



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 145

WASHINGTON, MONDAY, OCTOBER 25, 1999

No. 146

## Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, our hearts are at half mast with grief over the death of JOHN CHAFEE, our cherished friend, distinguished Senator, patriotic American, and devoted leader. We praise You for this good and kindly man, this discerning and decisive legislator, this example of integrity and vision. We thank You for his stability, his strength, his sagacity. He expressed Your caring and concern for each of his fellow Senators and was a bridge builder, always seeking consensus. All of us in the Senate family came to admire him as a great American.

Now we ask You to comfort his wife and family in this time of grief. Give them courage rooted in the assurance that death is not an ending but a transition in eternal life, the peace that comes from the conviction that he is with You and the hope that flows from Your Spirit, giving the promise that You will never leave nor forsake them. Grant them and all of us who loved and admired JOHN CHAFEE a new dedication to emulate his commitment to be a servant leader. In the name of the Resurrection and the Life. Amen.

### PLEDGE OF ALLEGIANCE

The honorable PAT ROBERTS, a Senator from the State of Kansas, led the Pledge of Allegiance as follows:

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

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished Senator from Pennsylvania is recognized.

### SCHEDULE

Mr. SPECTER. Mr. President, I have been asked to make the opening comments on behalf of our distinguished majority leader.

This morning the Senate will be in a period of morning business until 2 p.m. Following morning business, the Senate will resume consideration of the motion to proceed to S. 434, the African trade bill. As a reminder, cloture on the motion to proceed to the bill was filed on Friday. Therefore, pursuant to rule XXII, that vote will occur tomorrow 1 hour after the Senate convenes unless an agreement is made between the two leaders. Later today, the Senate is expected to proceed to executive session in an effort to debate several nominations currently on the calendar. As previously announced, there will be no rollcall votes during today's session of the Senate.

### MEASURES PLACED ON THE CALENDAR

Mr. SPECTER. Mr. President, I understand that there are two bills at the desk due for their second reading.

I ask that they be read consecutively.

The PRESIDING OFFICER. The clerk will read the bills by title.

The bill clerk read as follows:

A bill (S. 1770) to amend the Internal Revenue Code of 1986 to permanently extend the research and development credit and to extend certain other expiring provisions for 30 months, and for other purposes.

A bill (S. 1771) to provide stability in the United States agriculture sector and to promote adequate availability of food and medicine for humanitarian assistance abroad by requiring congressional approval before the imposition of any unilateral agricultural or medical sanction against a foreign country or foreign entity.

Mr. SPECTER. Mr. President, on behalf of the leader, I object to further proceeding on the bills at this time.

The PRESIDING OFFICER. Under the rule, the bills will be placed on the calendar.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business with Senators permitted to speak therein for not to exceed 5 minutes each, with the following exceptions: The Senator from Illinois, Mr. DURBIN, is to be recognized to speak until 1 p.m., and the Senator from Wyoming, Mr. THOMAS, is to be recognized to speak until 2 p.m.

### IN HONOR OF SENATOR JOHN CHAFEE

Mr. SPECTER. Mr. President, I come to the Senate Chamber this morning to comment about the untimely passing of our distinguished colleague, Senator JOHN CHAFEE.

Senator CHAFEE died last night of heart failure, and I learned about it when I arrived in town this morning, at, I must say, a considerable shock. Senator CHAFEE sat next to me in the Senate. In addition to proximity, we were very close on many, many other lines. Senator CHAFEE leaves behind an extraordinary record as a great humanitarian, a great Senator, and a really great American. His political career is legendary—four terms in the Senate, elected in 1976, 1982, 1988, and again in 1994. Prior to that, he served three terms as the Governor of Rhode Island. His biography on the web site states that Senator JOHN CHAFEE is the only Republican to be elected to the Senate from Rhode Island in the past 68 years.

He brought a unique perspective to the Senate as a protector of the environment and as a firm advocate for expanding health care to every American. During the contentious days in 1993 and 1994 when the Senate was considering

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



Printed on recycled paper.

S13067

the extension of health care, Senator CHAFEE organized a small group of centrists to meet in his office every Thursday morning at 8:30, and came forward with a very solid bill on health care. More recently, Senator CHAFEE was the leader of a group of centrists, both Republicans and Democrats, to come forward with a Patients' Bill of Rights. He had an understanding and a political breadth that led to accolades from the U.S. Chamber of Commerce and from the American Civil Liberties Union.

He was the leader of a small group of centrists, also known as moderates, and he brought a degree of civility to this body and this Congress at a time when civility was sorely lacking. JOHN CHAFEE could walk into a room full of controversy and arguments, strike a middle course, and bring Senators and Members on all sides to a position of coalescence and accommodation.

JOHN CHAFEE was a strong family man, very close to his wife Ginny, and was also an active squash player. I tried to lure him to the squash courts early in the morning. He would have nothing of 7 a.m. squash. My wife lives in Philadelphia; JOHN CHAFEE's wife lives in Washington. He insisted on first things first. You could find him in the afternoon frequently playing squash with JOHN WARNER, both coming in for a vote freshly showered.

JOHN CHAFEE brought his son to our centrist meeting recently, who is a mayor of Rhode Island's second biggest city and who is seeking to succeed JOHN CHAFEE in the Senate. I noted last Thursday afternoon that JOHN CHAFEE missed three votes. We were on a bill and had three controversial votes at 5:30, and I worried a little bit about JOHN CHAFEE but had no idea that the situation was as serious as it developed with his passing last night of heart failure.

JOHN CHAFEE leaves a powerful legacy in many lives, a real giant in the Senate, and he will be sorely missed on legislative lines and on compassionate lines because he was such a good friend to all 99 of his fellow Senators.

I yield the floor.

Mr. BAUCUS. Mr. President, I rise with deep and heavy sadness to mourn the passing of a great statesman, my dear friend, JOHN CHAFEE, from Rhode Island.

There will be a lot of eulogies on the floor over the next several days. For the moment, I want to say a few words about a very great man, a very close friend, someone who I think is one of the best Members of the Senate in many, many years.

First, a little bit of history about JOHN CHAFEE. He was born to one of the most prominent New England families. He could have coasted. He could have gone into business. He could have gone into law. No, he did not do that. What did he do? He chose service to his people. It was an extraordinary life of service.

JOHN was a marine. JOHN fought in the historic battle at Guadalcanal. A

few years later, he reenlisted and led troops in combat in Korea.

On a lighter note, as far as I know, Senator CHAFEE was the only Member of the Senate who was also a member of the American College Wrestling Hall of Fame. Move over, Jesse Ventura. We have a wrestler in the Hall of Fame.

JOHN, after serving in the armed services, later turned to public service. He was a Governor of Rhode Island. He was a Secretary of the Navy. Since 1976, he was a Member of the Senate.

When I first joined the Senate about 20 years ago, the last thing in the world I believed was over a period of time he and I would become very close friends. We were sitting as junior Members, very far away from each other, on the Finance Committee and also on the Environment and Public Works Committee. I am from Montana. JOHN is from Rhode Island. In Montana, we even have ranches the size of the State of Rhode Island. We were from very different States with different constituencies. Nevertheless, it was a circumstance of seniority that brought us together. I was very privileged to work with JOHN. We exchanged chairmanships and ranking memberships on the Environment and Public Works Committee. We developed a very close relationship.

He was one of the best persons, in my judgment, in the Senate. On the Finance Committee, he worked to balance the budget. He put fiscal austerity, on behalf of future generations, ahead of ideology. He worked for a system of free trade. Most important, JOHN spoke for those people in the shadows—the poor, the elderly, and children. Especially children with special needs, whether it was Medicaid or welfare reform, JOHN was a very strong advocate. In fact, he was a stronger advocate by far than most Members of the Senate.

On the Environment and Public Works Committee, which he chaired, he did so in the great tradition of other New England Senators: Ed Muskie, Bob Stafford and George Mitchell. Tremendous tradition on that committee.

His accomplishments are legion. We breathe cleaner air because of JOHN CHAFEE. Because of his diligent work on the Clean Water Act, we drink cleaner water because of JOHN CHAFEE. We have a rich legacy, and JOHN CHAFEE left that legacy to our children and grandchildren. In addition, he vigorously pushed through the Oil Pollution Act in the wake of the *Valdez* tragedy; the Safe Drinking Water Act; Endangered Species Act; the National Wildlife Refuge System is in place because of Muskie, Stafford, and, particularly, JOHN CHAFEE; the Coastal Barrier Resources System—all bear JOHN's mark.

Personally, I will remember JOHN CHAFEE as a decent, civil, courteous, commonsense gentleman. His issues and the legislation he worked for were very important. But it is the man who means the most to me and is remem-

bered most by me. He reminds me of my father. He never raised his voice, never lost his temper, was always calm, always cool, often with a little twinkle in his eye, a sense of humor. He had respect for life. He knew what was important and not important. He kept his eye on the ball and wouldn't let conversations drift to gossip or extraneous matters that didn't matter; they prevented Members from accomplishing the objective.

Uncommon common sense. JOHN CHAFEE had a sixth sense for common sense. He knew the basic, balanced, right thing to do.

Senator SPECTER mentioned the organizations he put together, the moderates working on health care. That is only one of the many examples of JOHN CHAFEE trying to get something accomplished for the good of America.

Unquestioned integrity. We say around here that a man's word is his bond. It is true. We always strive toward it because we know it is necessary, not only to get legislation passed but it is one of the most important things in life. We knew when JOHN said something it was true. No one ever questioned what JOHN said.

My father's name was JOHN. Maybe that is part of it. The two of them remind me so much of each other. Both were veterans and knew the importance of America—maybe because they were veterans. JOHN knew from fighting at Guadalcanal, fighting in Korea, fighting for American virtues, American values and what is right in America. Maybe that is what enabled him to keep his perspective and calm.

It has been mentioned he is a family man. I saw it many times. Not too many days ago I was on the floor with JOHN and he said: Gee, I promised Ginny I would be home by 2 o'clock today. His legs were bothering him. Gee, I want to get this bill passed; I will vote on this.

He was torn for the right reasons, torn between family and duty. But he gave honor to both because they were so important to JOHN.

I, too, was stunned when I learned of JOHN's death last night. We will miss him terribly. He was a most wonderful man. His memory will be embedded strongly in all of us. It is a memory I know I will cherish forever and ever. I will always see JOHN's twinkle, his smile, his earnest sense of trying to do the right thing.

On behalf of my wife, Wanda, and my staff, our deepest sympathy and condolences go to Ginny and the family, as well as members of JOHN's staff, some of whom are on the floor. JOHN was very close to his staff. It is a wonderful, tight knit family. Our deepest condolences go out to all of them.

Mr. SPECTER. Mr. President, listening to Senator BAUCUS, I am reminded of a couple of other items about Senator CHAFEE which I think ought to be mentioned. One is that he served as Secretary of the Navy, and, secondly, he served in the Marine Corps during

World War II and was part of the invasion of Guadalcanal, the largest of the Solomon Islands in the Pacific.

He was recalled during the Korean war. I had always wondered about the fairness of the World War II veterans being recalled during the Korean war. I served myself during the Korean war stateside as a special agent in the Office of Special Investigations of the Air Force. At that time, so many of my colleagues avoided military service by going off to law school or graduate school. I had noted at that time that so many veterans were so called. Ted Williams stuck in my mind, a great baseball player, who served during World War II and went off to the Korean war, cutting short his playing time.

I had a discussion with JOHN CHAFEE about that one day. I asked him about his views on being recalled to active service during the Korean war when so many were not serving at all. In his characteristic patriotic way he said, no, there was a job to be done and he was going to do it. He was glad to serve again in Korea, a marine in the toughest kind of work.

That was JOHN CHAFEE; always a great patriot and a great American.

The PRESIDING OFFICER. The distinguished Senator from Nevada is recognized.

Mr. REID. Mr. President, last week Paul Laxalt and I were talking about some general items, and the name JOHN CHAFEE came up. We had a pleasant visit, Senator Laxalt and I, talking about JOHN CHAFEE, talking about how much we liked him, what a good guy he was, what a good friend of ours he was. In my opinion, the United States has lost one of its true heroes. JOHN CHAFEE died last night. I say this not simply to honor his time in the Senate, where he served with distinction for 23 years; I say it because of the way JOHN CHAFEE lived his life.

From a very young age, he showed the characteristics of leadership he went on to display throughout his whole life. When JOHN was only 11 years old, he saved the life of a young boy who had fallen into a frozen pond where they were playing hockey. Everyone else stood around. Little JOHN CHAFEE went into the water to save this boy's life.

He was a student at Yale during the Second World War. He had completed 3 years of school at Yale when he joined the U.S. Marine Corps to go fight for his country, and fight for his country he did. On his 20th birthday, he participated in the invasion of Guadalcanal—a marine who served with distinction in the Second World War.

The definitive book written about the Korean War is a book called "The Coldest War," written by a man named Brady. The hero of that book is JOHN CHAFEE, a captain in the U.S. Marine Corps during that coldest war. I have spoken on any number of occasions about JOHN CHAFEE, about what a hero he was to me and to the rest of the country. I am happy to do that today

so this RECORD can be spread throughout the Senate for his family, his staff, and many, many friends.

JOHN CHAFEE truly was a hero, as indicated in that book, "The Coldest War." He is a man who served as Secretary of the Navy during the height of the war in Vietnam. He was a very, very effective legislator. He was, as has been indicated by Senator BAUCUS, a very quiet, self-effacing man. He assumed positions of leadership that would have been easy to simply avoid. On the committee on which I served with him for 13 years, Environment and Public Works, he was a leader even before he became chairman of that committee.

Some of the finest work JOHN CHAFEE did is not legislation that has been completed. One example is the Endangered Species Act, a very difficult bill that had to come forward. He was able, 2 years ago, to put together a very important piece of legislation, and got the help of the subcommittee, Governor Kempthorne, then-Senator Kempthorne, so we had two Republicans and we had the ranking member of the full committee, Senator BAUCUS, and I was a ranking member of the subcommittee. We all joined together. None of us wanted to be on that legislation, but we had to be because it was the right thing to do, as the leadership of JOHN CHAFEE indicated. It was legislation that should have passed. We are always going to look back at that piece of legislation, saying if we had done that, the problems with the Endangered Species Act would be behind us.

He served as Governor of the State of Rhode Island, and his service in the Governorship of Rhode Island, even though many years before he came to the Senate, was marked by the same dogged determination to get things done. He did not believe in the status quo. He didn't believe in gridlock. He had determination and spoke up when he felt strongly about issues, and there were a lot of issues he felt strongly about, such as health and the environment.

He was elected Governor of the State of Rhode Island when he was 39 years old. By that time, though, he had already served in two wars, had come back to Yale and completed his degree there, and then got a law degree from Harvard. That is pretty good. Even that was not the end of his service. Before becoming Governor, he served 6 years in the General Assembly of the State of Rhode Island.

As Governor of the State of Rhode Island, he helped bring Rhode Island into the modern era. He created the State's community college system, created the Rhode Island Public Transportation Administration, which did many things but is noted for the construction of Interstate 95 and the Newport Bridge, two infrastructure projects that allowed Rhode Island to flourish as it does today.

He fought for fair housing and unemployment laws. He fought to get things

done. He not only fought for them but was able to get them passed. He provided for State-provided health care for the elderly long before Medicare came into being. He developed the Green Acres Program, which was a visionary concept of protecting Rhode Island's natural wonders for future generations, which is a precursor to this antisprawl talk we are now hearing from the White House. They only need to look back 20 or 30 years ago, and JOHN CHAFEE had done the same thing that is being talked about with this urban sprawl problem we now have.

The leadership JOHN CHAFEE showed as Governor of Rhode Island in the mid-1960s led the Republican chief executives to name him their chairman. In 1969, President Nixon called upon this man, JOHN CHAFEE, to take on the challenge—and it was a challenge at the time—to be Secretary of the Navy during the height of the Vietnam war.

I have heard several conversations, they love to joke about it, when JOHN WARNER—who is a member of the Environment and Public Works Committee—when he and JOHN CHAFEE get together to talk about their service, one as Secretary, one as Assistant Secretary, and the difficulties they had during the time the Vietnam war was going forward. He did a great job as Secretary of the Navy.

He then spent several years in the private sector, but in 1976 he was elected in a Democratic State—Rhode Island is perhaps the most Democratic State in the Union, but JOHN CHAFEE did not let that stand in his way—he was elected Governor. I identify with Senator CHAFEE. He was elected Governor by about 400 votes. I have been in a number of close elections myself. Perhaps that is one reason I identified so much with Senator CHAFEE.

He served as Governor as if he were elected by 400,000 votes, and he served in the Senate in the same manner. He was a person in the Senate who quickly established himself as an authority on the Nation's budget.

