organization or the affiliated regional reliability entity to develop a variance or entity rule consistent with that requested by the affiliated regional reliability entity.

''(D) PROCEDURE.—A variance or entity rule proposed by an affiliated regional reliability entity shall be submitted to the electric reliability organization for review and submission to the Commission in accordance with the procedures specified in paragraph (2).

''(5) IMMEDIATE EFFECTIVENESS.—

''(A) IN GENERAL.—Notwithstanding any other provision of this subsection, a new or modified organization standard shall take effect immediately on submission to the Commission without notice or comment if the electric reliability organization—

''(i) determines that an emergency exists requiring that the new or modified organization standard take effect immediately without notice or comment;

''(ii) notifies the Commission as soon as practicable after making the determination;

''(iii) submits the new or modified organization standard to the Commission not later than 5 days after making the determination; and

''(iv) includes in the submission an explanation of the need for immediate effectiveness.

''(B) NOTICE AND COMMENT.—The Commission shall—

''(i) provide notice of the new or modified organization standard or amendment for comment; and

''(ii) follow the procedures set out in paragraphs (2) and (3) for review of the new or modified organization standard.

''(6) COMPLIANCE.—Each bulk power system user shall comply with an organization standard that takes effect under this section.

''(f) COORDINATION WITH CANADA AND MEXICO.—

''(1) RECOGNITION.—The electric reliability organization shall take all appropriate steps to gain recognition in Canada and Mexico.

''(2) INTERNATIONAL AGREEMENTS.—

''(A) IN GENERAL.—The President shall use best efforts to enter into international agreements with the appropriate governments of Canada and Mexico to provide for—

''(i) effective compliance with organization standards; and

''(ii) the effectiveness of the electric reliability organization in carrying out its mission and responsibilities.

''(B) COMPLIANCE.—All actions taken by the electric reliability organization, an affiliated regional reliability entity, and the Commission shall be consistent with any international agreement under subparagraph (A).

''(g) CHANGES IN PROCEDURE, GOVERNANCE, OR FUNDING.—

''(1) SUBMISSION TO THE COMMISSION.—The electric reliability organization shall submit to the Commission—

''(A) any proposed change in a procedure, governance, or funding provision; or

''(B) any change in an affiliated regional reliability entity's procedure, governance, or funding provision relating to delegated functions.

''(2) CONTENTS.—A submission under paragraph (1) shall include an explanation of the basis and purpose for the change.

''(3) EFFECTIVENESS.—

''(A) CHANGES IN PROCEDURE.—

''(i) CHANGES CONSTITUTING A STATEMENT OF POLICY, PRACTICE, OR INTERPRETATION.—A proposed change in procedure shall take effect 90 days after submission to the Commission if the change constitutes a statement of policy, practice, or interpretation with respect to the meaning or enforcement of the procedure.

''(ii) OTHER CHANGES.—A proposed change in procedure other than a change described in clause (i) shall take effect on a finding by the Commission, after notice and opportunity for comment, that the change—

''(I) is just, reasonable, not unduly discriminatory or preferential, and in the public interest; and

''(II) satisfies the requirements of subsection (d)(4).

''(B) CHANGES IN GOVERNANCE OR FUNDING.—A proposed change in governance or funding shall not take effect unless the Commission finds that the change—

''(i) is just, reasonable, not unduly discriminatory or preferential, and in the public interest; and

''(ii) satisfies the requirements of subsection (d)(4).

''(4) ORDER TO AMEND.—

''(A) IN GENERAL.—The Commission, on complaint or on the motion of the Commission, may require the electric reliability organization to amend a procedural, governance, or funding provision if the Commission determines that the amendment is necessary to meet the requirements of this section.

''(B) FILING.—The electric reliability organization shall submit the amendment in accordance with paragraph (1).

''(h) DELEGATIONS OF AUTHORITY.—

''(1) IN GENERAL.—

''(A) IMPLEMENTATION AND ENFORCEMENT OF COMPLIANCE.—At the request of an entity, the electric reliability organization shall enter into an agreement with the entity for the delegation of authority to implement and enforce compliance with organization standards in a specified geographic area if the electric reliability organization finds that—

''(i) the entity satisfies the requirements of subparagraphs (A), (B), (C), (D), (F), (J), and (K) of subsection (d)(4); and

''(ii) the delegation would promote the effective and efficient implementation and administration of bulk-power system reliability.