Of course, as we know, he was a member of the Finance Committee, where he worked hard on tax policy, and was chairman of the Environment and Public Works Committee, where he worked hard on environmental protection. He was one who always stood for civil rights and human rights.

He was an independent person, and we all know how independent he has been in the Senate. We all need to take a page out of JOHN CHAFEE's book, especially with the rank partisanship that has been taking place in this body for the last several years. JOHN CHAFEE was a person who did not believe in partisanship. He continued to stake out modern, consensus-driven positions that marked his entire career. I admired his ability to go to people on this side of the aisle to develop legislation.

There are those who argue Senator CHAFEE spent many of his years advocating positions that were outside the

mainstream view of the Republican Party in the Senate, especially when he talked about issues of gun control, health care, and the environment. That probably is not the case. I believe JOHN CHAFEE represented the mainstream of America. He was tremendously important and good for the Republican Party, as he was for this country.

At the core of his being, JOHN CHAFEE believed the American people sent us all here to get things done, to compromise. And "compromise" to JOHN CHAFEE was not a bad word. He knew that legislating was the art of compromise and that we had to compromise for the best of the country, not simply bicker with one another.

As I have indicated already, I had the pleasure of serving with Senator CHAFEE for 13 years in the Senate. For the last 5 years, he has been chairman of that committee. I have been so impressed with his willingness to wade into difficult problems. I had so many meetings in his office in the Dirksen Building where he would say: OK, where are we on this? OK, we will get together tomorrow to see where else we can go.

He was a tenacious legislator. He knew legislation was more than standing on the Senate floor giving speeches. I have learned a great deal from him.

I will never forget his work to improve our Nation's air and water quality, improve highways, transit, and all the infrastructure programs. He was so involved in toxic waste. He was a man who believed in Government working for the betterment of each of us.

It was not at all unusual at critical junctures of negotiations on important bills to find him working late at night. He did this from the time he arrived in the Senate, I am told, to the present, and I can vouch for that personally.

Environmental issues are some of the most difficult issues we have to tackle in Washington, often bringing out sharp divisions, sometimes even partisanship. Senator CHAFEE was always looking for ways to cut through the rhetoric and get things done.

While we have not been able to report out a lot of legislation—Superfund, endangered species—it was not his fault. He was frustrated, but he never lost his determination to push forward, and he always did it in good spirits.

Some of the giants of the Senate in the 20th century are people who have served as chairmen of the Environment and Public Works Committee, men such as Robert Stafford of Vermont, Jennings Randolph of West Virginia, and DANIEL PATRICK MOYNIHAN, of course, of New York. JOHN CHAFEE clearly deserves to be mentioned in the same breath as all of them. He truly was a great Senator. In fact, it is fair to say when we list the great Senators of the 20th century, it would not be complete without the name of JOHN CHAFEE.

I close by saying I liked JOHN CHAFEE. He was my friend. He was one of the rare people from the other side

of the aisle who, during my election—this last election—asked me: How are you doing? We knew each other well enough—he could not help me financially or give speeches—that he cared about my legislative welfare. He is a man I will never forget. He set an example for me. If I can be the same type of Senator JOHN CHAFEE was, I will certainly be happy.

I extend my condolences to John's wife Virginia, their 5 children and 12 grandchildren, the citizens of Rhode Island, and the hundreds of past and present members of John's staff who worked hard for him and loved him dearly. The Senate and the Nation have lost a great man—JOHN CHAFEE.

The PRESIDING OFFICER. The distinguished Senator from California is recognized.

Mrs. FEINSTEIN. I thank the Chair. Mr. President, I join the distinguished Senator from Nevada in saying a few words about Senator JOHN CHAFEE. I believe our Nation lost a pillar of the Senate last evening. I found JOHN CHAFEE to be a deeply principled and highly intelligent Senator. Additionally, he was one of the nicest men I have ever had occasion to know in the Senate or anywhere else.

I had the pleasure a couple of years ago of being a dinner guest at the home of JOHN and Virginia CHAFEE in McLean, a warm, hospitable home, a home that had 8, 10 people gathered around the table informally for dinner, where both JOHN CHAFEE and Virginia Chafee presided with a warmth and a hospitality that made it the nicest evening I have ever spent in my 7 years in Washington.

I really liked JOHN CHAFEE, and I had the pleasure of working with him on a number of issues. His record on the environment, on health care, and on gun control is second to none. As chairman of the Senate's Environment and Public Works Committee, Senator CHAFEE was a leading voice in crafting the Clean Air Act of 1990 which strengthened the Nation's emissions standards. Recently, he led successful efforts to enact oil spill prevention and response legislation and a measure to strengthen the Safe Drinking Water Act.

JOHN CHAFEE has won virtually every major environmental award in this country due to his tireless efforts to protect our Nation's resources. Recently, we worked together on an effort to rid California's gasoline of MTBE, and just last Thursday, standing right over there in the Senate Chamber, I said: JOHN, when are you going to be able to pass some legislation out of the committee on MTBE? We remarked how moving on this issue has been made more difficult by the ethanol lobby.

I said: You know, JOHN, we really have to move because, in particular, of the California situation.

He said: I know, I know, and I really want to do something to help.

That is the way he was—a very special person who could see beyond his

own State's parameters and really reach deep into the hearts of many of us who represent States even on the other side of this great Nation.

I will never forget earlier this year when we stood at the White House together to call for meaningful gun legislation. A few years ago, he even angered many conservatives when he pushed for a ban on the manufacture, sale, and possession of handguns. He was a man who believed in his principles, and he brought them with him to the Senate. Regardless of political party, he responded to those principles when the time came for such a response.

The series of events I went through with Senator CHAFEE which showed me the most about him was an earlier effort in a group called the Centrist Coalition. This had to do with developing a balanced Federal budget. It took place around, I guess, 4 years ago. We worked for a couple of years. There were 11 members on the Republican side, 11 on the Democratic side. Senator CHAFEE chaired the Republican portion; Senator BREAUX chaired the Democratic portion.

In meeting after meeting, I saw JOHN CHAFEE's span of knowledge across a whole host of budget items. The Centrist Coalition did, in fact, prepare a budget. We did, and with no hearings, put it on the floor of the Senate. And believe it or not, it got 46 votes. It came close to passing. Many of the major points in that centrist budget actually became part of the leadership understanding with the White House that effectively produced a balanced budget in this Nation. A lot of that diligence and pursuit, over a 2-year period of time, really is a hallmark of the way in which JOHN CHAFEE worked.

As a member of the Finance Committee, Senator CHAFEE worked to successfully expand health care coverage for women and children and to improve community services for people with disabilities.

In 1990, he spearheaded his conference's Health Care Task Force and became a prominent figure in the national health reform debate. He went on to lead a bipartisan effort, as has been spoken of on the floor earlier, to craft a comprehensive health care reform proposal in 1994.

He was also an adamant supporter of a woman's right to choose. He opposed the gag rule, which prohibited doctors at federally funded clinics from discussing family planning and abortion services with their patients.

I think Senator REID, and also the distinguished Senator from Montana, mentioned his service in the Marine Corps in World War II. From talking to JOHN CHAFEE on the floor of the Senate, it was hard to see him as a robust marine at Guadalcanal. But one of the things I have learned in my life is sometimes people you least suspect are the first ones to jump in the river to save a drowning person. I rather suspect that was JOHN CHAFEE, that just

as he was a Senator's Senator, he could be a hero's hero. So he left behind him a very distinguished military reputation, in which I hope his wife and family will always take great pride.

JOHN CHAFEE, to me, was a giant in this body. His civility, his manners, his intelligence, his ethics, his credibility were never in challenge by any member of either of our two great parties. As such, I believe he leaves an indisputable legacy.

I thank the Chair.

(The remarks of Mrs. FEINSTEIN pertaining to the introduction of S. 1774 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. FEINSTEIN. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I have been sitting this morning and listening intently to all the comments that have been made about our very close friend, JOHN CHAFEE. I do not have a prepared statement, but I do have some thoughts I think I want to share.

It happens that this weekend, at the time that this happened, I was on the U.S.S. *Eisenhower*, where they were doing F-18 and F-14 maneuvers and trying to figure out how to get trained for something that is coming up in their deployment to both the Mediterranean and the Persian Gulf. So we were talking with some of the military types about JOHN CHAFEE. And about JOHN you hear all these things. I have been listening this morning about how he was such a great guy. But people forget what a hero he was during the Second World War, and then again in the Korean war.

In fact, I got on his committee when I was first elected, coming from the House to the Senate in 1994. There is a tradition that JOHN, every February, would have his new members, along with all the other members of his committee, for dinner. It was a very festive occasion.

I used to look forward to going to that dinner and not saying anything but sitting quietly and listening to the war stories told by JOHN WARNER and JOHN CHAFEE. You could sit there and relive the whole Second World War in a way you will never read about.

When you think of him and the image that he has today, and the image of him that we have been exposed to in the recent years, you do not think of him as being the type of person who would be a war hero. But he was. He was. And every time he told his war stories, it always came back to talking about the love he had for America, what America meant to him, the reason it has to stay strong.

I think it is interesting, because you hear a lot about his political philosophy, and some of the things he stands for are not consistent with standing for a strong national defense, yet he did. He was very unique in that respect.

I listened to the Senator from California, Mrs. FEINSTEIN. She did such a great job of describing this very gentle person. The Senator said in her comments, I believe three times, that he was a giant, and that she knew JOHN was a giant, and she could look at him and see the things he did that nobody else could do—that he was a giant.

One of the things that is interesting in listening to those who have been saying such eloquent things about JOHN is they are talking about what his stand was on different issues. As a conservative, who disagreed with most of the issues they talked about, I still had a love and reverence and respect for JOHN CHAFEE that is every bit as much or more than some of the others.

I think it is kind of an interesting thing: you look at a guy who does not vote the way you vote on things, and yet every time he would say something about the various issues Senator FEINSTEIN talked about, I would stop and think it over: This is JOHN, so maybe I need to be listening a little bit more. I think he had a greater impact on people who disagreed with him than he did on people who agreed with him.

I appreciate MAX BAUCUS and the things he said. He has served for some time as the ranking member of the Environment and Public Works Committee, a very significant committee and one that is handling things that affect us in our everyday lives. And when he talked about JOHN's unquestionable integrity, I cannot build on that. That is true. That is JOHN. Senator REID also talked about what a giant he was.

I would only add, that of all the characteristics JOHN had, the word that comes to my mind is love. You had to love JOHN CHAFEE. A lot of people don't like me, certainly a lot of them don't love me, but I think of JOHN CHAFEE and say: Who couldn't love JOHN CHAFEE? I feel so rich that I have had the honor of serving with him and being close to him.

This morning when Kay, my wife, and I were talking about JOHN, she recalled her last conversation with Ginny was during our February dinner, the very eloquent dinner he has had every 2 years that he hosted at, I believe, the Metropolitan Club. Kay had been talking to Ginny for a long time. Their subject, Kay told me this morning, was he had already announced 3 days before that dinner that he was going to retire from the Senate after all these years. Ginny was talking about how they were looking forward to their traveling and all the things they were going to do.

Now Ginny is left with 5 beautiful children and 12 grandchildren. I remember how proud JOHN was when he talked about his son, Lincoln, who is running for his seat. So JOHN was a family man. He loved his kids and loved his grandkids. Maybe that is what we all had in common. But this place will not be the same without JOHN CHAFEE. JOHN CHAFEE was the lovable giant.

I yield back, Mr. President, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. THOMAS. Mr. President, several speakers were intending to be here to talk in morning business. With the untimely death of our friend JOHN CHAFEE, I think this time is going to be reserved for Members who wish to talk about the Senator and his life. I would like to do that for a moment.

I have had the opportunity, for my time in the Congress, to serve with JOHN CHAFEE on the committee of which he has been chair. I had the opportunity to become acquainted with certainly one of the most outstanding Senators who has ever been in the Senate. I will not go back over all the things our friends have already said. But each of us, I suppose, has a little different memory, a little different feeling.

JOHN CHAFEE certainly epitomized the meaning of public service, from leaving college and going into the Marine Corps in World War II, to serving again in Korea, to serving his State as a legislator, as Governor, serving the country as Secretary of the Navy, and serving four terms in the Senate, devoting his life to public service and doing it in such a way that he will always be remembered.

Senator CHAFEE was dedicated, of course, to this country. He cherished freedom and risked his life and sacrificed for the freedom you and I enjoy. So it is hard to lose a friend of that kind.

JOHN CHAFEE and I didn't always agree on the issues. He came from quite a different world than I—he was from Rhode Island, and I am from Wyoming—in terms of many of the issues, but we were always able to talk about them.

JOHN CHAFEE came to Wyoming at my request to take a look at endangered species, and he drove out into the wilderness to look. He rode around a ranch. He and a friend of mine got in a pickup, and he looked at a different world than he was accustomed to—because of his service, because of his friendship. So, certainly, no one personifies more that feeling. Nobody was more gentlemanly and more friendly than JOHN CHAFEE.

In terms of service on this floor and in terms of cooperation, we worked through a number of things, such as highway bills, endangered species bills, and EPA things, which are contentious. But JOHN CHAFEE would always listen. JOHN had wisdom to share and was willing to share it.

So I am sure we all feel the tremendous loss of this Senate leader, one of the best in America. I am sure many of

us will come to the floor to share their views and feelings. Senator CHAFEE represented the best of this country in many ways. His leadership, statesmanship, and abilities will be sorely missed, not only in Rhode Island but nationally. We all send our very best and our prayers to his family.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. VOINOVICH). The clerk will call the roll. The legislative assistant proceeded to call the roll.

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

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

Mr. ALLARD. Mr. President, I come to the floor of the Senate today to recognize the passing of a colleague and a very dear friend, Senator JOHN CHAFEE of Rhode Island, and to express my condolences to his lovely wife Virginia and their family.

I was just elected to the Senate in 1996 and found I had the opportunity to serve on two committees with Senator CHAFEE. He continued to serve as chairman of the Committee on Environment and Public Works, and I also served with him on the Intelligence Committee.

I will take a moment here to recognize my good friend's accomplishments in life and how much I appreciated serving with him in the Senate. He was truly a remarkable individual. He graduated from Yale and then got a law degree from Harvard in 1950. He served in the Marine Corps as well as being Secretary of the Navy. He was a patriot, a hero, serving this country's interests in World War II and Korea.

My wife and I had an opportunity to join him and Virginia at a dinner when I was just elected to the Senate and had just joined his committee. I think it was Senator INHOFE who said he traditionally held dinners for new members of his committee. I got an opportunity to visit with him about some of his experiences, and he was a delight to visit with, as was his wife Virginia. We had a great time that evening.

Senator CHAFEE worked hard on Social Security issues. He was a leader on health care. In fact, he worked in the subcommittees on both of those issues in Finance, and then as chairman of the Environment and Public Works Committee. I found he was extremely fair and encouraging, somebody who could work with Republicans and Democrats.

Even though I disagreed with him, as I found myself at times disagreeing with him because I did represent a Western State with some different views, particularly in regard to water, in committee he always gave me a fair chance. He gave me an opportunity to express my views and to represent the citizens of Colorado. I really did appreciate him for his fairness.

He did a lot to help me be effective in that committee. He made sure, wherever possible, if he could work with me

on environmental issues that were important to Colorado, he did that.

I had an opportunity, which I took, to move from that committee to Armed Services. Even though I did not continue to serve on the Environment and Public Works Committee with him, he continued to be helpful and whenever I had environmental concerns I brought them to his committee. I appreciated his commitment to being a team player and helping everybody in the Senate.

JOHN was a great person; he was a nice person; he was a helpful person. I will continue to remember his dedication.

Just to show how he grew on you, I like to look at his achievements in elected office. He ran for Governor in 1962 and was elected by a mere 398 votes. Then in 1964 and 1966, 2 years and 4 years after he originally ran for Governor, he won both times by the largest margins in that State's history. Not only did he grow on those who knew him personally, but in his public service he grew on those whom he represented. In fact, when he was elected, he became the only Republican to be elected to the Senate from Rhode Island in the past 68 years, and he served 4 terms in that capacity.

He was, indeed, a public servant, somebody who worked hard on environmental issues. At times I found I could agree with him, and I recognized his efforts on conservation and open space preservation. I also recognized his dedication and work on the Intelligence Committee. The Intelligence Committee is one of those committees where much of what we do is not shared with the public. I want the public to know today, Senator JOHN CHAFEE was a valuable resource on that committee, considering his experience in World War II, his experience in Korea, and having been Secretary of Navy.

I will always remember Senator CHAFEE as a friend. I want his family to know my wife Joan and I will miss him.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. JEFFORDS. Mr. President, I am here today with a saddened heart at the passage of probably my best friend in the Senate, and the House.