''(B) OTHER AUTHORITY.—The electric reliability organization may enter into an agreement to delegate to an entity any other authority, except that the electric reliability organization shall reserve the right to set and approve standards for bulk-power system reliability.

''(2) APPROVAL BY THE COMMISSION.—

''(A) SUBMISSION TO THE COMMISSION.—The electric reliability organization shall submit to the Commission—

''(i) any agreement entered into under this subsection; and

''(ii) any information the Commission requires with respect to the affiliated regional reliability entity to which authority is delegated.

''(B) STANDARDS FOR APPROVAL.—The Commission shall approve the agreement, following public notice and an opportunity for comment, if the Commission finds that the agreement—

''(i) meets the requirements of paragraph (1); and

''(ii) is just, reasonable, not unduly discriminatory or preferential, and in the public interest.

''(C) REBUTTABLE PRESUMPTION.—A proposed delegation agreement with an affiliated regional reliability entity organized on an interconnection-wide basis shall be rebuttably presumed by the Commission to promote the effective and efficient implementation and administration of the reliability of the bulk-power system.

''(D) INVALIDITY ABSENT APPROVAL.—No delegation by the electric reliability organization shall be valid unless the delegation is approved by the Commission.

''(3) PROCEDURES FOR ENTITY RULES AND VARIANCES.—

''(A) IN GENERAL.—A delegation agreement under this subsection shall specify the procedures by which the affiliated regional reliability entity may propose entity rules or variances for review by the electric reliability organization.

''(B) INTERCONNECTION-WIDE ENTITY RULES AND VARIANCES.— In the case of a proposal for an entity rule or variance that would apply on an interconnection-wide basis, the electric reliability organization shall approve the entity rule or variance unless the electric reliability organization makes a written finding that the entity rule or variance—

''(i) was not developed in a fair and open process that provided an opportunity for all interested parties to participate;

''(ii) would have a significant adverse impact on reliability or commerce in other interconnections;

''(iii) fails to provide a level of reliability of the bulk-power system within the interconnection such that the entity rule or variance would be likely to cause a serious and substantial threat to public health, safety, welfare, or national security; or

''(iv) would create a serious and substantial burden on competitive markets within the interconnection that is not necessary for reliability.

''(C) NONINTERCONNECTION-WIDE ENTITY RULES AND VARIANCES.—In the case of a proposal for an entity rule or variance that would apply only to part of an interconnection, the electric reliability organization shall approve the entity rule or variance if the affiliated regional reliability entity demonstrates that the proposal—

''(i) was developed in a fair and open process that provided an opportunity for all interested parties to participate;

''(ii) would not have an adverse impact on commerce that is not necessary for reliability;

''(iii) provides a level of bulk-power system reliability that is adequate to protect public health, safety, welfare, and national security and would not have a significant adverse impact on reliability; and

''(iv) in the case of a variance, is based on a justifiable difference between regions or subregions within the affiliated regional reliability entity's geographic area.

''(D) ACTION BY THE ELECTRIC RELIABILITY ORGANIZATION.—

''(i) IN GENERAL.—The electric reliability organization shall approve or disapprove a proposal under subparagraph (A) within 120 days after the proposal is submitted.

''(ii) FAILURE TO ACT.—If the electric reliability organization fails to act within the time specified in clause (i), the proposal shall be deemed to have been approved.

''(iii) SUBMISSION TO THE COMMISSION.—After approving a proposal under subparagraph (A), the electric reliability organization shall submit the proposal to the Commission for approval under the procedures prescribed under subsection (e).

''(E) DIRECT SUBMISSIONS.—An affiliated regional reliability entity may not submit a proposal for approval directly to the Commission except as provided in subsection (e)(4).

''(4) FAILURE TO REACH DELEGATION AGREEMENT.—

''(A) IN GENERAL.—If an affiliated regional reliability entity requests, consistent with paragraph (1), that the electric reliability organization delegate authority to it, but is unable within 180 days to reach agreement with the electric reliability organization with respect to the requested delegation, the entity may seek relief from the Commission.