It is not often we get to be close to someone in this body. Oftentimes, we have friendships, but they are not personal friendships. This was a personal one to me—starting from the time I first knew him in the House. When I came to this body in 1989, I was appointed to his committee, as I took the place of Senator Stafford from

Vermont. And thus, I got to know JOHN immediately and found there was little, if anything, on which we ever disagreed.

His leadership on difficult decisions was without parallel to those I have known in this body. He was one of our greatest heroes in this Nation. I know others have exalted his wartime service at Guadalcanal as a marine.

Also, I remember having met him when he was Secretary of the Navy. I was in the Navy at the time. So my memories go back a long time.

But my friendship was mainly based upon JOHN's tremendous personality and his dedication to work and his ability to get things done. He was a man of courage on the battlefield and in the political arena. I do not know anyone who did not like and respect JOHN CHAFEE.

When I first came to the Senate in 1989, I served on the Environment and Public Works Committee with JOHN as my ranking member. He took me under his wing and helped guide me in the big shoes I had to fill in the wake of Bob Stafford, as I mentioned.

We had many trying problems at that time. We had the reauthorization of the Transportation Act. But the most memorable experiences I had dealt with the Clean Air Act, and not only in the committee but also having been appointed, along with him, by the then-majority leader, George Mitchell of Maine, to be on the Clean Air Task Force.

As one can remember, that was one of the most contentious pieces of legislation with which we have ever dealt. It took the holding of hands and nursing each other along to make sure we could get the votes necessary to pass that very controversial act. That placed me in even greater awe of JOHN's capacity to lead and to be listened to.

I also recall in 1995 and 1996 meeting day in and day out in JOHN's office to develop a centrist health care package. We spent a year as JOHN toiled trying to pull together a middle ground on a health care package. JOHN's work to do that was well recognized. Although it never came to fruition at that time, it did give an alternative to the plan which had come from the White House and did give us all something to work on to try to develop a health care package that would serve this Nation. Although it did not work then, and did not work more recently, it was tried from the center, and it did give to us many thoughts and approaches which have been adopted in the health care package which did pass this body.

JOHN's work to preserve the environment, especially for New England, to me, again, showed he was a leader.

JOHN and I ate lunch together every Wednesday for the last 10 years, along with some others, especially from New England, and also ARLEN SPECTER. But we always discussed the matters of policy on which we would have agreement.

Also, I spent several evenings with JOHN at dinner, when he would say, hey, let's go down to the Metropolitan Club, or elsewhere, and have dinner together. Those were also memorable moments in my life, as we had many things to discuss; but it was as much about ourselves and our families as it was about the great problems of the Nation.

JOHN CHAFEE represented the State of Rhode Island with distinction and represented what was best about this institution. My thoughts and prayers go out to his wife, Ginny, and their 5 children and 12 grandchildren, and also to his wonderful staff, who I have gotten to know over the years, who have most capably served him.

JOHN's memory also goes to the time he came and campaigned for me in my State, and all the other times we had a chance to work together. Most, I remember that if I ever had a question on how to vote or I came in at the last minute and did not know what the issue was—I hate to admit to that—I would first look to see how JOHN voted. I knew, if nothing else, if I voted as he did, I probably would not get in trouble. I suppose we all have moments similar to that that we don't talk about politically, but when you have that kind of an individual whom you can count on to give you the right direction, it is very important here, especially on some of the tough issues we have where those of us who are called moderates have to cast votes at times where we don't get friends on either side of the aisle.

I also want to speak out to JOHN's staff. I know how sad and tremendously burdened they now feel at his passing. But if it was not for his staff and their tremendous capacity, I know JOHN could not have accomplished the things he did as a Senator. They will miss him deeply, but so will I and so will the other Members who got to know him and his staff well over the course of time.

I know all of us are sad today. I am getting to the point where I better quit.

Mr. President, I yield the floor  
The PRESIDING OFFICER. The Chair, in his capacity as a Senator from the State of Ohio, suggests the absence of a quorum.

The clerk will call the roll.

The legislative assistant proceeded to call the roll.

The PRESIDING OFFICER. Acting in my capacity as a Senator from Ohio, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

#### RECESS

The PRESIDING OFFICER. In my capacity as a Senator from Ohio, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 2:08 p.m., recessed subject to the call of the Chair.

The Senate reassembled at 2:08 p.m., when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. The Senator from New Mexico.

#### IN HONOR OF SENATOR JOHN CHAFEE

Mr. DOMENICI. Mr. President, I rise today for a few words about Senator JOHN CHAFEE, our wonderful friend who left us early this morning.

I happened to be privileged to know both he and his wife Virginia very well. My heart goes out to her today. I have not been able to contact her because it is pretty difficult. The phone lines are busy, and she is busy. But my wife Nancy and I extend our sympathies and hope we will see her very soon.

As I think about JOHN CHAFEE, I see this mild-mannered person; but then I read about him, and there is a great paradox. If you look at what he did as a patriot, he was a great war hero. He served with the U.S. Marines in Iwo Jima, a very gruesome life experience. Clearly, he had to do some things that aren't so consistent with what we see in a very mild-mannered person.

Believe it or not, after law school at Harvard, he volunteered and went a second time. He went to Korea. Then you would think such a talented man would probably want to be in the front office with generals and admirals. But he was head of a rifle team on the ground. That was JOHN CHAFEE. Yet you could hear him regularly, when he made decisions on foreign affairs issues, talk about our country in a way that you absolutely were sure you knew where his heart, conscience, and mind were. It went way beyond that.

So if anybody were striving to match him, they would have to take a look at the next one, which is his fantastic public service. We all knew him in his last public service career. But many people knew him in the earlier stages, when he was a representative and head of the minority party in the House of Representatives in his State and Governor twice.

I remember vividly when I was elected to the Senate 26 years ago, there were four Senators on the Republican ticket across America who were expected to win. I remember getting a visit in my State then from Richard Nixon, and he had gone to Rhode Island, which was where JOHN CHAFEE was running, who had been Secretary of the Navy and was supposed to be elected; Senator Bartlett of Oklahoma; Senator McClure of Idaho; and myself. He lost.

So he was 2 years younger than I am. It took 2 years for them to realize it, but then they finally elected him. He was here ever since. I can quickly state the legacy I see after all these years, as can others who have been here 10, 15, 20 years. He had such a variety of things he did that I am not sure the two things for which I know him best will be his true legacy; maybe both will be.

Senator CHAFEE followed in the footsteps of great environmental Senators such as Ed Muskie when he became chair, on our side, of the Environment and Public Works Committee. I do believe, even though most of the legislation for clean air, water, and the like had already been accomplished before he went on, at least the policies were in place, as the occupant of the Chair readily knows in his distinguished career. He quickly became known as a real environmentalist who understood and was practical yet stern in his beliefs. When it came to clean air and clean water, pollution in general, and certainly conservation of open space, there was no peer during his years as chairman and even before that.

Everybody will get up and speak, I am sure, about his distinguished efforts on the health care side. He happened to be on the Finance Committee. When you say the Committee on Finance in the Senate, many people don't think of health care, but they have a lot of health care jurisdiction, including Medicare, Medicaid, and all the tax laws as they relate to health care. There was no stronger advocate for getting more people covered in health care than JOHN CHAFEE and no stronger advocate for the health of our children and the need to make sure we were taking every precaution in getting health care to our children and passing laws that would get it there. He was truly a staunch advocate for healthy Americans and Americans having a better chance to be healthy, to get cured when they are sick, and taken care of when they are sick.

I am sure there are other things he has done of which I am not aware. But if we got a chance to look at his record, it would be mentioned. There will be plenty of opportunity. I thought if I found the Senate open, I would drop by and say thank you, Senator CHAFEE, and thank you to his family for all they did for our country and for the Senate; thanks to his wonderful wife for all the sacrifices she and their wonderful family have made.

I hope, again, we will get to see that family during the next 2 or 3 days. I hope the Senate will honor him appropriately. I hope we take time off and go to his funeral. I am not in charge, but I hope we do that. I think we ought to do that, wherever it is. Whatever we are doing, we ought to take time off. That is just what we ought to do for a real Senator and a real friend.

I yield the floor.

#### RECESS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senate now stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 2:14 p.m., recessed subject to the call of the Chair; whereupon, at 3 p.m., the Senate reassembled when called to order by the Presiding Officer (Ms. COLLINS).

The PRESIDING OFFICER. The Senator from Delaware is recognized.

IN HONOR OF SENATOR JOHN CHAFEE

Mr. ROTH. Madam President, today is a sad day for America; today is a sad day for the Senate, for Rhode Island, but especially for JOHN CHAFEE's family.

Senator CHAFEE was, indeed, a remarkable man and a good friend. Our thoughts and prayers are with his family—his wife Ginny and five children—as they pass through this most difficult time.

I believe it can be said without hesitation that few individuals have served America with the distinction that JOHN CHAFEE exhibited in his many years of public service. From his active duty in the Marine Corps—where he saw action in both the Second World War and Korea—to his early years as a member of the Rhode Island House of Representatives, to his years as Governor and his work as Secretary of the Navy, to, of course, his 23 years of service in the Senate, JOHN's patriotism was beyond philosophical; it was pragmatic and it was concrete.

He had a keen sense of duty—a profound sense of responsibility. As a Senator, he knew his constituents, and he served them with such devotion that he was elected in 1976 and returned to Washington four times, despite the fact that he was a Republican in an overwhelmingly Democratic State. Much of his effectiveness was in his ability to find bipartisan cooperation, and to stand fast on issues that were important to the individuals and families he represented. Among these issues was a deep concern for the environment and for quality and affordable health care.

He was a tireless advocate of the underprivileged and a strong proponent of American leadership and economic opportunity. I understand how important these issues were to JOHN—not only because we served for so many years as colleagues and friends on the Senate Finance Committee—but because, like JOHN, I represent a small coastal State in the Northeast, much like you, Madam President. Many of the issues and concerns we faced were the same. In fact, one of the truly great honors I have received as a Senator is to be given the Ansel Adams Award by the Wilderness Society. It is the highest award that prestigious organization gives out, and there are only two Republican Senators who have ever received it. And I must say that it was awarded to JOHN first—2 or 3 years before me.

Madam President, along with you and all our colleagues, I am saddened by his death. But I am grateful for the time we spent together; I am grateful for his leadership and example; and I am grateful for his supportive family. Along with all my colleagues, I express my condolences to them as well as my most profound gratitude for sharing Senator CHAFEE with America.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. NICKLES. Madam President, I, like countless Americans, am very saddened over the news that JOHN CHAFEE is no longer with us. The news of his death was a shock to me. I was with Senator CHAFEE just last week. I teased Senator CHAFEE about the fact that he was using a wheelchair, and I was accusing him of doing wheelies and racing down the aisles. He spent at least an hour with many of us in the Finance Committee discussing a number of issues, including health care, which was one of the issues in which he was most interested and of which he was a real champion for all Americans. This is a loss for so many, because of his great service to this country.

JOHN CHAFEE spent 23 years in the Senate. He was concluding his fourth term as a U.S. Senator. He had a very exceptional Senate career that encompassed many areas. He was a leader in education, health care, the Environment and Public Works Committee, of which he was chairman, dealing with issues such as clean air and clean water, and reauthorization of many very vital programs.

His service was not only limited to the Senate, however. In addition to his 23 years in the Senate, he served 6 years as Governor of Rhode Island. He also had about 7 years as a marine. He fought in both World War II and in the Korean war. He fought in the Battle of Guadalcanal.

I remember when I was on a trip speaking with leaders in Korea, and I wanted to learn more about the Korean war. They suggested I read a book. I believe the name of the book was "This Kind of War." It is a very thick book. I read it with great interest, and I read about Capt. JOHN CHAFEE, who was a hero during the Korean war. That was something he never mentioned. If you wanted to find out he was a hero, you had to talk to somebody else.

If you go all the way back to his service as a marine officer in World War II and the Korean war, his service in Rhode Island in the State legislature and as Governor, and his 23 years in the Senate, it has been a record of exemplary service. I think it is a total of 44 years of public service, not counting his 7 or 8 years as a marine. In over 50 years of public service, JOHN CHAFEE has dedicated his life to serving his State and his Nation. What great service, what great sacrifice he has made for our country.

I also was pleased to get to know him fairly personally. JOHN and his wife Ginny were married 49 years. What a wonderful, beautiful example. I knew

him also as a wrestler. He was inducted into the National Wrestling Hall of Fame, which is quite an honor. Not many people know that he was captain of the Yale wrestling team and undefeated in his wrestling career prior to the war. That is pretty special; that is not an easy accomplishment. It shows that he had a certain amount of toughness and will.

He was always willing to compromise and always willing to negotiate, but he was tough, he was sincere, he was energetic, he was a tireless campaigner and a tireless worker. He was a very dedicated individual.

JOHN CHAFEE is going to be missed in the Senate. His State will surely miss him to. They have so much for which to be grateful, to have had him as their leader, one of the real valued leaders, both as Governor and Senator, as a captain in the Marines, and as a fantastic colleague, devoted husband for 49 years, father of John, Jr., Lincoln, Zechariah, Quentin, and his daughter Georgia—five wonderful kids who, I know, are very proud of their father.

I know JOHN was very proud of his children. I was with Senator CHAFEE and his son "Linc" last week at a campaign event. You could sense, when Senator CHAFEE was introducing his son, the love and the bond they had between them. It was a wonderful thing to behold.

I have a special comment about Senator CHAFEE and his wife Ginny. I have had the pleasure of knowing them for my 19 years in the Senate. I have been in their home—a wonderful, beautiful, loving couple. I just want Ginny to know that our thoughts are with her and with her children. We want them to know we share their loss and they are very much in our thoughts and our prayers. I want them to know what a great honor it has been for me personally, and I think for all Senators, to have the privilege and pleasure of serving with JOHN CHAFEE in the Senate. He will be missed in Rhode Island, and he will be missed throughout the country.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. WYDEN. Madam President, in this era of partisanship, harsh sound bites and bitter politics, JOHN CHAFEE wanted to have none of that. He was, in my view, the gold standard as far as public service is concerned. He wasn't full of himself, always humble and low key, always bipartisan.

I especially admired that he was always standing up for people without power and without clout. I think of all the times over the years I had a chance to serve with him—close to 20 years—

that JOHN CHAFEE stood up for children, stood up for the disabled, stood up for folks who are always falling between the cracks in the health care system, people who never had a voice.

Reflecting on his background—a family of means, Ivy League education—one would not think a person with those roots would be there for the kind of causes and the kind of people JOHN CHAFEE was for again and again during these years in public service.

His contributions are going to be documented in many areas but especially in the areas of health care and the environment. We all ought to take some time and reflect on what JOHN CHAFEE contributed to our country. His fingerprints are on every hallmark piece of environmental legislation, going through two decades, in terms of clean air and clean water.

JOHN CHAFEE, in his low-key, dignified way, always made it clear we should push to do better. In debates where various interest groups said, it isn't possible, Mr. Chairman, to get as far as you would like; we can't do it without wrecking the economy, JOHN CHAFEE would always point out time and time again when we pushed ourselves we could make these huge strides in terms of cleaning up the environment.

One of the measures of an individual and an individual's work on Capitol Hill is what his staff thinks of him. I don't know of any staff on either the House or the Senate side who stayed with a Member of Congress longer than JOHN CHAFEE. Those were the most loyal people in Washington. It was because they were working for an individual who they knew was in public service for only honorable reasons.

I hope in the days ahead we think about what JOHN CHAFEE contributed, think about his approach to solving problems, always trying to find the common ground, always trying to bring people together in a bipartisan way for the kind of government people have a right to expect in the 21st century. That is the kind of government Americans believe will help solve the intractable challenges of the day.

I hope when the rhetoric next gets a bit shrill in this body—it happens from time to time—we remember that great Senator who sat just a few feet from the dividing line between Democrats and Republicans in this Chamber, and that all Members remember JOHN CHAFEE's contributions which were so extraordinary in areas including health and the environment but were especially significant because of the way he brought Members together.

Personally, I was involved in half a dozen conferences where tempers got short and late at night everybody was ready to throw in the towel and wrap it up for the day. JOHN CHAFEE would have put in longer hours than anybody and he would keep people at it, trying to almost breed that kind of good will and bipartisanship that were his trademark.

This is a sad day for our country. It is a sad day for the Senate. I hope all Members remember that very special JOHN CHAFEE style in the days ahead. That will be the Senate at its very best.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, I listened to the comments by my colleague from Oregon, Senator WYDEN, and he expresses, as do all Members of the Senate, our profound sadness over the death of our friend and our colleague, Senator JOHN CHAFEE from Rhode Island.

Senator CHAFEE was one of a kind. The 100 Members of the Senate, men and women who come from across the country, work hard and fight hard and get involved in a lot of public debate about some very controversial issues. We all have very different styles and different ways of approaching all of these issues, and JOHN's was unique.

Senator CHAFEE was in the Senate for a long while. He had achievements that will last forever. He was quite a remarkable Senator. He was, as the Senator from Oregon indicated, about as bipartisan a Senator as there was in this Chamber. He cared about results. He cared deeply about a wide range of public policy, including children, the environment, and so many other areas.

I used to visit with JOHN a lot about his grandchildren. JOHN CHAFEE's grandchildren played soccer with my children. The way to bring a gleam to Senator CHAFEE's eye was to go over to the area of the Chamber where he sat and talk about his granddaughter Tribbe and her soccer exploits. He so dearly loved those grandchildren and was so proud of them.

Senator CHAFEE was a war hero. He was a graduate of Yale University and Harvard Law School. Most important, he served this country in a very distinguished way. As proud as I have been to be able to serve in the Senate, one of the extraordinary opportunities to serve here is to be able to work with people such as the late Senator JOHN CHAFEE. I add my voice to those of so many other colleagues who come here today to say the Senate has lost truly a great Senator. I know all of us grieve with his family and loved ones and so many Americans across this country today.

Senator CHAFEE worked right through last week. Towards the end of last week, I asked Senator CHAFEE how he was feeling because he obviously was experiencing some difficult health challenges. But as was always the case, last week when I asked him how he was feeling he said, "Oh, fine," because he was not someone ever to complain. They say hard work spotlights the character of people. Some turn up their sleeves, some turn up their nose, and some don't turn up at all.

When people think of Senator JOHN CHAFEE, they will always remember a unique Senator who always turned up

his sleeves and said let's get to work together. The result of that is a legacy of accomplishment in the Senate in so many areas: The children's health insurance grant program; the CARE Independence Act; extending Medicare coverage to poor women, children, and disabled individuals; LIHEAP—so many areas. As the chairman of the Environment and Public Works Committee, he was probably the leading voice in this country in crafting the Clean Air Act of 1990 which strengthened the pollution emission standards; the Safe Drinking Water Act—so many different areas of accomplishment.

But most of us in the Senate who had the privilege of working with him will not remember him so much for his accomplishments as we will his capacity as a human being. He was a colleague and friend. We will miss him dearly. I join with my colleagues today to say that. His daughter Georgia and son-in-law John have been dear friends for many years. I talked to his daughter today. She indicated, again, how proud she was of her father and how strongly she feels about the expression of sentiment today from Members of the Senate about her father and her father's work. We will all miss him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Madam President, it is with great sadness that I come to the floor today to speak about JOHN CHAFEE. I first met Senator CHAFEE standing in line to register for Harvard Law School in 1947. We had both returned from World War II and completed college and were freshmen in law school that year.

When you met JOHN CHAFEE in those days, you knew you were meeting a man. He was really an extraordinary man, very capable physically and mentally. I remember kidding him a little bit that he was going to have a tough time in one of our first classes because his uncle was the professor. His uncle, Zechariah Chafee, was one of the great professors of Harvard Law School in those days.

But JOHN CHAFEE finished law school, and then he went back to war. He went to Korea. He really never gave up his commitment as a patriot to this country because he then became the Secretary of the Navy under President Nixon. I think he served with great distinction here as one who had knowledge of what it means to have been in a war and was trying to assure peace.

He served with great distinction, as others have mentioned here today, on various committees of the Senate. It was not my privilege ever to serve with JOHN on one of the committees in the Senate; our paths were different. As a matter of fact, at times we disagreed. But I was chairman of the Senate Republican Campaign Committee the year he got elected.

He had a very distinguished record as Governor of Rhode Island, and he came to us with a unique approach, really, of

a very straight thinking man. He was not bound by partisan politics. He had a Republican philosophy, but he had a commitment to this country that was very deep and one from which I never saw him waiver. I never saw him waiver from something in which he believed. He really didn't care if he was the only person voting the way he decided was the best to vote for his constituents and his country.

I sat here last week and talked to him. He was, as we all know, then in a wheelchair. I was very surprised to see JOHN in a wheelchair, for just 2 weeks ago today we had gathered together here, after the Senate recessed, a group of some 60 of our Harvard classmates, to be with JOHN after he had made his decision not to run for reelection next year. It was sort of a preretirement party, you might say, with the people he had known and still knew very well from throughout the country. It was a great tribute to JOHN, again as a man, because our colleagues came from the west coast, Florida, all over the country, to be with him and Ginny at his first retirement party. Sadly, it was his last because by Friday, when I saw him on the subway, he was again in his wheelchair and was quite despondent about his health at the time. It was sad to see him in that condition, knowing what a vigorous man he was and a great friend.

The Senate has been much better off for having JOHN CHAFEE for so many years because he brought us such an extremely broad scope of opinion from his own experience in life. He was a graduate of Yale, and then he went to Harvard Law School. That didn't happen much in those days, but he decided he would pursue education where his family had a presence. I think his work in the Senate has been extremely significant because of his background in law and his background as a marine. I know those who served with him when he was Secretary of the Navy swore by him as one of the best.

It is sad to see the passing of another one from my generation. When I came here, I think 70 percent of the Senate had served in World War II. I don't know if I am counting right, but I think we are down to about 7 now—about 7 percent. We see in his passing, really, the beginning of the end of an era, of the generation that fought the last great world war. One of these days, I am going to have to write that book of the story that was written by our generation. I have not done that. But if there was any person who ever served in this body who was a great, shining example of that generation, it was JOHN CHAFEE.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Madam President, this is a sad day for the Senate. I know a number of Senators have spoken in memory of Senator CHAFEE. I must add I really feel a sincere sense of loss today, and I know the Senate feels that collectively because we truly have lost one of our finest Members.

JOHN CHAFEE was a person who was not afraid to say what he thought about any issue that would come before the Senate. He had, to use the cliché, the courage of his convictions. He had the courage to stand up and say what he thought should be said on any issue, without regard for how it would affect the way he would be viewed by Members of the Senate or by the general public, but simply he felt compelled to say what he thought because he thought it was right and should be said and that was why he was here: to express his views, to try to be an influence in the process, to try to shape policies and legislation in a way he thought would be helpful and for the good of the country.

I admired him considerably and respected him enormously. He was a person of unquestioned character and integrity in every sense you can say those words. He was someone we could all look up to because of those traits, and we will miss him very, very much.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DASCHLE. Madam President, there is a great sadness hanging over the Senate today. I come to the floor to share in our personal thoughts and recollections of a wonderful man. We have all lost a dear friend. JOHN CHAFEE was an extraordinary man, someone respected and loved and admired on both sides of the aisle. I think all of us are stunned and deeply saddened by this loss.

JOHN CHAFEE was one of the most reasonable and, increasingly, one of the most respected and important voices in the Senate. The fact that his voice has been silenced is a loss not only to the people of Rhode Island but to the people of our country.

He was a public servant in the fullest and finest sense. He was a soldier, a State representative, a Governor, a Secretary of the Navy, and a Senator.

There aren't many people who have served or who are serving who dedicated themselves more to public life and to public service and did so with such integrity, such conviction, as did JOHN CHAFEE. Few will leave a more significant legacy.

It has been noted on the floor that JOHN was an accomplished wrestler in high school. Whatever talents he had physically, intellectually JOHN continued to wrestle with ideas throughout his life. Ideas mattered to JOHN CHAFEE. He didn't care whether they were liberal or conservative ideas, Republican or Democratic ideas. He didn't care whether they were his ideas or someone else's. JOHN CHAFEE loved ideas and wrestled with them daily.

There was certainly nothing doctrinaire about him. He was a man of

deep political conviction and unusual political courage. It seems fitting that the last desk he occupied on the Senate floor was once used by another independent and equally principled voice: Senator Margaret Chase Smith.

His achievements in education, in the environment, on health care, on maritime issues, and for the people of Rhode Island will live on long after those of us who served with him are gone. As ranking member and as chairman of the Senate Environment and Public Works Committee, no one was more instrumental in passage of the major environmental legislation of the latter part of this century than was JOHN CHAFEE.

The clean air and water laws, the efforts he made on the construction of important public projects throughout America, were his ideas. They were his accomplishments. But it seems to me that of all of the bridges JOHN CHAFEE helped build, it wasn't a bridge across a river as much as it was the bridge that spanned political divisions that represents his greatest achievement.

JOHN CHAFEE knew how to build bridges. He built them here every day when he came to work. They spanned the divisions based on race and gender and ethnicity and income and generation and every other sort of arbitrary decision we all too often tend to make.

The blue-blooded son of a Rhode Island family, he was a man of uncommon gift and privilege. Yet he had such a common touch. He believed in the concept of noblesse oblige. He believed that to those to whom much is given, much is expected. And he kept that faith, that dictum.

In an interview with the New York Times in June of 1995, JOHN CHAFEE worried aloud about the possible effects of the cuts of Medicaid then being proposed. He said: There are not many lobbyists around here for poor children or poor women. Today, sadly, there is one less lobbyist in the Senate for poor women and children, one less leader, one less friend, one less advocate, one less giant.

It is right that we offer praise and admiration for JOHN CHAFEE today. He more than earned it. But it seems to me the best tribute we can offer our friend is to try to fill the considerable void he leaves now, to try, as he did, to build bridges instead of walls, to try a little harder to respect each other's opinions and see things from each other's perspective, to speak for the people and principles he championed so eloquently for more than 40 years as a public servant from the State of Rhode Island.

JOHN CHAFEE deserves at least that much from us. He was an extraordinary man. He was an extraordinary inspiration. Each of us can be proud to say we knew him and could call him our friend.

Our hearts and our prayers go out to Virginia and to all the Chafee children and grandchildren.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. I thank the Chair.

I wish to follow behind the distinguished minority leader, Senator DASCHLE, in his remarks about a great loss for the Senate and for our country; that is, the loss of the senior Senator from Rhode Island, JOHN CHAFEE. We have all lost a friend. We have lost a man of immense dignity, a man of immense courage.

I have had the privilege of serving in this body for almost 3 years. One of the individuals with whom I became acquainted early was Senator CHAFEE. As our friendship developed, he and I would talk about his service in World War II in the South Pacific, where it happens that my father served at the same time, same places, Guadalcanal, Philippines, Solomon Islands, Australia. My father served in the Army Air Force; JOHN CHAFEE served as a marine. CHAFEE never penalized my father for less service, being in the Army Air Force. If my father were alive today, he would be very proud of the friendship I established with JOHN CHAFEE. In fact, my father died when I was 16 years old. My father was just a day younger than JOHN CHAFEE.

We don't often have an opportunity to get to know our colleagues in intimate ways, in ways that show the younger Senators what has developed this amazing Senator, a Senator's Senator, but as you spend time with your colleagues, you appreciate how they were molded, how they were shaped, and why they had, in the case of JOHN CHAFEE, such an immense capacity to serve—as has been noted this afternoon, the illustrious career of this magnificent individual.

Let me share for a moment a couple of personal stories. When Senator CHAFEE and I were in Kyoto, Japan, in December of 1997, we were on the opposite sides of that issue. He used to say to me: HAGEL, you're a bright boy. One of these days you will understand what I am trying to teach you about the environment.

So after 4 days at Kyoto, I said to Senator CHAFEE: Why don't I take you to China. Senator CHAFEE had been to China a number of times, as I had been. So we went to China for 5 days, and I took him deep inside China where he had never been. We spent some time at fertilizer plants. On one occasion we were out in the field with a farmer in China, and he took a picture of me. Then he had a picture taken of both of us around a two-wheeled garden tiller. He had that picture framed when we came back to the United States, and he inscribed it and sent it to my office. It still hangs in my conference room. It says: To my friend, CHUCK HAGEL, just another typical day out on the Nebraska prairie with a Nebraska tractor. Signed, your friend, JOHN CHAFEE.

I am very proud of that picture, which will hang, as long as I am in the Senate, in my conference room. And whenever I leave this great institution,

I will take that photo with me. I think he was always a little amazed that I was able to get us in to see the Premier of China during that trip. He asked me that night, after we were having dinner, how I did that. I said I used his name. He was quite astonished that his name would have that much appeal to the Chinese but actually the Chinese knew all about Senator CHAFEE.

It is rare that an individual leaves an institution so much better than he found it, as JOHN CHAFEE leaves the Senate; it is rare that an individual leaves the world so much better than he found it, as did JOHN CHAFEE. We shall miss him for his counsel, his wit, his friendship, but we will probably miss him most because he always elevated the debate. He did it with eloquence, elegance, and dignity.

As an old army sergeant, I sign off to a Secretary of the Navy, and I do so with great pride and great humility, knowing that we are all better off because JOHN CHAFEE touched us. We salute you, Secretary CHAFEE.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota, Mr. WELLSTONE, is recognized.

Mr. WELLSTONE. Madam President, I found out this morning, as many other Senators, that Senator CHAFEE passed away. I see the beautiful flowers on his desk. I have been in the Senate now for 9 years, and while I did not know Senator CHAFEE as well as some Senators here, I admired him. I think he was tough in debate. He had positions that he took on issues, but he was substantive. In a way, I think he was a model of what we are about because he was interested in the debate on the issues. He was always a civil, warm, good person.

Sheila and I were talking to support staff today and they were saying what a nice man Senator CHAFEE was. That is what they said, that he was such a nice man. I think Senator JOHN CHAFEE was a kind, decent, caring human being. He was a great Senator with a highly developed sense of public service for Rhode Island and for the country. I know we are going to miss him and the country is going to miss him. I want to extend my love, as a Senator from Minnesota, to Senator CHAFEE's family and to the people of Rhode Island.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina, Mr. THURMOND, is recognized.

Mr. THURMOND. Mr. President, I am deeply saddened to have to note the unexpected passing of our friend and colleague, Senator JOHN CHAFEE of Rhode Island.

I doubt that anyone expected that this week would begin by learning that Senator CHAFEE had been felled by a heart attack last evening. He was a man of relatively young age, great vigor and vitality. He was in his last year of a distinguished Senate career of almost twenty-five years, and I know he was looking forward to returning to

Rhode Island to enjoy life with family and friends in what is a beautiful, coastal state.

Senator CHAFEE was a proud New Englander, and he exhibited many of the fabled characteristics of those who live in the northeastern region of our nation. He was a thoughtful man, as was demonstrated by both his consideration for others, as well as the careful examination he would give to the issues put before him. JOHN CHAFEE marched in lockstep with no one, he was guided by his principles and beliefs and by a firm conviction of what was right and wrong.

Though most of us knew JOHN CHAFEE from his tenure in the United States Senate, he was already a committed public servant long before he was elected to this chamber in 1976. As a United States Marine, he risked his life in two conflicts, World War II and Korea, and like so many of his generation, JOHN sought to make a difference through public service. He held office as a member of the Rhode Island House of Representatives, as Governor of Rhode Island, and as Secretary of the Navy under President Richard M. Nixon. Unquestionably, the experience he gained throughout his career was most beneficial to him as a United States Senator, for he always demonstrated a mastery and depth of issues that was almost unparalleled. Furthermore, JOHN was a gentleman, and no matter how heated the debate, one could always count on him to weigh-in with what was a considered opinion; and, more often than not, was one that reflected that famous common sense approach for which New Englanders are renown.

Through his work, Senator CHAFEE leaves an impressive legacy of legislation, and his contributions to this body and the United States will not soon be forgotten. For his wife Virginia, daughter Georgia, and sons John, Jr., Lincoln, Quentin, and Zechariah, he leaves an even more important and valuable legacy, that of a loving and devoted husband and father. We mourn for the loss the Chafees suffered, we mourn for the loss of our colleague, we mourn for the loss of a good friend and a good man.

The PRESIDING OFFICER. The Senator from Virginia, Mr. WARNER, is recognized.

Mr. WARNER. Madam President, 30 years ago this fall, I met JOHN CHAFEE. President Nixon had just been elected and he had appointed Secretary of Defense Melvin Laird. I aspired to be the Secretary of the Navy. Laird called me to his office and he said, "I want you to meet a very special person." Now, mind you, I had been closely associated with then-Vice President Nixon and worked on his campaign. Senator CHAFEE had been very closely associated to Governor Nelson Rockefeller. There was a little bit of a difference between Vice President Nixon and Nelson Rockefeller. I felt that I should be the Secretary of the Navy because CHAFEE

hadn't been quite the supporter that I had been for these many years. But Laird said to me, "I am going to introduce you to a man that you will respect, work for, and end up loving." I will never forget that. And so late in November, the two of us were informed, and he became Secretary of the Navy and I became his Under Secretary.

We served under Melvin Laird for 3 years of the most difficult period of the war in Vietnam. Unlike myself, with very modest military service in the closing days of World War II and again in Korea, JOHN CHAFEE had been a rifleman at Guadalcanal. Those of us who had been privileged to wear marine green in the generation of the World War II era we knew full well that those who had served on the canal had seen the roughest of the fighting. It was referred to as the "old breed." Those who came in later years were never quite the same as the old breed.