''(B) REVIEW BY THE COMMISSION.—The Commission shall order the electric reliability organization to enter into a delegation agreement under terms specified by the Commission if, after notice and opportunity for comment, the Commission determines that—

''(i) a delegation to the affiliated regional reliability entity would—

''(I) meet the requirements of paragraph (1); and

''(II) would be just, reasonable, not unduly discriminatory or preferential, and in the public interest; and

''(ii) the electric reliability organization unreasonably withheld the delegation.

''(5) ORDERS TO MODIFY DELEGATION AGREEMENTS.—

''(A) IN GENERAL.—On complaint, or on motion of the Commission, after notice to the appropriate affiliated regional reliability entity, the Commission may order the electric reliability organization to propose a modification to a delegation agreement under this subsection if the Commission determines that—

''(i) the affiliated regional reliability entity—

''(I) no longer has the capacity to carry out effectively or efficiently the implementation or enforcement responsibilities under the delegation agreement;

''(II) has failed to meet its obligations under the delegation agreement; or

''(III) has violated this section;

''(ii) the rules, practices, or procedures of the affiliated regional reliability entity no longer provide for fair and impartial discharge of the implementation or enforcement responsibilities under the delegation agreement;

''(iii) the geographic boundary of a transmission entity approved by the Commission is not wholly within the boundary of an affiliated regional reliability entity, and the difference in boundaries is inconsistent with the effective and efficient implementation and administration of bulk-power system reliability; or

''(iv) the agreement is inconsistent with a delegation ordered by the Commission under paragraph (4).

''(B) SUSPENSION.—

''(i) IN GENERAL.—Following an order to modify a delegation agreement under subparagraph (A), the Commission may suspend the delegation agreement if the electric reliability organization or the affiliated regional reliability entity does not propose an appropriate and timely modification.

''(ii) ASSUMPTION OF RESPONSIBILITIES.—If a delegation agreement is suspended, the electric reliability organization shall assume the responsibilities delegated under the delegation agreement.

''(i) ORGANIZATION MEMBERSHIP.—Each system operator shall be a member of—

''(1) the electric reliability organization; and

''(2) any affiliated regional reliability entity operating under an agreement effective under subsection (h) applicable to the region in which the system operator operates, or is responsible for the operation of, a transmission facility.

''(j) ENFORCEMENT.—

''(1) DISCIPLINARY ACTIONS.—

''(A) IN GENERAL.—Consistent with procedures approved by the Commission under subsection (d)(4)(H), the electric reliability organization may impose a penalty, limitation on activities, functions, or operations, or other disciplinary action that the electric reliability organization finds appropriate against a bulk-power system user if the electric reliability organization, after notice and an opportunity for interested parties to be heard, issues a finding in writing that the bulk-power system user has violated an organization standard.

''(B) NOTIFICATION.—The electric reliability organization shall immediately notify the Commission of any disciplinary action imposed with respect to an act or failure to act of a bulk-power system user that affected or threatened to affect bulk-power system facilities located in the United States.

''(C) RIGHT TO PETITION.—A bulk-power system user that is the subject of disciplinary action under paragraph (1) shall have the right to petition the Commission for a modification or rescission of the disciplinary action.

''(D) INJUNCTIONS.—If the electric reliability organization finds it necessary to prevent a serious threat to reliability, the electric reliability organization may seek injunctive relief in the United States district court for the district in which the affected facilities are located.

''(E) EFFECTIVE DATE.—

''(i) IN GENERAL.—Unless the Commission, on motion of the Commission or on application by the bulk-power system user that is the subject of the disciplinary action, suspends the effectiveness of a disciplinary action, the disciplinary action shall take effect on the 30th day after the date on which—

''(I) the electric reliability organization submits to the Commission—

''(aa) a written finding that the bulk-power system user violated an organization standard; and

''(bb) the record of proceedings before the electric reliability organization; and

''(II) the Commission posts the written finding on the Internet.

''(ii) DURATION.—A disciplinary action shall remain in effect or remain suspended unless the Commission, after notice and opportunity for hearing, affirms, sets aside, modifies, or reinstates the disciplinary action.

''(iii) EXPEDITED CONSIDERATION.—The Commission shall conduct the hearing under procedures established to ensure expedited consideration of the action taken.