In the many years that I had been with JOHN CHAFEE, very closely associated, I never was able to get out of him all the facts—to this day—about his service in Guadalcanal. One day just a few weeks ago, we were walking down the hall. I can't remember exactly the occasion, but we saw a Marine general who had medals from up on the shoulder all the way down to his waist. I said: JOHN, that is different than the old days, where occasionally a decoration was given in the Corps. It must be different today. He said, "Yes."

I said to him: Did you ever get a decoration besides the Purple Heart? He said: No; didn't deserve it; didn't get it. Mind you, he served on Okinawa, on Guadalcanal, survived, got malaria, went to Australia, recovered, was picked to go to officer candidate school, and served in officer candidate school. He became a platoon leader on Okinawa. He survived the kamikaze attacks going in, and the fighting in that battle was as rough as any of them. The Japanese knew they had their backs against the wall. It was very tenacious, very rough and tenacious.

He told me a few facts about those years. But then just a few years after World War II, surprisingly—4 or 5 years—suddenly we were in another war. We were in Korea. JOHN called up for active duty. I am sure he could have found a way not to have gone because he had served so much in World War II. But he went. When he reported for duty and went to Korea, he became a company commander. In the Marine Corps and in the Army, and the other services, that unquestionably is the toughest of all jobs, with 230-plus men depending on you, with a reinforced company, an infantry company, whatever it may be. But JOHN was there.

I remember not long ago the author of this book, "The Coldest War," came through and visited with JOHN and me. I had been in Korea, but I had been in an air wing as a communications officer. He used to joke with me about how I slept in the tent with a little bit of a

stove, which was true, and he slept in a bunker out in the open. He always used to tease me. But in this book, they captured JOHN CHAFEE. The author discussed his bravery as a company commander and his love for his men—any man who served under JOHN CHAFEE—whether it was in the Marine Corps or, indeed, in this institution.

How privileged I was to sit just in front of my distinguished big brother in this Senate. Any man who served with JOHN CHAFEE inherited a great deal. I say that modestly. But we all profited so much from our personal association with this marvelous man.

I called former Secretary of Defense Melvin Laird and talked to him by phone. He sent me a short memo.

I ask unanimous consent that it be printed in the RECORD.

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

STATEMENT OF MELVIN R. LAIRD ON SENATOR JOHN H. CHAFEE

Our close and lasting friendship goes back for more than 45 years and will always be remembered. All of John's friends will remember his quick smile, his lack of pretense, his loyalty, his warm compassion, his good common sense judgment, and his special quality as a person. John, in every way, showed he cared about all of us, his Rhode Island constituents, and our country in a most wonderful way.

But his real love was his family. Ginny, most of all, was a very special love. John loved his children—Zechariah (Zach), Quentin, Lincoln, John Jr., and Georgia, and was a special grand dad to his many grandchildren. They will all miss him very much.

There were many unusual associations we had over these past 45 years—going back to Republican National Conventions, his service as Governor, his service as Secretary of the Navy, and his years in the United States Senate. His last interview in office occurred just last Friday with Dale Van Atta, who is working on a book on the Laird-Packard Pentagon Team.

I remember the call I received from John back in 1965 when he was the Governor of Rhode Island criticizing me for my planned attendance at a fund-raiser for my Democratic colleague in the Congress, John Fogarty. The Brick Layers Union had built a special library and so-called "outhouse" in John Fogarty's Rhode Island back yard. The dedication ceremony turned into a fund-raiser for Democrat John Fogarty and it upset John Chafee somewhat that I, as a Republican, was the speaker at the Fogarty building dedication and fund-raiser. I told John of the close working relationship John Fogarty and I had as the ranking members on the House, Education, Welfare and Labor Appropriations Committee. My advice to John was that the best thing he could do as far as his future political career in Rhode Island was concerned, was to be at the dedicatory program. John showed up and he never regretted his attendance.

I remember calling John in December 1968 and asking him to be Secretary of the Navy on the Laird-Packard Team in the Pentagon. There were many candidates suggested for this position—President Nixon had a candidate, as did Senator Dirksen (IL), Senator Hugh Scott (PA), Senator George Murphy (CA), and many others. Under the arrangement I had with President Nixon, it was my choice and I never regretted that choice—John Chafee was terrific!

John was an outstanding Secretary of the Navy. I hated to encourage him to leave the Pentagon and return to Rhode Island to prepare for a Senate bid, but knew that was his heart's desire. The responsibilities of Secretary of the Navy were turned over to his very capable Under Secretary, John Warner. We had a Change of Command ceremony at the Marine Corps base here in Washington and although we had a great replacement (our friend John Warner) there was much sadness in seeing John Chafee return to Rhode Island. We were all so very proud of his accomplishments for the Navy and our country, but sorry to see him leave the Pentagon. His election victories for the United States Senate followed.

His magnificent record in the United States Senate is known by all of you. John's leadership ability to forge a consensus on highly contentious issues of our times is unparalleled in the United States Senate. He will truly be missed.

Mr. WARNER. Madam President, Mel Laird was a great public servant, and he still is. He said about JOHN CHAFEE:

Our close and lasting friendship goes back for more than 45 years and will always be remembered. All of John's friends will remember his quick smile, his lack of pretense, his loyalty, his warm compassion, his good commonsense judgment, and his special quality as a person.

John Chafee knew who he was. He never had to boast, he never had to brag, he never stopped to take credit, because this man knew who he was. He had tremendous inner self-confidence and a tremendous ability to be self-effacing.

Laird goes on:

John, in every way, showed he cared about all of us, his Rhode Island constituents, and our country in a most wonderful way. But his real love was his family. Ginny—

I talked to Ginny this morning at the crack of dawn. We exchanged a few words. Then we immediately recalled the happy days together throughout these 30 years—and laughter, for both of us, for a few minutes on the phone. She had the courage, like JOHN, to muster laughter in a moment such as this.

He loved his children—Zechariah, "Zach," Quentin, Lincoln, John Jr., and Georgia, and was a special granddad to his many grandchildren. They will miss him very much.

Yes, JOHN was a hero in every sense of the word. But he was the greatest hero to his family.

Laird goes on:

There were many unusual associations we had over these 45 years—going back to Republican National Conventions, his service as Governor, his service as Secretary of the Navy, and his years in the U.S. Senate. His last interview in office occurred just last Friday with Dale Van Atta, who is working on a book on the Laird-Packard Pentagon Team.

That was the team JOHN and I joined 30 years ago.

For 2 hours I worked with JOHN last Friday setting up a hearing on the Environment and Public Works Committee, where I was privileged to be his deputy, second always in command. I will never be first. Even though he is not here, I will still get his orders. But we were there working last Friday.

Yes, he was a little less spry in his step as he was recovering from his operation. But we have to remember

every day in this great institution that, yes, we have our debates, we have our differences, but the man or the woman to your left or right in this magnificent institution could be gone the next day by the will of God. I always think of that. We have to treasure and value every moment we have with each other in this great institution because it brings us together.

This paragraph in Laird's letter I am amused by:

I remember calling JOHN in December of 1968 and asking him to be Secretary of the Navy on the Laird-Packwood Team in the Pentagon. There were many candidates suggested for this position—President Nixon had a candidate, as did Senator Dirksen, Senator Hugh Scott, Senator George Murphy, and many others. Under the arrangement I had with President Nixon, it was my choice, and I never regretted that choice—John Chafee was terrific.

There are so many. I think in the days to come I will seek the privilege of speaking again of JOHN CHAFEE solely for the purpose of introducing into the RECORD some marvelous statements. I worked with his personal staff today in collecting some of his statements and with the staff of the Environment and Public Works Committee. There are so many lives this great American touched.

He loved his work in the Pentagon for those 3 years because it brought into focus everything he had learned as a young marine on Guadalcanal, as the platoon commander on Okinawa, and as a company commander in Korea.

I remember one day so well. Laird called us up. Laird was short, got on that phone, and issued an order quickly. It was Saturday. Of course, we worked Saturdays. The war was on. Absolutely, we wanted to be there. It was our choice. It was a heavy burden and responsibility. We were losing tens of thousands of casualties every week.

We just finished this engagement in Kosovo casualty-free. In Vietnam, thousands of men and women were killed and wounded week after week. It is so hard to believe now. It is so hard to explain war to the current generation.

But anyway, Laird called up, and he said: You two guys go down to The Mall and give me a report on what is going on.

There was a demonstration down there. CHAFEE and I were dressed in our blue suits as worn by the Navy today. We stripped them down and put on some old khakis. We had some tennis shoes. He and I used to play a little squash in the Pentagon. We put on a couple of old T-shirts. We got into an old car. We had chauffeur-driven cars in those days. Forget them. We got in an old car and drove down to The Mall. I will never forget that sight. There were over 1 million young men and women, in a peaceful way largely, demonstrating against that war in the heart of the Nation's Capital on The Mall between this building and the Washington Monument and the Lincoln Memorial. There they were—1 million.

I could see JOHN was so terribly upset because it brought back the carnage he had seen in his previous military experience when the whole nation, every American, was solidly behind every person in uniform (abroad or at home). The Nation stood in solid support.

We went back to the Pentagon that afternoon, and we sat in Laird's office.

As I reminisced this morning, Laird had only been in office a comparatively short time and there was a lot of thought about how we were going to get America disengaged from that conflict, how we were going to stop the casualties. JOHN CHAFEE from that moment on became a very special counselor to the Secretary of Defense and, indeed, to the President on the need to bring that conflict somehow to a termination with regard to these losses. Over 50,000 young men and women were killed in uniform in that conflict in Vietnam.

Tough? Yes, he was a tough man. He was tough as they come. They used to say at Yale he was a wrestler; you will not get JOHN CHAFEE's shoulders to the mat; you will not get them to the mat. No one ever got them to the mat. I never did. I tried. I don't think in his distinguished career anybody in this great body ever did.

The interesting thing about that man, so full of courage and so full of toughness, I never heard him use a word of profanity, never a curse word. When JOHN would get upset and he was concerned about something, he would say: "Oh, dear." Remember that, colleagues? How many of you heard him say, "Oh, dear"? That was his way of saying, hey, we have a problem, but we are going to solve it. A remarkable man.

We will remember him for his modesty. I searched his web page: 40 years of public service condensed to one page. A modest man, never boasted. He had the self-confidence. I was asked, Who will take his place? Without thinking I simply said: No one. No one will take his place.

God bless you, JOHN, and your family.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Madam President, I thank our wonderful dear friend from Virginia for his very moving and eloquent personal comments about his wonderful friend, a friend of all Members, JOHN CHAFEE, whom we lost today.

Let me begin by expressing my deep sympathies to the CHAFEE family, to Ginny and the children and the grandchildren. I have come to know them over the years, being the neighboring Senator of the wonderful State of Rhode Island. I express to his family, the people of Rhode Island, and to his staff and friends and acquaintances over the years, what a terrible loss the death of JOHN CHAFEE is, to all who care about public service and care about this country.

The words of "scholar," "soldier," "athlete," and "statesman" I use quite

frequently to describe people. But in the case of JOHN CHAFEE, each one of those words has special meaning. He was truly a great scholar as we know from his academic work at Yale and Harvard Law School. He was truly a wonderful soldier, as JOHN WARNER has recounted. If one did not take the time to discover the service JOHN CHAFEE gave to this country in both World War II and Korea, one would not know it if one solely depended upon JOHN CHAFEE to describe it.

JOHN CHAFEE saw service in uniform to his country as not an extraordinary action but one that any good citizen would engage in during a time of serious conflict. Certainly his service in the Marine Corps and the Pacific, and again in Korea, were remarkable periods of our Nation's history. He served our Nation so wonderfully well in that capacity.

He was also a great athlete. Captain of the Yale wrestling team in 1941, he went undefeated. He was also quite a squash player. My brother-in-law, Bernie Buonanno, is from Rhode Island. Bernie and JOHN CHAFEE were regular squash competitors in Providence. I heard great tales about the battles between my brother-in-law and JOHN CHAFEE on the squash courts. I know CARL LEVIN and JOHN WARNER and others play not very far from this Chamber. They have wonderful times there. He was always in great shape, always had a tremendous amount of energy he brought to his work in the Senate.

Last, he was a statesman. That is hardly last. I first got to know JOHN CHAFEE almost 40 years ago. I was a freshman in college in Providence, RI, when JOHN CHAFEE became Governor of the State of Rhode Island. He was elected with an overwhelming margin of 398 votes in that year. He went on in 1964 and 1966 to huge margins. At that time in Rhode Island, Governors only had a 2-year term. During my entire career as a college student, JOHN CHAFEE was the Governor of the small State of Rhode Island. What a wonderful reputation he had as a Governor of that State.

During the latter part of that term, the Vietnam war issue, which JOHN WARNER talked about, began to boil over on campuses. JOHN CHAFEE handled that leadership role as a Governor of his State with great style and with great leadership in terms of understanding the diverse constituency, even of a small State such as Rhode Island.

In 1976, as we know, he came to the Senate. I arrived in 1981 and had the privilege of serving with him for the past 20 years. We didn't serve on committees together. I never had the privilege of being a member of one of the committees of which JOHN CHAFEE was a member. However, he certainly led in so many areas, particularly in environment. There were few who were JOHN CHAFEE's peers when it came to their longstanding concern about being good custodians and guardians of this planet Earth. Certainly throughout his career

on numerous pieces of legislation JOHN CHAFEE was the leader, the voice, that we all looked to when it came to deciding what path to follow as we tried to determine the best course of action, balancing the economic and environmental interests of our Nation.

The Presiding Officer knows this year, as someone who has been deeply interested in child care legislation, I lobbied hard to the Presiding Officer if she would be a cosponsor with me of my child care bill. I will never forget Senator COLLINS saying to me: I will go along with you on your bill on one condition. I am thinking, here it comes; what is the condition, some new provision has to be written in, some new amendment added. And she said: The condition is, if you can get JOHN CHAFEE to support your child care amendment, then I will join in your child care bill.

I talked to JOHN CHAFEE. I said: JOHN, if I can have your support, I can think of at least one or two, maybe four or five other Members of this body who will work with us on this issue. He gave his support to that issue.

This calendar year we have had four votes on child care amendments, and each has carried because JOHN CHAFEE decided to be a working partner on this issue.

That is another example of the kind of quiet leadership JOHN CHAFEE could give to an issue that was important to not only his constituents but to many across the globe and across this country, particularly.

The Presiding Officer, coming from New England, will appreciate this as well. We oftentimes find in antiques stores or flea markets the New England samplers. They are oftentimes framed. Home Sweet Home is the one with which most are familiar. There is another sampler we can find from time to time throughout New England. The sampler says: Leave the Land in Better Shape Than When You Found It. It is an old New England tradition. Our land was not particularly well suited to agricultural interests when that expression was coined; the rocky soil, the difficult winters make it hard to eke out a living. Each generation of New Englanders over the years has tried to clear another field, build another barn or shed, in some way make the land they pass on to the next generation healthier and better suited to serve the next generation.

JOHN CHAFEE was the quintessential New England statesman, in my view. He was not tight when it came to a dollar, but I called him a fiscal conservative when it came to budgetary matters. He was also a person who believed one ought to carefully invest capital in areas that would be critically important to the well-being of any enterprise. And in public life, investing in the environment of our country, investing in the educational needs, the transportation needs, seeing to it that all Americans have a chance to enjoy the wonderful opportunities of our Na-

tion, and the Tax Code, are all wonderful examples of JOHN CHAFEE making wise investments, the wise New England approach to the well-being of our Nation.

So in many ways, JOHN CHAFEE epitomized, I suppose—for me, anyway—what a good Senator from New England ought to be. In many ways, as I think about that old sampler you can find in these bazaars in New England from Maine to Connecticut, "Leave the Land in Better Shape Than when You Found it," JOHN CHAFEE epitomized that simple expression.

Wherever he is at this moment—and I know he is with our good Lord and Savior—he will be looking down knowing—and he should know—that even for that brief amount of time, the few short years, 77 years, he had as a scholar, as a soldier, as an athlete, and as a statesman, JOHN CHAFEE truly left his State and his country and the world in which we live far better than when he found it. For the immense difference he has made, we thank him.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Madam President, I understand the junior Senator from Rhode Island is on the floor and would like to make remarks, too. I ask consent he be allowed to succeed my remarks in the RECORD.

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

Mr. LOTT. Madam President, this morning I was actually in Lexington, KY, with my son and daughter and grandson. I think in a way that made me even more melancholy and mournful about this day and the loss of our good friend JOHN CHAFEE.