''(2) COMPLIANCE ORDERS.— The Commission, on complaint by any person or on motion of the Commission, may order compliance with an organization standard and may impose a penalty, limitation on activities, functions, or operations, or take such other disciplinary action as the Commission finds appropriate, against a bulk-power system user with respect to actions affecting or threatening to affect bulk-power system facilities located in the United States if the Commission finds, after notice and opportunity for a hearing, that the bulk-power system user has violated or threatens to violate an organization standard.

''(3) OTHER ACTIONS.—The Commission may take such action as is necessary against the electric reliability organization or an affiliated regional reliability entity to ensure compliance with an organization standard, or any Commission order affecting electric reliability organization or affiliated regional reliability entity.

''(k) RELIABILITY REPORTS.—The electric reliability organization shall—

''(1) conduct periodic assessments of the reliability and adequacy of the interconnected bulk-power system in North America; and

''(2) report annually to the Secretary of Energy and the Commission its findings and recommendations for monitoring or improving system reliability and adequacy.

''(l) ASSESSMENT AND RECOVERY OF CERTAIN COSTS.—

''(1) IN GENERAL.—The reasonable costs of the electric reliability organization, and the reasonable costs of each affiliated regional reliability entity that are related to implementation or enforcement of organization standards or other requirements contained in a delegation agreement approved under subsection (h), shall be assessed by the electric reliability organization and each affiliated regional reliability entity, respectively, taking into account the relationship of costs to each region and based on an allocation that reflects an equitable sharing of the costs among all electric energy consumers.

''(2) RULES.—The Commission shall provide by rule for the review of costs and allocations under paragraph (1) in accordance with the standards in this subsection and subsection (d)(4)(F).

''(m) APPLICATION OF ANTITRUST LAWS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the following activities are rebuttably presumed to be in compliance with the antitrust laws of the United States:

''(A) Activities undertaken by the electric reliability organization under this section or affiliated regional reliability entity operating under a delegation agreement under subsection (h).

''(B) Activities of a member of the electric reliability organization or affiliated regional reliability entity in pursuit of the objectives of the electric reliability organization or affiliated regional reliability entity under this section undertaken in good faith under the rules of the organization of the electric reliability organization or affiliated regional reliability entity.

''(2) AVAILABILITY OF DEFENSES.—In a civil action brought by any person or entity against the electric reliability organization or an affiliated regional reliability entity alleging a violation of an antitrust law based on an activity under this Act, the defenses of primary jurisdiction and immunity from suit and other affirmative defenses shall be available to the extent applicable.

''(n) REGIONAL ADVISORY ROLE.—

''(1) ESTABLISHMENT OF REGIONAL ADVISORY BODY.—The Commission shall establish a regional advisory body on the petition of the Governors of at least two-thirds of the States within a region that have more than one-half of their electrical loads served within the region.

''(2) MEMBERSHIP.—A regional advisory body—

''(A) shall be composed of 1 member from each State in the region, appointed by the Governor of the State; and

''(B) may include representatives of agencies, States, and Provinces outside the United States, on execution of an appropriate international agreement described in subsection (f).

''(3) FUNCTIONS.—A regional advisory body may provide advice to the electric reliability organization, an affiliated regional reliability entity, or the Commission regarding—

''(A) the governance of an affiliated regional reliability entity existing or proposed within a region;

''(B) whether a standard proposed to apply within the region is just, reasonable, not unduly discriminatory or preferential, and in the public interest; and

''(C) whether fees proposed to be assessed within the region are—

''(i) just, reasonable, not unduly discriminatory or preferential, and in the public interest; and

''(ii) consistent with the requirements of subsection (l).

''(4) DEFERENCE.—In a case in which a regional advisory body encompasses an entire interconnection, the Commission may give deference to advice provided by the regional advisory body under paragraph (3).

''(o) APPLICABILITY OF SECTION.—This section does not apply outside the 48 contiguous States.

''(p) REHEARINGS; COURT REVIEW OF ORDERS.—Section 313 applies to an order of the Commission issued under this section.''.

(b) ENFORCEMENT.—

(1) GENERAL PENALTIES.—Section 316(c) of the Federal Power Act (16 U.S.C. 825o(c)) is amended—

(A) by striking ''subsection'' and inserting ''section''; and

(B) by striking ''or 214'' and inserting ''214 or 215''.