I started thinking about JOHN and his life. It made me realize that, day by day, in our regular duties, we go busily about our business and we do not stop, sometimes, to look at the beautiful surroundings, this historic building we are in. We don't stop, sometimes, to thank the staff member who has been particularly helpful to us. Also, sometimes we don't stop to think that we walk with men and women in this institution who have been giants in their lives. JOHN CHAFEE was one of those men. Sometimes we just forgot JOHN CHAFEE had done so much for his country, for his fellow man, for his State, and for his Nation. It was easy to do that because JOHN was not the kind of guy who demanded attention and demanded he be treated with reverence or any extraordinary respect. He was a soft-spoken gentleman, and he was truly a "gentle" man. The word fit him perfectly.

I was just talking to Senator WARNER, his good friend, his successor as the Secretary of the Navy. I never had quite thought about one other thing: JOHN CHAFEE was not one given to temper, not one given to profanity. He was just a dedicated, hard-working, good Senator for his State and for our country. So I believe we truly have lost one

of the best servants we have had in the Senate in my time here, our friend JOHN CHAFEE, the senior Senator from Rhode Island.

I first got to know JOHN CHAFEE some 30 years ago; it is hard to believe, I say to Senator WARNER, who was his deputy over there at the Navy Department. JOHN was the Secretary of the Navy. I had the occasion to meet with him as a staff member because there was a little disagreement between his State and my State about a Seabee base. But he was always so fair in all his dealings; it impressed me then. I didn't realize at the time that he had already been Governor and he had such a distinguished military career. There he was, the Secretary of the Navy.

Then, of course, he went on to be elected to the Senate. Only after I came to the Senate did I realize he truly was a war hero, a marine. He was very proud of it. He defended his country, and he was a highly decorated combat veteran. He served his people so well as Governor of that State, and he also served the people of that State as a Senator since 1976.

I have given a lot of thought about Senator CHAFEE today; also, the fact the last time I saw him and spoke to him personally, last Thursday, he was not feeling particularly well. He wanted to know if there were going to be any more votes. But he was staying right back here, waiting to see if he was going to be needed anymore, attending to his duties, even on Thursday night of last week.

I think it is belated but appropriate that we say a few kind words about Senator CHAFEE and his service. We extend our best to his wife Ginny and to his family.

By the age of 39, JOHN CHAFEE was already a combat veteran in two wars. You will not find it in his official biography, but he earned at least two Purple Hearts, among many other service distinctions. He had left his undergraduate studies at Yale University to first enlist in the Marines. He served in the original invasion forces of the Battle of Guadalcanal during World War II. Following that, he resumed his studies at Yale and went on to earn his law degree at Harvard.

JOHN was recalled to active duty in 1951, and while in Korea he commanded Dog Company, a 200-man rifle unit in the 1st Marine Division. Perhaps Senator WARNER has already recounted all of that, but it is such an impressive part of the man he was.

After 6 years in the Rhode Island General Assembly, including 4 years as his party's leader in the House of Representatives, JOHN was elected Governor of Rhode Island in 1962 by 398 votes—not one to waste any votes, or anything else for that matter. He was reelected in 1964 and 1966 by the largest margins in Rhode Island's history.

The newly-inaugurated President Nixon appointed JOHN CHAFEE to be Secretary of the Navy in 1969, a post he held for 3½ years. He was elected to his

fourth term in 1994 with 65 percent of the vote. He was the first Republican elected to the Senate from Rhode Island in 68 years.

In the Senate, he rose to become chairman of the Environment and Public Works Committee where, once again, he worked very aggressively on issues about which he felt strongly. He was a Senator who really did care about the environment. But he tried to make it an issue where we reached across the aisle to each other. He wasn't interested just in making a statement or trying to drive up his ratings with one group or another. He wanted to get results.

I remember he came to me when I had first been elected majority leader in 1996. He said: I believe we can pass this safe drinking water bill. It had been stalled in the Senate and the House, and it was stalled in conference.

I said: John, it's too late. We can't do it.

He said: If we come to agreement, will we get it up for a vote?

I said: If you can get Dirk Kempthorne and the others involved and get Democrats involved, and we can get a bill that will be good for America, to have safe drinking water, why, surely we will do it.

I think it was the last day of the session, but right at the end we got it done because JOHN CHAFEE would not give it up. He wasn't interested in making a statement. He was interested in getting a good bill for his country—Safe Drinking Water—a worthy cause and one of which JOHN CHAFEE was very proud.

Even recently, he was working on efforts that are certainly worthwhile and have been very difficult to bring to closure. The day will come when we will get a new Superfund bill, and when we do, we ought to dedicate it to the memory of JOHN CHAFEE because he has charged that mountain as a good marine, time and time again. We never have quite made it. One of these days we will top the crest, and we will all think about JOHN CHAFEE when we do.

He was an important member of the Finance Committee. He chaired the Social Security and Family Policy Subcommittee. Again, just last week I arrived late at a Finance Committee meeting before we went out to mark up a bill providing assistance for hospitals, nursing homes, and home health care, a bill that would put back some Medicare money as a result of the balanced budget agreement. It was about to come apart. The wheels were coming off. Senators were disagreeing. It looked as if what was going to be a bipartisan package, easily passed out, that had been crafted by the chairman, Senator ROTH, and the ranking member, Senator MOYNIHAN of New York, was going to fall apart right there in that little anteroom before we went into the Finance Committee meeting.

One of the last people to speak was JOHN CHAFEE. He said: Good work has been done on this; it is not everything

we would want—typical of JOHN CHAFEE to say that—but it is a good step. We ought to do it. We ought to go out here right now, take this bill up, and pass it out of the Finance Committee.

Thirty minutes later, by a voice vote, with only two dissenting audible nays, we passed that bill out.

He did his part on the Finance Committee, too. He served as a member of the Select Committee on Intelligence, where he had a real interest in making sure about the intelligence capabilities of our country, to make sure we did not drop our guard in that area, and we started rebuilding our intelligence community after years of problems, going back, I guess, to the 1970s.

He was chairman of the Senate Republican Conference for 6 years, the No. 3 leadership position in the Senate.

In the Senate, we knew JOHN as a genuinely independent New Englander, respected on both sides of the aisle, who worked to bring opposing sides together for the common good. All of us regretted his decision announced earlier this year to leave the Senate, but it was characteristic of JOHN to work to the very end. He leaves behind 5 children, 12 grandchildren, and a legacy of a lifetime of service to Rhode Island and to his Nation.

If the Biblical quote ever applied to any Senator, this quote should apply to JOHN CHAFEE: Well done, thy good and faithful servant.

I yield the floor.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to join the majority leader and my colleagues in paying tribute to the senior Senator from Rhode Island, JOHN H. CHAFEE. I do so not only on my own behalf but on behalf of the people of Rhode Island, for they have suffered a grievous loss.

First, I extend my condolences to Mrs. Chafee and the Chafee family. Above all else, JOHN CHAFEE was a devoted husband, a devoted father, and a loving and caring father and grandfather. Indeed, his family is a living tribute to his remarkable life.

This is a personal loss to his family, to his friends, to his colleagues, but it is also a personal loss to the people of Rhode Island. For over 40 years, he has played a central role in the life of our State, and Rhode Island is a special place for many, many reasons, but it is a special place in particular because it is a place where everyone knows everyone else, and literally every Rhode Islander knew Senator JOHN H. CHAFEE.

If you had to ask Rhode Islanders what they felt and thought about this man, one word would come quickly to their lips: respect. This respect transcended party politics, social position, every category that we ascribe, sometimes arbitrarily, to people.

This respect was a function of a recognition, first, of his qualities as a man. He was a man of integrity, intel-

ligence, tenacity, and fairness. He was a gentleman. When I arrived in the Senate—and previously as a Member of the other body—he treated me with graciousness and cooperation and help, and I thank him for that from the bottom of my heart.

The respect which Rhode Island holds for this great man is also a function of his selfless service to the Nation. He began that service as a young marine on Guadalcanal. He spent his 20th birthday there. JOHN CHAFEE, the son of privilege, could have found an easier way to serve his country during World War II, but he chose the very hardest way, so typical of the man. He chose to go ashore with the invasion force of Guadalcanal at a time when it was not clear we would prevail. It was only clear we would give everything to win, and JOHN CHAFEE was prepared to do that for his country, for his community, indeed, for decency throughout the world.

Later, after serving in World War II and going back to law school, he was ready to assume the privileges and the rights which such service won him. But another war beckoned, and characteristically, JOHN CHAFEE heard the summons of that trumpet and went to Korea to lead a marine rifle company. Again, he could have found less dangerous assignments but, once again, if American sons were at risk, JOHN CHAFEE would lead them.

After his service in the Marine Corps, he did return home, finished his law school studies, and came back home to Rhode Island. He served as a member of our general assembly with distinction, and in 1962, he was elected Governor of our State, clearly the most Democratic State in the country, but through arduous campaigning and through his personal qualities, he was elected by over 300 votes. Not a landslide, but enough to give him a chance to serve the people of Rhode Island, and serve he did.

Long before it was popular and chic to be an environmentalist, JOHN CHAFEE was an environmentalist. With innovative visionary legislation, he began our State's acquisition of open spaces so our quality of life would not be diminished by economic development. In fact, long before many others, he recognized that a good economy and a good environment not only can go hand in hand but must go hand in hand. This was the early sixties, long before Earth Day, long before the organized environmental movement, but he knew in his heart that quality of life was important to maintain. He knew also that our environmental legacy is a gift from God which we must revere, we must cherish, and we must pass on. And he did so.

He was also a builder because it was this time in our history that route 95 was being developed right through the heart of Rhode Island, and he was there. In fact, he joked that it was a great opportunity for a Governor because every time they completed 2 or 3 miles of interstate, he could hold a

press conference and talk about the progress. But it was something that was close to him, not because of notoriety, but because he saw this as a way to improve the economy of Rhode Island, to link us more closely to the national economy. Indeed, even up to his last days, he was working to improve the infrastructure, particularly the transportation infrastructure of Rhode Island, a mission he began as our Governor more than 30 years ago.

As my colleague, the senior Senator from Virginia, pointed out, he served with great distinction as Secretary of the Navy. After his family, his State of Rhode Island and the Marine Corps were his great loves. These two passions—his State and the naval service—helped mold his life and, indeed, he in turn helped mold these great institutions—our State and the naval service.

He served with distinction at a time when the Navy was being stretched, the tumult of Vietnam was spilling out into our streets, and still we had to fight a superpower adversary in the form of the Soviet Union. He served with characteristic vision, innovation, and distinction.

He was then elected to the Senate, and for four terms he has shown us all what it is to be a Senator. In fact, it is characteristic that Senator JOHN H. CHAFEE literally died on active duty serving his Nation and serving his State as a Senator. He spent his whole life in service to the Nation.

The respect for Senator CHAFEE also emanated from the recognition that he always had an unswerving commitment to principles. He was schooled in the hardest test: Always do the harder right rather than easier wrong.

There are extraordinary numbers of examples to attest to this dedication of principle. I can think of several, but let me just suggest that, again, before so many people took up the cause of gun control, Senator CHAFEE stood solidly to control the violence in the life of America, to reasonably restrict access to weapons, to ensure that the lives of our children are protected.

I can recall being with him at a rally he organized in Providence, RI, where he had Sarah Brady come in. We were literally enveloped by a large group of counterdemonstrators with bullhorns, pressing in on us, trying to literally disrupt this rally to control guns in our society.

But anyone who waded ashore at Guadalcanal and fought in Korea was not easily intimidated. And he was not. He not only stood his ground that day, but he stood his ground every day to try to argue for more sensible rules with respect to handguns. And that is just one example of where he did, in some respect, the unpopular thing because it was the right thing to do.

This respect also emanates from the recognition by my fellow Rhode Islanders that, more than so many others, he always sought to find the common ground that would bring different

groups together, that would result in progress, both in terms of legislation but more importantly progress in terms of the lives of the American people.

He was a pragmatist. He was committed to advancing the well-being of his constituents and the people of this country, and, indeed, the people of the world. He was always looking for practical ways to do that. He was wedded to the strong principles of the Constitution. But he was able to find ways, through the details, to advance those principles, to bring others aboard, to move forward.

When he became impatient, it was an impatience borne of the distractions that we sometimes find ourselves in in this institution and the posturing that we sometimes find ourselves in in this institution—because he was here to do the job of the people of Rhode Island: To improve their lives, to give them more opportunities, to give them more freedom, so they can use it not only for their advancement and the advancement of their children but the advancement of this great country.

He had a special concern for children and those Americans with disabilities. It was a concern that he did not trumpet about, but it was a concern that resonated throughout his entire legislative career.

Today, we have done much to ensure that the poorest children of America have health care through our Medicaid Program. And that was the handiwork of JOHN CHAFEE—not through press releases but through the hard work of legislation, the detailed intricacies of the Internal Revenue Code, and the Social Security laws. He expanded coverage because, while others would be disheartened by failure of comprehensive reform, he dug in and every day advanced the cause of health care, particularly for children in this country.

He always had a special place in his heart and in his service for disabled Americans. I know that because the disabled citizens in Rhode Island revere and treasure this great man for what he has done—again, long before public acclaim or public notoriety. And why did he do it? Because it was the right thing to do.

In March of this year, Senator CHAFEE announced he was leaving the Senate and going home. Last evening, he began that final journey home—home to Rhode Island, a State made infinitely better by his effort and example, a place that mourns but will forever revere his service and take pride in his achievements and inspiration from his life.

In the words of the Poet William Butler Yeats:

The man is gone who guided ye, unwearied,  
through the long bitter way.  
Ye by the waves that close in our sad nation,  
Be full of sudden fears,  
The man is gone who from his lonely station  
Has moulded the hard years. . . .  
Mourn—and then onward, there is no return-  
ing  
He guides ye from the tomb;

His memory now is a tall pillar, burning  
Before us in the gloom!

Senator CHAFEE will allow us to mourn, but insist that we move forward to do the unfinished work, which is the hope and promise of America. And with him as a guide we shall. And he would want it that way.

I yield the floor.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

#### DEATH OF THE HONORABLE JOHN H. CHAFEE, OF RHODE ISLAND

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 206, and I ask that the resolution be read.

The PRESIDING OFFICER. The clerk will read the resolution.

The legislative clerk read as follows:

A resolution (S. Res. 206) relative to the death of the Honorable JOHN H. CHAFEE, of Rhode Island:

#### S. RES. 206

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable John H. Chafee, a Senator from the State of Rhode Island.

*Resolved*, That Senator Chafee's record of public service embodied the best traditions of the Senate: Statesmanship, Comity, Tolerance, and Decency.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

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

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 206) was agreed to.

Mr. LOTT. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I join with my colleagues to express our profound sorrow at the loss of a dear friend and an outstanding Senator. JOHN CHAFEE was probably the finest gentleman ever to serve in this body. We offer our sincerest regrets, our sympathies, and our prayers to his family.

I stopped by his office today and expressed my sense of loss to his staff. We express, collectively, our deep sorrow to the people of Rhode Island, but, beyond that to the people of the entire Nation who in many different ways, in many different areas, were served so well by JOHN CHAFEE throughout his career.

We have just heard very eloquent remarks from the majority leader and his colleague from Rhode Island, summarizing some of the many things that

JOHN CHAFEE has done. It would take several volumes of the CONGRESSIONAL RECORD to go through his list of achievements and the things that he has done for the least among us to further the causes in which he felt so strongly.

But I rise today to express gratitude and to celebrate the legacy that he left us. If you had to ask somebody: Who is the most decent person that you know of in politics? chances are, JOHN CHAFEE would be at the top of that list. He was a man, as has been said, who had very strong feelings.

He fought hard for principles, but he fought so with unfailing courtesy, with compassion and kindness and consideration for others who had differing views.

I had the privilege of working with him on a health care task force in 1993 and 1994. I sat in a room and listened to him bring together people of very strongly opposing views. Always, without fail, he guided the discussions away from bitterness, away from harshness, into constructive channels.

I was pleased to work with him on environmental and public works issues. And he was a great leader of a committee that has very contentious issues. He worked together with his leadership. We made progress, sometimes in areas where people thought progress could not be made.

I followed his work on so many issues affecting health care and children from his position in the Finance Committee. He was there to move not just this body but the country forward in assuring that we would meet the needs of children. Whether it was Medicaid for poor children or the foster care bill that he was recently championing, he was always looking out for those in need; but he did so in a manner that is a good lesson for all of us.

When somebody got carried away and attacked him, perhaps a little too strongly, he turned it away with a warm smile and understanding. When views got very heated and the arguments got passionate, he would calm it down with a kind word and steer the discussion and the debate back in a constructive pattern.