(2) CERTAIN PROVISIONS.—Section 316A of the Federal Power Act (16 U.S.C. 825o–1) is amended by striking ''or 214'' each place it appears and inserting ''214, or 215''.

(c) SAVINGS CLAUSE.—[RESERVED]●

By Mr. KERRY (for himself, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mr. JEFFORDS):

S. 2072. A bill to require the Secretary of Energy to report to Congress on the readiness of the heating oil and propane industries; to the Committee on Energy and Natural Resources.

THE HOME HEATING READINESS ACT

Mr. KERRY. Mr. President today I am introducing the Home Heating Readiness Act, which I offer with Senators LAUTENBERG, LIEBERMAN, and JEFFORDS. The goal of this legislation is to prevent sharp and sustained increases in the price of home heating fuel, like the kind of price spike we are experiencing right now in Massachusetts and other northeastern states.

Mr. President, at the end of December, the price of a gallon of home heating oil in Massachusetts average $1.78 across the state, and in some local areas consumers are complaining of prices as high as $2.00 per gallon. Only several weeks ago, when the weather was warmer, the price was far lower, about $.98, but as soon as the weather turned cold—as soon as families needed more oil to heat their homes—the price spiked. I want to be clear, on average, it appears that this winter will be warmer than most. Our problem is not the weather alone, something else in the supply chain of heating oil has failed. The Home Heating Readiness Act is an effort to learn, before it's too late, the steps we can take to correct deficiencies and prevent price spikes.

Already the Energy Information Administration examines the price of heating fuel each fall in a report called the Winter Fuels Outlook, and the Administration has done, overall, an excellent job of examining supply, demand and potential weather scenarios and estimating the price of heating oil and propane. This legislation would ask the Administration to go farther and examine the functional capability of the industries, to search out potential problems and help us prevent or mitigate them. It asks EIA to examine the global and regional crude oil and refined product supplies; the adequacy and utilization of refinery capability; the adequacy, utilization, and distribution of regional refined product storage capacity; weather conditions; refined product transportation system; market inefficiencies; and any other factor affecting the functional capability of the industry to provide affordable home heating oil and propane. In addition to identifying problems, EIA will make recommendations on how those problems can be corrected, and how price spikes can be avoided or at least mitigated.

Mr. President, with this legislation we are asking the EIA to do more and we should appropriate more funding to get the job done. For now, this legislation does not authorize a specific amount. It is my hope that the Clinton administration will work with us to determine an appropriate authorization level that we can add into this bill at an appropriate time. To help alleviate our current fuel crises the Clinton administration has released roughly $175 million to help low income families. I want to applaud that decision—those resources are urgently needed. However, I want to also point out that if we prevent these price spikes with better evaluation of the industry, we may have to spend less of those emergency funds in future winters. Finally, I want to work with Energy and Natural Resources Committee to get its input on how this proposal can be improved to meet our goals.

The old adage that an ounce of prevention is worth a pound of cure certainly holds true in this case, and I hope that we act to create the Home Heating Readiness Report.

I ask unanimous consent that a copy 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. 2072

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 ''Home Heating Readiness Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) in the United States, more than 10,000,000 households burn heating oil and more than 5,000,000 burn propane to generate space heat;

(2) sharp and sustained increases in the price of heating oil and propane disproportionately harm poor and elderly people with low and fixed incomes, who may be forced to choose between heat and food, medicine, and other basic necessities;

(3) sharp and sustained increases in the price of heating oil and propane can negatively affect the national economy and regional economies, and such increases have occurred in the winters of 1983–84, 1988–89, 1996–97, and 1999–2000;

(4) sharp and sustained increases in the price of heating oil and propane can be caused by—

(A) deficiencies in global or regional crude oil or refined product supplies;

(B) inadequacy or underutilization of refinery capacity;

(C) inadequacy, underutilization, or disadvantageous distribution of regional refined product storage capacity;

(D) adverse weather conditions;

(E) impediments to efficient and timely transportation of refined product;

(F) market inefficiencies; and

(G) other factors affecting the functional capability of the energy industry;

(5) the Energy Information Administration is charged with analyzing the United States energy industry and markets and providing projections on the retail price of energy products, including heating oil and propane;

(6) future sharp and sustained increases in the national and regional price of heating oil and propane can be avoided or at least mitigated if—

(A) the Energy Information Administration identifies potential failures in the functional capability of the energy industry to provide affordable heating oil and propane to consumers in all regions of the United States; and

(B) those potential failures are remedied; and

(7) avoiding sharp and sustained increases in the national and regional price of heating oil and propane can reduce Federal, State, and local expenditures to assist low-income

and other households in need of financial assistance when prices increase.

SEC. 3. ANNUAL HOME HEATING READINESS REPORTS.

(a) IN GENERAL.—Part A of title I of the Energy Policy and Conservation Act (42 U.S.C. 6211 et seq.) is amended by adding at the end the following:

''SEC. 108. ANNUAL HOME HEATING READINESS REPORTS.

''(a) IN GENERAL.—On or before September 1 of each year, Secretary, acting through the Administrator of the Energy Information Agency, shall submit to Congress a Home Heating Readiness Report on the readiness of the heating oil and propane industries to supply fuel under various weather conditions, including rapid decreases in temperature.

''(b) CONTENTS.—The Home Heating Readiness Report shall include—

''(1) estimates of the consumption, expenditures, and average price per gallon of heating oil and propane for the upcoming period of October through March for various weather conditions, with special attention to extreme weather, and various regions of the country;

''(2) an evaluation of—

''(A) global and regional crude oil and refined product supplies;

''(B) the adequacy and utilization of refinery capacity;

''(C) the adequacy, utilization, and distribution of regional refined product storage capacity;

''(D) weather conditions;

''(E) the refined product transportation system;

''(F) market inefficiencies; and

''(G) any other factor affecting the functional capability of the heating oil industry and propane industry that has the potential to affect national or regional supplies and prices;

''(3) recommendations on steps that the Federal, State, and local governments can take to prevent or alleviate the impact of sharp and sustained increases in the price of heating oil and propane; and

''(4) recommendations on steps that companies engaged in the production, refining, storage, transportation of heating oil or propane, or any other activity related to the heating oil industry or propane industry, can take to prevent or alleviate the impact of sharp and sustained increases in the price of heating oil and propane.

''(c) INFORMATION REQUESTS.—The Secretary may request information necessary to prepare the Home Heating Readiness Report from companies described in subsection (b)(4).''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—The Energy Policy and Conservation Act is amended—

(1) in the table of contents in the first section (42 U.S.C. prec. 6201), by inserting after the item relating to section 106 the following:

''Sec. 107. Major fuel burning stationary source.

''Sec. 108. Annual home heating readiness reports.''; and

(2) in section 107 (42 U.S.C. 6215), by striking ''SEC. 107. (a) No Governor'' and inserting the following:

''SEC. 107. MAJOR FUEL BURNING STATIONARY SOURCE.

''(a) No Governor''.

Mr. LIEBERMAN. Mr. President, I rise to speak about an extremely serious problem plaguing the citizens of my state of Connecticut and those throughout the Northeast—the skyrocketing cost of home heating oil and the fear of higher gas prices that will follow.

This complaint may sound familiar to some of my colleagues, particularly those similarly-situated in cold-weather states. Senator DODD and I and several others have repeatedly voiced concerns about the volatility of the heating oil-gasoline marketplace over the last several years, about the sudden swings in prices we have experienced as a result of that volatility, and the threat it poses to the livelihood of our constituents and the stability of our regional economy. The situation now, though, is more dire than anything we have seen in recent years. While I do not want to be an alarmist, I think it is critical for my colleagues to understand the severity of the squeeze many families and businesses are feeling and the potential for economic havoc.

We are bordering on a real crisis. The average price of a gallon of heating oil in the Northeast has jumped more than 100 percent since mid-January. Many families are really struggling to pay their bills and keep their families warm. Dealers and distributors are reporting significant shortages throughout the region, which promises to send prices spiraling even higher in the near term. And if this vicious cycle of high demand and low supply continues to turn, and if the weather stays the way it has, many households may literally be left out in the cold, and their well-being put at risk.