When some of us had personal reverses, JOHN CHAFEE was there quietly, as a friend, to lend support, to lend encouragement, and to let us know that we had a friend, somebody who cared for us. If there is one thing I hope this body will remember, it is that record, that unfailing, consistent pattern of being, first and foremost, a concerned human being who was a dear friend.

I hope that legacy can guide this body, that all of us can strive to emulate his service, his compassion, and his caring. As our thoughts and prayers go out to his family, his loved ones, and to all who will miss him, I hope we will remember and hold high those principles which he not only espoused but he lived.

I am from Missouri. One of our slogans is: Show me. JOHN CHAFEE's life

showed us every day, every hour in this body what a fine human being can do to move the process of government forward on a constructive path. I only hope we can hold dear and remember those lessons he taught us.

I thank the Chair and yield the floor.  
The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, with JOHN CHAFEE's passing, the Senate has lost a great leader, Rhode Island has lost a great Senator, and I have lost a great friend.

This afternoon I had the honor of presiding over the Senate and was able to hear firsthand the tremendous outpouring of affection and respect and sadness from my colleagues, as they came to the Senate floor one by one to pay tribute to this remarkable man. Indeed, Senator CHAFEE's legacy exceeds that for which any of us could have wished. He has been a leader in his commitment to children, to improving health care, to preserving our environment.

I wish to talk for just a few moments about what JOHN CHAFEE meant to me personally. From my very first day in the Senate, JOHN CHAFEE took me under his wing. He was always there for me. He encouraged me. He taught me the ropes. He guided me, particularly on contentious issues. He was always a steady voice of reason. He taught me how important it was to reach across the aisle to attempt to achieve a consensus, compromises based on common sense. Indeed, he very quickly enrolled me in one of his favorite projects, and that was the Centrist Coalition, which he chaired, along with our colleague from Louisiana, Senator JOHN BREAUX. Together this group of about 20 Senators would meet periodically to hash out contentious issues, to try to achieve a compromise on budget and other important issues of the day. Always we were guided by JOHN. JOHN had a tremendous ability to pull people together, to bring out the best in everyone.

I also have so many other warm, personal memories of my time with JOHN and his family.

Many of my colleagues may be unaware that JOHN had tremendous ties to my home State of Maine. His family for generations had a home there in Sorrento. His father had lived in Portland, ME, and had owned a business in Saco, ME, in the southern part of the State.

I visited JOHN's home in Sorrento, and he very proudly took me all over the community, telling me of his favorite spots, taking me for a ride in his motorboat. He loved Maine, almost as much as he loved his beloved home State of Rhode Island. He was a New Englander through and through. He brought a sense of integrity and principles to the debates of the day, and he had a sense of pride in his native region of New England. In many ways, he was a Senator for all of New England. I know we always used to joke that he

was the third Senator from the State of Maine.

As I got to know JOHN, his wife Ginny and their children, I became more and more impressed with the tremendous accomplishments of this remarkable individual. But these accomplishments you never heard about from JOHN CHAFEE himself; he was far too modest to ever blow his own horn. Little by little, I learned from his family and his friends of his heroic wartime service, for example, as well as his tremendous legacy as a superb Governor, his service as Secretary of the Navy, and, of course, his service in the Senate.

I remember once talking to his daughter, Georgia. I said: Your father has this tremendous background and people don't know about it because he never toots his own horn. He doesn't tell people of his accomplishments. He is too modest to do so. I remember Georgia saying back to me, yes, truly her father's lifetime could fill up at least one book, but that he would never be the one to write it.

I hope, by our tributes to him today and in the days to come, we will help to write that book so all of America may know what a great man, what a great Senator, what a great friend JOHN CHAFEE was.

I am honored to have known him. The entire world has been enriched by his service.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I first met Senator CHAFEE in December of 1984. We had a small incoming Republican freshman class that year. It was the Senator from Texas, Senator GRAMM, and myself. Senator GRAMM was already a national figure. He had burst onto the stage in his home State of Texas and had served in the House of Representatives for awhile.

I had been in local government. Frankly, I didn't know many people, and it was sort of a lonely first year in many ways.

I met JOHN CHAFEE in the Old Senate Chamber. That is where we had rather spirited elections for leadership in December 1984. The one most people noticed was Bob Dole being elected Republican leader to replace Howard Baker. But also on that day, Senator CHAFEE was elected chairman of the Republican conference, as I recall, by one vote. I think JOHN getting elected chairman of the Republican conference by one vote kind of summed up the odds he was frequently up against, not only in our conference, where he was one of the most moderate Members and frequently at variance with the majority of the conference, but he was a survivor because people recognized his personal qualities.

I don't know a great deal about Rhode Island, but I am told only 8 percent of the people of Rhode Island consider themselves Republicans. Someone earlier today described it as the most

Democratic State in America. I suspect that is true. And yet we had here a man with such enormous personal qualities that he was elected Governor multiple times and served in the Senate from 1976 until his death. Clearly, there was something special about JOHN CHAFEE that people came to recognize and understand.

Most of the causes JOHN pursued were, shall I say, not particularly good for the Commonwealth of Kentucky. He always thought it would be a good idea to raise cigarette taxes. Well, as you can imagine, the State has an enormous number of tobacco growers. That was rarely something I was enthusiastic about. Also, at least part of our State of Kentucky is in the Tennessee Valley Authority. JOHN always thought the TVA was something that ought to be terminated, and I must say over a period of years, having watched TVA operate, I am more and more open to JOHN's views on the matter, although I haven't gone quite that far.

Other speakers have said it, but I think the hallmark of JOHN CHAFEE was the fact you knew no matter what he said and did, it was based upon a great sense of objectiveness. He operated with enormous personal integrity and clearly was one of the most popular Members of the Senate. He always had an open mind. He was willing to revisit an issue.

For example, just last week, in a rather contentious debate that we frequently have around here on campaign finance reform, JOHN, whose views were fundamentally different from mine on the subject, actually ended up agreeing with me on one of the proposals we had before us. It was a tribute to his willingness to revisit an issue, or at least part of an issue, where he had a long-standing commitment. But he took a look at a particular version that we had before us and reached a different conclusion.

At the beginning of this Congress—we have our desks here on the floor on a seniority basis—I had finally been around here long enough where I moved over in the area where a lot of senior Members are. JOHN was right here, two desks over. I think it was really during the impeachment hearing, when we were all here so much of the time and I felt I got to know JOHN even better. We were frequently talking, both in the cloakroom and out here on the floor, during that very difficult time.

It is hard for me to imagine a finer human being than JOHN CHAFEE, who was an effective Senator, an outstanding Senator, and really a fine human being. So we celebrate his remarkable life, which others have spoken about—from his courage under fire in World War II and again in Korea, to his exemplary service to the Nation in the U.S. Senate. So I say to you, Ginny, and to all the family, we share your grief. We will miss JOHN more than words can express. Not only have you lost a husband, but the Senate has

lost a great Member, and America has lost one of its finest statesmen.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina, Mr. HELMS, is recognized.

Mr. HELMS. Mr. President, this is a sad afternoon for all of us. Senator CHAFEE and I had been seatmates for nearly a decade. I can testify that never once during those years did he comport himself in the slightest manner to diminish his image—which was widely held—as a perfect gentleman and a dedicated American. His whole life was such.

He was a man whose dedication to his wife and family was demonstrable in everything he did and said. Often were the times that we exchanged tidbits of news about his family and mine; we talked a lot about those whom we love.

I was one of the many Senators who, with some frequency, did not agree with some of JOHN's votes. And you know, it is a funny thing, Mr. President, he disagreed with me the same number of times but always pleasantly. I never doubted that he was genuine, honest, and sincere in all that he did and said as a Senator and as a human being.

I never once heard him speak a harsh word about anyone, and I never was aware of his losing his temper. He may have, but I never saw it.

Mr. President, JOHN CHAFEE was a thoroughly decent and unflinching gentleman who was respectful of the opinions and judgments of others but unyielding in his own opinions. That is the way it is supposed to be around here.

Did I like JOHN CHAFEE? You bet. Did I respect his quiet independence? Of course. Like the good U.S. Marine that he was in World War II, he was demonstrably willing to give his life for his country and to serve his country in other capacities, such as Secretary of the Navy.

I shall miss his sitting next to me; I shall always remember our agreement to nudge each other when the rhetoric in this Chamber caused heads to begin to nod, which frequently happens when some long-winded speaker takes up a lot of time, which I am not going to do at this time.

JOHN CHAFEE was a friend whom I shall forever miss, and Dot Helms and I extend our deepest sympathy to JOHN's dear wife, Virginia, whom I admire greatly, to his five children, and all of his splendid family which he loved so dearly.

One final personal note. I know how the staffs feel; he had two of them—his personal staff and the committee staff. I know exactly how they feel this afternoon. I extend my sympathy to them as well because I have been there and I have done that. I served as an administrative assistant to a distinguished U.S. Senator in the early '50s, and he died unexpectedly; he had a heart attack. I remember the helplessness that all of us felt. Coming here to make

these remarks, I rode over on the underground trolley that connects the Dirksen building with the Capitol. In the car with me was one of Senator CHAFEE's staff members. He was sad, and I told him that I knew exactly how he felt. It is not a good day. But it is so good that all of us, the staff members, his friends and family, were able to know and be with JOHN CHAFEE.

Mr. President, I ask unanimous consent that the "Thoughts from Senator CHAFEE's Staff" be printed in the RECORD.

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

THOUGHTS FROM SENATOR CHAFEE'S STAFF

Working for Senator Chafee was not a job, it was an honor, and a great one at that. Each and every one of us—on the personal staff in Washington . . . the Environment Committee staff . . . and in the Senator's Rhode Island office—felt privileged to be advancing his legislative priorities, his values, his vision of government and public service.

In the many wonderful tributes that have been paid to Senator Chafee, his concern over issues such as the environment, health care, civil rights, and gun violence have been highlighted. He also cared deeply about our nation's economic future, and its impact on generations to come. Senator Chafee cared about these issues because of their implications for people generally, but, more specifically, for the most vulnerable members of our society—children, the disabled, the frail elderly, and the low-income. His guiding motivation was the importance of human dignity, and the belief that government could make a positive difference in people's lives.

His sense of public spirit was infectious, and we have all learned a great deal from him. But more important than any lesson in civics is the example he set for all of us about how to conduct our lives: listen to both sides; do what's right; and even if you don't prevail, be of good cheer; and always look for the good in people.

The PRESIDING OFFICER. The Senator from Massachusetts, Mr. KERRY, is recognized.

Mr. KERRY. Mr. President, I join my colleagues in expressing our great sorrow for the loss of JOHN CHAFEE. He was a really remarkable, special soul, a very gentle person, who nevertheless had a will of steel. He was, in many ways, sort of an archetypal New Englander, for those of us who come from that part of the country. There was a great quality of independence, a great ability to march to the beat of his own drummer. He did that. I think that in very special ways he was one of the bridges in the U.S. Senate.

I first crossed paths with JOHN CHAFEE back during the Vietnam war. I am proud that his signature is on my medals. We talked a lot about that after I came back. He had the great capacity to reach out across the aisle. I recall this summer, as a matter of fact, how he came up to me one evening and said, "I am a bachelor; Virginia is not here." My wife, Teresa, wasn't here at the time. He said, "Let's go to dinner." So we went down to the Metropolitan Club, where I heard some other colleagues say he often went to dinner. We just sat and talked a lot about life,

about war, about his experiences; and all the divisions of the Senate sort of melted away because of his gesture. But it was not strange for JOHN to do that. Those of us who worked with him over the years here know that he was always reaching across the aisle trying to build a bridge, trying to pull people together.

I remember when we were in the throes of a fight over the clean air amendment in 1990. There were great meetings in the room back here with George Mitchell. JOHN CHAFEE, Senator Mitchell, and a few others with great calming voices, were reaching out trying to pull people together and find a path of common sense. That is really one of the great legacies, the commitment that produced that amendment and also produced a whole host of advances with respect to the environment.

I traveled with JOHN to Rio. We were part of the delegation for the Rio conference when we had that huge summit.

I traveled with him again to Kyoto. I remember one very peaceful moment when we snuck away to a beautiful Japanese garden. He was busy looking at the architecture, experiencing the remarkable peace of that place, and laughing at the fact that he had stolen away from a conference for a few moments to do so.

JOHN was one of the great calming influences in this body, a man of extraordinary common sense, a person who always tried to stand for principle—not for party, not for ideology, but for what was best for the State, best for the country, and best, in his judgment, for families and for the future.

He was passionate about Rhode Island, and passionate about the country. And in the end, I think his legacy will be measured not only by the legislation that he worked on, not only by his remarkable efforts to help us get a health care bill in 1993 and 1994, but meetings which I will forever remember in his hideaway where he brought people together trying to forge a centrist plan, which, ultimately, I might add, helped pave the way for Kennedy-Kassebaum and for other things that we have contemplated.

But he understood what his course was. He had a great sense of who he was, of what this place meant to him, and what all of us could achieve. He always placed those aspirations on the table as directly and as honestly as anybody I know in the Senate.

JOHN was also a warrior—a great warrior. Underneath the remarkable, docile, and temperamental person that we grew to know, there was really this other person who knew how to fight for country and for things that were bigger than him. He did so at Guadalcanal, he did so in Korea, and he did so in a remarkable way.

I will always remember Col. Terry Ball—he became a general, and he is now retired, just recently, about a week or two ago—telling me of the re-

markable journey he took with JOHN, a journey he talked to JOHN about before he took it, to go back and visit in the South Pacific those great places that he was part of with the Marine Corps.

I remember reading William Manchester's book, "Return to Darkness." In many ways, that was the journey JOHN went on when he went back there to revisit those places where he had served with such distinction but where he also knew such a profound loss.

This past summer, we shared another great moment together. We had the privilege of joining the Secretary of the Navy on the USS *Constitution* at Boston Harbor for a dinner. He was there with his family—the greater part of his family. It was a dinner in honor of JOHN and his service. A number of us went up there to share that evening.

I must say the sparkle in his eye at being aboard the ship with the flags raised, the colors presented, with his presentation of a walking cane from the *Constitution* itself, the sparkle in his eye that evening is something I will always remember.

I will never forget his passion for the Armed Forces, and particularly, of course, for his beloved Marines.

The Marines have their motto *semper parati*, "forever faithful." It is clear that motto was the guiding light of JOHN's life—forever faithful to his family, to his love, Virginia, to his children, his grandchildren, to the Senate, to his State, and to the principles which guided them.

He is really Mr. President, with all respect for all of our colleagues, the kind of person in this great institution who is worth emulating. I hope there will be others such as him in the future.

I yield the floor.

Mr. CAMPBELL. Mr. President, while traveling to Washington today from my home in Colorado, I learned the sad news that our colleague, Senator JOHN CHAFEE, passed away last evening from heart failure. It is with deep sadness that I pay tribute today to this statesman, a great American, and my friend.

JOHN CHAFEE was born in Providence, Rhode Island, and graduated from Yale University and Harvard Law School. He left Yale to enlist in the Marine Corps when the United States entered World War II, and then served in the original invasion forces at Guadalcanal. He was recalled to active duty in 1951, and commanded a rifle company in Korea.

JOHN served for six years in the Rhode Island House of Representatives, was elected as Rhode Island's governor in 1962, and was reelected in 1964 and 1966.

In January 1969, JOHN CHAFEE was appointed Secretary of the Navy, and he began his career in the United States Senate in 1976. He was reelected to a fourth term in 1994, with 65 percent of the vote, and was the only Republican to be elected to the U.S. Senate from Rhode Island in the past 68 years.

JOHN CHAFEE has been a leader in the Senate and indeed the nation to improve the quality of our environment. As an effective Chairman of the Environment and Public Works Committee, JOHN built a strong legislative record for clean air, clean water, conservation of wetlands, and preservation of open space.

He also will be long remembered for his tireless efforts as a senior member of the Finance Committee to expand health care coverage for women and children and to improve community services for persons with disabilities.

I extend my condolences to JOHN's wife Virginia, their five children and twelve grandchildren.

I will miss my friend and colleague, Senator JOHN CHAFEE of Rhode Island.

Mr. SHELBY. Mr. President, I join my colleagues today in mourning the loss of our colleague, JOHN CHAFEE. JOHN was a good and honorable man who served his state and his country with distinction. A devoted public servant and Member of this body for 23 years, Senator CHAFEE's influence extended beyond the aisles and transcended partisan rhetoric. His accomplishments as a lawmaker and his unquestionable influence among his peers stand as a testament to his ability.

Senator CHAFEE will long be admired and remembered for his devotion to this country both as a soldier and public servant. His distinguished service in the military, including serving in the Marines at Guadalcanal and commanding a rifle company in Korea, were indicative of the man who would never shy away from duty or responsibility. His record as a legislator, governor, and senator in Rhode Island indicate the amount of trust the people of Rhode Island put in JOHN.