It is not just consumers, though, who are being hit hard by this price spike. It is also hurting a number of small businesses that are not prepared to absorb this kind of sudden surge in costs. It sure is hurting many small companies in the heating oil industry, the independent distributors and retailers, who form the backbone of this market. I have already heard of one oil dealer in Connecticut who owns a family business and who needed to take out a second mortgage on his home to make it through this hardship. It may not be long before others join him. There is also the very real risk of some small dealers being forced out of business.

As a result of all this, a conspicuous current of fear and uncertainty is rippling throughout the Northeast. People are anxious for some answers just as they are desperate for some relief. Like many of my colleagues, my offices have been inundated with calls from around the state from outraged homeowners demanding to know why their heating bills are going through the roof and what we are doing to bring them down.

We know that supplies are low and demand is high, and that is the basic source of the problem. But it goes much deeper than that. The decision made by OPEC to limit the production and supply of crude oil on the international market has been a major factor. Our domestic supply has shrunk considerably. Another factor has been the temperature; the cold weather and strong winds have not only kept demand high, they have frozen rivers and made it difficult at times for oil barges to dock and unload their product. And some questions have to be raised about the choices made by the major oil companies, while the supply of crude oil may have been sufficient to meet demand, the refiners may have made matters worse by focusing on turning out more gasoline than heating oil in anticipation of a warmer winter. These questions deserve more attention, and I intend to press for more information about how these decisions are being made about utilization of capacity, which are critical to determining oil supplies and by extension oil prices.

But the complexity of this problem does not mean we are powerless to help. Along with Senator DODD and the rest of our state delegation, we have been doing all we can to provide some immediate relief from these spiraling prices and troubling shortages. One of our principal concerns is for the low-income families who are being asked to choose between putting food on the table and heating their homes. The price spike is hitting these families the hardest, and we are doing our best to help them make it through. A bipartisan coalition sent a letter to the President two weeks ago urging him to quickly release emergency funds from the Low-Income Home Energy Assistance Program, which is a critical first line of defense for our neighbors who are least able to cope with sudden price surges. The President thankfully responded by releasing $45 million for the disadvantaged families of New England, including $3.1 million for those in Connecticut. This was a significant gesture, but there are many families who won't benefit from it. That is why just two days ago our coalition sent the President another letter requesting that an additional $200 million in LIHEAP funding be released immediately. I hope the President again hears our concerns and heeds our call.

I am also concerned about the independent oil suppliers in the Northeast. Most home heating oil distributors are small businesses with few employees; these businesses are not always in the position to weather severe price fluctuations or shortages as we are seeing now. Part of the problem is that small oil dealers often must pay the high price of crude oil from large wholesalers before they are able to collect on oil sales to residential homes. This leaves them with few reserves to make due. To help relieve the burden on these businesses, I have asked the Small Business Administration to make available a package of short turnaround loans and technical assistance. The SBA has been highly sensitive to this problem, and they are moving quickly to spread the word around the region about these options.

Along with several of my colleagues on both sides of the aisle, I have supported and continue to support a drawdown of the Strategic Petroleum Reserve as a way to quickly boost stocks in the Northeast and thereby quickly reduce prices. Senator DODD and I and several of our colleagues from neighboring states have lobbied hard for the Administration to take that step. We have cosponsored legislation that explicitly authorizes the Secretary of Energy to tap the SPR in these circumstances. We wrote the President two weeks ago urging him to approve a drawdown as soon as possible. And shortly thereafter we met with Energy Secretary Bill Richardson to plead this case directly. The Secretary unfortunately has been reluctant to pursue this option, but we have not given up hope of changing his mind, and will continue to push our argument.

While we believe the SPR drawdown is critical to getting us through this short-term emergency, it is not a long-term solution. It will not and cannot defuse the volatility of the heating oil marketplace. But there are a number of steps we can take to prevent these disruptive price spikes from cycling in and out. First, it is important that we convince leaders of the oil-producing nations that colluding to hold down supply is not in their long-term interest. As we have seen, prices of oil have indeed gone up, but there is growing resentment of the policies of OPEC as our citizens feel a strengthening pinch. It is important that these countries understand that if they continue with this strategy, they may jeopardize good relations with the United States. Secretary Richardson will soon be meeting with OPEC's leaders, and we are pressing him to forcefully communicate this message to our allies and trading partners.

Second, we should take a hard look at the use of interruptible gas contracts by natural gas suppliers and the evidence that these contracts may be exacerbating the volatility of the heating oil market. These ''interruptible'' contracts can be obtained at a discount rate in exchange for giving the contractor the ability to suspend service when gas supply is low or demand is high. When these contracts are interrupted, many customers typically turn to heating oil as their preferred alternative, creating a sudden, secondary demand jolt to the oil market. I have heard from a number of leaders in the heating oil industry who fear that this is exactly what is happening now. We need to better understand the level of additional heating oil demand caused by these types of contracts and be able to anticipate demand fluctuations as accurately as possible so that we may avoid future situations where demand exceeds supply. For that reason, I recently asked Secretary Richardson to investigate the extent and impact of interruptible contracts, and to report back to us on his findings to determine what if anything we should do about this practice.

Our current situation points to the fundamental problem that we are far too dependent upon foreign oil for our energy needs. We need to employ long-term strategies to decrease our reliance upon foreign nations and bolster our own energy capacity. Many of us have cosponsored legislation in the past to increase research and development funding for renewable energy sources. We need to invest time, money, and an increased level of effort in the development of energy efficient power sources such as wind, solar, and natural gas. I will continue to work toward this goal and I strongly urge my colleagues to do so as well.

Mr. President, as I said, I rise to speak about a very serious problem plaguing the citizens of Connecticut and the Northeast; that is, the skyrocketing cost of home heating oil and the fear of higher gas prices that will come with the warmer weather. There is a very complicated situation as to why it exists.

It begins with the decision by the OPEC cartel to reduce the supply of oil. It goes to the decision of some oil companies not to refine adequate supplies of home heating oil. Whatever the complexity, it does not mean that we are powerless to help.

Senator DODD and I, and the rest of our delegation, on earlier occasions, with colleagues from throughout the Northeast from both parties, have appealed to the President to release Low Income Home Energy Assistance Program funding. He did that—$45 million worth.

We have another request in now for an additional $200 million. It is that bad in our State.

The real answer to this is to open up the Strategic Petroleum Reserve and effect the laws of supply and demand, 560 million barrels of oil that we, the taxpayers, U.S. Government own. This is the time to use it.

Up until now, Secretary Richardson and the administration have refused to do so. I appeal to them today on behalf of the people of Connecticut who are suffering under the shock of doubling and in some cases tripling of what they pay for home heating oil. Please open up the reserve. There is now a new idea of swaps, not selling the oil but allowing the oil companies to take it out of reserve, bring it into the market, increase supply, lower price, and then put oil back into the reserve, even a higher amount.

The short of it is, we are in crisis in the Northeast. It is a crisis that, if it is not stopped and is allowed to go on, with higher gasoline prices that will affect the rest of the country in spring time, it will begin to create the kind of inflation that will cut the economic growth we have enjoyed.

ADDITIONAL COSPONSORS

S. 92

At the request of Mr. DOMENICI, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 92, a bill to provide for biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 162

At the request of Mr. BREAUX, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 162, a bill to amend the Internal Revenue Code of 1986 to change the determination of the 50,000-barrel refinery limitation on oil depletion deduction from a daily basis to an annual average daily basis.

S. 386

At the request of Mr. GORTON, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 386, a bill to amend the Internal Revenue Code of 1986 to provide for tax-exempt bond financing of certain electric facilities.

S. 397

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 397, a bill to authorize the Secretary of Energy to establish a multiagency program in support of the Materials Corridor Partnership Initiative to promote energy efficient, environmentally sound economic development along the border with Mexico through the research, development, and use of new materials.

S. 486

At the request of Mr. THOMAS, his name 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. 899

At the request of Mr. THOMAS, his name was added as a cosponsor of S. 899, a bill to reduce crime and protect the public in the 21st Century by strengthening Federal assistance to State and local law enforcement, combating illegal drugs and preventing drug use, attacking the criminal use of guns, promoting accountability and rehabilitation of juvenile criminals, protecting the rights of victims in the criminal justice system, and improving criminal justice rules and procedures, and for other purposes.

S. 1109

At the request of Mr. MCCONNELL, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 1109, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1220

At the request of Mr. THOMAS, his name was added as a cosponsor of S.