Although political views may vary from person to person, it is easy to put these differences aside and to recognize men of strong character and integrity. These are qualities which were abundant in JOHN, and his steadying influence in the United States Senate will be truly missed. My thoughts and prayers extend to his family and all those whose lives Senator CHAFEE touched.

#### THE LATE FREDERICK "RICK" HART

Mr. THURMOND. Mr. President, one of the most unpleasant tasks we carry-out is to come to the Senate Floor in order to mark the passage of friends who have died. Today, it is my sad duty to share my memories of a man who was not only a valued friend, but one of the nation's treasures, Mr. Frederick "Rick" Hart, who passed away unexpectedly in August.

All recognize that Washington is the capital of the United States, and almost all also recognize it as a beautiful city, with impressive, inspiring and humbling architecture and monuments. People from all over the world travel to the District of Columbia to see and visit places such as the Capitol,

the White House, the Vietnam War Memorial, and the National Cathedral. Through their explorations of Washington, millions of people have been exposed to, and moved by, the art work of Rick Hart.

Rick Hart was one of the world's most talented and appreciated sculptors who created many impressive pieces during his career, but it is two pieces in particular with which visitors to Washington are most familiar. Though they may have never known that these two pieces were created by Rick Hart, countless individuals have been taken by the "Creation" at the National Cathedral and "Three Soldiers" at the Vietnam War Memorial.

It is appropriate that one of Rick's most famous sculptures is to be found at the National Cathedral, for it was there that he began his career as an apprentice stone carver, working on the gargoyles that adorn the gothic structure. From the beginning of his involvement in art, it was obvious that Rick was a man of tremendous talent and creativity. This was proven unquestionably when at age thirty-one his design for a sculpture to adorn the west facade of the Cathedral was picked after an international call for submissions.

One decade after his design for the National Cathedral was accepted, his emotion evoking sculpture of "Three Soldiers" was dedicated in November of 1984 as a supplement to the Vietnam War Memorial. It certainly must have been a challenge for this artist to go from creating a work that helped to express the glory of creation and God with a work that stands as a reminder to those who served and died in Vietnam. Not surprisingly, Rick rose to the challenge and sculpted what has become one of the most recognized and respected military sculptures in the world, and one that helps to pay appropriate homage to all those who participated in that conflict.

All that Rick accomplished in his life is that much more impressive given his humble and hard beginnings. Born in Atlanta, Georgia, Rick lost his mother at an early age and was reared in rural South Carolina for much of his young life, until he and his father moved to Washington. Rick was a bright man with both his hands and his mind, and his exceedingly high Scholastic Aptitude Test scores allowed his entrance in college at the young age of sixteen. Just as many who have been born and raised in the South have done, Rick chose to return "home", and he enrolled in the University of South Carolina as a philosophy student. Rick's higher education also include studies at the Corcoran and American University, where ironically, he was scheduled to give the commencement address at next year's graduation and to be awarded an honorary degree.

My chief of Staff, R.J. "Duke" Short, his wife Dee, and our good friend Harry Sacks have been friends of Rick for many years, and it was they who intro-

duced me to Rick back in 1995. Rick generously and graciously volunteered to create a bust of me which has been donated to the United States Senate and is on display not far from this Chamber, in Senate-238, also known as "The Strom Thurmond Room." In order to script by bust, Rick and I spent a considerable amount of time together. Rick was a warm, outgoing, and humble man and it was obvious that creating works of art was a passion for him.

Though still very young, only in his fifties, Rick suffered a serious health setback last year when he was felled with a stroke. Strong and vital, Rick was making an impressive recovery when he was admitted to Johns Hopkins Hospital in August to be treated for pneumonia. Tragically, doctors discovered that his body has been overtaken by cancer and he had quite literally only days to live. His death was sudden, unexpected, and tragic, and has left all of us pondering how someone so vital could be taken at such a young age. His passing saddens all who knew him and his death leaves a tremendous void in the American art community. My condolences and sympathies are with his wife Lindy and sons Alexander and Lain. While their husband and father may no longer be here, Frederick "Rick" Hart has achieved a kind of immortality through his great works of art.

#### SUPERFUND RECYCLING EQUITY ACT

Mr. LOTT. Mr. President, over the past three decades, concern for our environment and natural resources has grown—as has the desire to recycle and reuse. You may be surprised to learn that one major environmental statute actually creates an impediment to recycling. Superfund has created this impediment, although unintended by the law's authors.

Because of the harm that is being done to the recycling effort by the unintended consequence of law, the distinguished minority leader, Mr. DASCHLE, and I introduced the Superfund Recycling Equity Act, S. 1528. This bill removes Superfund's recycling impediments and increases America's recycling rates.

We had one and only one purpose in introducing the Superfund Recycling Equity Act—to remove from the liability loop those who collect and ship recyclables to a third party site. The bill is not intended to plow new Superfund ground, nor is it intended to revamp existing Superfund law. That task is appropriately left to comprehensive reform, a goal that I hope is achievable.

While the bill proposes to amend Superfund, Mr. President, it is really a recycling bill. Recycling is not disposal and shipping for recycling is not arranging for disposal—it is a relatively simple clarification, but one that is necessary to maintain a successful re-

cycling effort nationwide. Without this clarification, America will continue to fall short of its recycling goal.

S. 1528 was negotiated in 1993 between representatives of the industry that recycles traditional materials—paper, glass, plastic, metals, textiles and rubber—and representatives of the Environmental Protection Agency, the Department of Justice, and the national environmental community. Similar language has been included in virtually every comprehensive Superfund bill since 1994. With nearly 50 Senate cosponsors, support for the bill has been both extensive and bipartisan.

Since Senator DASCHLE and I introduced S. 1528, some have argued that we should not "piecemeal" Superfund. They argue that every part of Superfund should be held together tightly, until a comprehensive approach to reauthorization is found. And given the broad-based support for the recycling piece across both parties, some think it should be held as a "sweetener" for some of the more difficult issues. Superfund's long history suggests, however, that the recycling provisions—as sweet as they are—have done little, if anything, to help move a comprehensive Superfund bill forward. Rather, "sweeteners" like brownfields and municipal liability are what keep all parties at the table.

Holding the recyclers hostage to a comprehensive bill has not helped reform Superfund, and continuing to hold them hostage will not ensure action in the future. What it does ensure is that recycling continues to be impeded and fails to attain our nation's goals.

This recycling fix is minuscule compared to the overwhelming stakeholder needs regarding Superfund in general, but so significant for the recycling industry itself. It is easy to see why this bill has achieved such widespread bipartisan support among our colleagues.

S. 1528 addresses only one Superfund issue—the unintended consequence of law that holds recyclers responsible for the actions of those who purchase their goods. The goal of this bill is to remove the liability facing recyclers, not to establish who should be responsible for those shares if the unintended liability is removed.

Senator DASCHLE and I have heard from various parties who want to add minor provisions outside the scope of the bill. Although many have presented interesting and often compelling arguments, I will continue to ask that any party wishing to enlarge the narrow focus of S. 1528 show support on both sides of the aisle, as well as from the administration and the environmental community.

Much time, energy and expertise went into crafting an agreement where few thought it was possible. That agreement has been maintained through four separate Congresses where all sorts of attempts to modify it have failed. Congress should accept this delicately crafted product.

S. 1528 shows Congress' commitment to protect and increase recycling.

S. 1528 repeats what we all know and support—that continued and expanded recycling is a national goal.

S. 1528 removes impediments to achieving this goal, impediments Congress never intended to occur.

The nearly 50 Senators who have already co-sponsored this bill recognize the need to amend Superfund for the very important purpose of increasing recycling in the public interest. Let's act this year.

#### MODERNIZATION OF THE ABM TREATY

Mr. COCHRAN. Madam President, I rise today on a substantive issue which has caused me considerable concern recently. It has to do with the issue of our national missile defense and the fact we passed legislation earlier this year on that subject, and we now hear the administration discussing its options under the National Missile Defense Act. We hear responses from around the world about the intent we have that is now in our law to deploy a limited national defense system. I want to speak on that subject for a minute or two.

When we passed the National Missile Defense Act, we all realized, and the President did, too, when he signed it, that the ABM Treaty, the antiballistic missile defense treaty, that exists between the United States and Russia, prohibits the deployment of a national missile defense system and that the treaty would have to be amended if it was to remain in force.

Some statements being made on the subject now by our own administration, as well as by Russian officials, cause me considerable concern. For example, the Secretary of State recently said that the administration was examining "the possibility of adjusting [the ABM Treaty] slightly in order to have a National Missile Defense."

Since article I of the treaty expressly prohibits a national missile defense, the Secretary's suggestion that only a slight adjustment is required in the treaty language is a huge understatement, and it is likely to mislead the Russians and others as well.

The National Missile Defense Act acknowledges our policy of pursuing arms control arrangements, but it requires the deployment of a limited national missile defense which contradicts the initial premise of the ABM Treaty.

A number of Russian Government officials have said they will not negotiate changes in the ABM Treaty. A Russian foreign ministry spokesman has been quoted as saying it is "absolutely unacceptable to make any changes in the key provisions of the treaty and the Russian side does not intend to depart from this position."

A Russian defense ministry official has said: "There can be no compromise on this issue."

Additionally, it has been reported that Russian and Chinese Government

representatives have introduced a resolution in the U.N. General Assembly demanding the United States forego deployment of a missile defense system and strictly comply with the treaty's prohibition on territorial defense.

It is entirely inappropriate for the U.N. to consider seriously a resolution that would presume to dictate to the United States what we should or should not do in defense of our own national security. Ballistic missile threats are real and have caused our Government to adopt a policy that requires a deployed national missile defense.

It is my fervent hope our own Government will acknowledge clearly that the National Missile Defense Act means what it says and stop encouraging misunderstanding by the Russians, the Chinese, or anyone else of our intentions to defend ourselves against ballistic missile attack. We also hope the point will be made that we are not trying to undermine or threaten Russia's missile deterrent.

Our relationship with Russia has improved considerably in recent years. I hope this new era of mutual respect and understanding will continue to be strengthened. We are getting into an unfortunate situation, however, where candor and honest exchange of information and intentions are taking a back seat to half-truths and bluster. The latter course will lead to misunderstanding and possibly disaster. At no time in the history of the relationship have honesty and unequivocal dialog been more important between Russia and the United States. The ABM Treaty is out of date and must be changed to reflect today's realities. The sooner everyone acknowledges this fact and gets busy negotiating the changes that are required, the better off we will all be.

#### CHARLES BATTAGLIA

Mr. SPECTER. Mr. President, I would like to comment about a distinguished American who is retiring from service in the U.S. Senate. Charles Battaglia has been associated with me in the Senate for the past 14 years. He came to help me as an assistant when I served on the Intelligence Committee and stayed with me to become staff director of the Intelligence Committee during the 104th Congress when I chaired that committee, and then, in the 105th Congress, moved over with me to be the staff director when I chaired the Veterans Affairs Committee through the first session of the 106th Congress.

Mr. Battaglia has a distinguished record. Following graduation from Boston College, he served 25 years in the U.S. Navy, serving in the offices of the Secretary of Defense, Secretary of the Navy, and the Naval War College. In 1978, Mr. Battaglia was selected by the Director of Central Intelligence, Adm. Stansfield Turner, to be his special assistant at CIA. He received his MBA

from Bryant University, and in 1991 completed the Kennedy School of Government's international security program, was a member of the Council on Foreign Relations, and has an extraordinarily distinguished military record in the Navy, in the intelligence community and CIA, as an assistant on the Intelligence Committee, and later as staff director there.

He has earned retirement status. I might say we are making some effort to bring him back on a contract part-time basis to help with our inquiry into alleged espionage and other matters on oversight at the Department of Justice.

He has had an extraordinary record and become a personal friend of mine in the intervening 14 years. He has done great service for the military and as a member of the Senate family.

I yield the floor.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, October 22, 1999, the Federal debt stood at \$5,674,164,714,443.85 (Five trillion, six hundred seventy-four billion, one hundred sixty-four million, seven hundred fourteen thousand, four hundred forty-three dollars and eighty-five cents).

One year ago, October 22, 1998, the Federal debt stood at \$5,548,924,000,000 (Five trillion, five hundred forty-eight billion, nine hundred twenty-four million).

Fifteen years ago, October 22, 1984, the Federal debt stood at \$1,591,515,000,000 (One trillion, five hundred ninety-one billion, five hundred fifteen million).

Twenty-five years ago, October 22, 1974, the Federal debt stood at \$479,517,000,000 (Four hundred seventy-nine billion, five hundred seventeen million) which reflects a debt increase of more than \$5 trillion—\$5,194,647,714,443.85 (Five trillion, one hundred ninety-four billion, six hundred forty-seven million, seven hundred fourteen thousand, four hundred forty-three dollars and eighty-five cents) during the past 25 years.

#### MESSAGES FROM THE HOUSE

At 12:04 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it request the concurrence of the Senate:

H.R. 2. An act to send dollars to the classroom and for certain other purposes.

H.R. 2300. An act to allow to a State combine certain funds to improve the academic achievement of all its students.

#### MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 2. An act to send dollars to the classroom and for certain other purposes; to the

Committee on Health, Education, Labor, and Pensions.

H.R. 2300. An act to allow a State to combine certain funds to improve the academic achievement of all its students; to the Committee on Health, Education, Labor, and Pensions.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time and placed on the calendar:

S. 1770. A bill to amend the Internal Revenue Code of 1986 to permanently extend the research and development credit and to extend certain other expiring provisions for 30 months, and for other purposes.

S. 1771. A bill to provide stability in the United States agriculture sector and to promote adequate availability of food and medicine for humanitarian assistance abroad by requiring congressional approval before the imposition of any unilateral agricultural or medical sanction against a foreign country or foreign entity.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-5754. A communication from the President and CEO, National Safety Council, transmitting, pursuant to law, a report relative to the audit of the financial transactions of the Council and related entities for fiscal years 1998 and 1999; to the Committee on the Judiciary.

EC-5755. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the status of open dumps on Indian lands; to the Committee on Indian Affairs.

EC-5756. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-5757. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to NATO operations in and around Kosovo; to the Committee on Armed Services.

EC-5758. A communication from the Secretary of Defense, transmitting the report of a retirement; to the Committee on Armed Services.

EC-5759. A communication from the Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Overseas Use of the Purchase Card" (DFARS Case 99-D002), received October 21, 1999; to the Committee on Armed Services.

EC-5760. A communication from the Director, Information Security Oversight Office, National Archives and Records Administration, transmitting, pursuant Executive Order 12958, a report entitled "1998 Report to the President"; to the Committee on Governmental Affairs.

EC-5761. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, a report relative to its commercial activities inventory; to the Committee on Governmental Affairs.

EC-5762. A communication from the Chairman, Federal Communications Commission,

transmitting, pursuant to law, the Commission's report under the Government in the Sunshine Act for calendar year 1998; to the Committee on Governmental Affairs.

EC-5763. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to additions to the Procurement List, received October 21, 1999; to the Committee on Governmental Affairs.

EC-5764. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a report relative to the Clean Air Act; to the Committee on Governmental Affairs.

EC-5765. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, a report relative to its commercial activities inventory; to the Committee on Governmental Affairs.

EC-5766. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, a report entitled "Flood Insurance Compliance"; to the Committee on Banking, Housing, and Urban Affairs.

EC-5767. A communication from the Assistant General Counsel for Regulations, Office of Educational Research and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Notice of Eligibility and Selection Criteria-National Awards Program for Model Professional Development", received October 19, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-5768. A communication from the Assistant General Counsel for Regulations, Office of Educational Research and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "William D. Ford Federal Direct Loan Program" (RIN1845-AA10), received October 19, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-5769. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Organ Procurement and Transplantation Network; Final Rule" (RIN0906-AA32), received October 21, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-5770. A communication from the Administrator, Farm Service Agency, Farm and Foreign Agricultural Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Final Rule: Amendments to the Regulations for Cotton Warehouses-Electronic Warehouse Receipts, and Other Provisions" (RIN0560-AE60), received October 20, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5771. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tuberculosis in Cattle and Bison; State Designations" (Docket #99-008-1), received October 21, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5772. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Asian Longhorned Beetle; Addition to Quarantined Areas" (Docket #99-033-2), received October 19, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5773. A communication from the Chief, Programs and Legislative Division, Office of Legislative Liaison, Department of Defense, transmitting, a report relative a cost comparison study conducted at Niagara Falls International Airport-Air Reserve Station; to the Committee on Armed Services.

EC-5774. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Efficiency Program for Commercial and Industrial Equipment; Test Procedures, Labeling, and Certification Requirements for Electric Motors" (RIN1904-AA82), received October 21, 1999; to the Committee on Energy and Natural Resources.

EC-5775. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Off-the-Record Communications" (Docket No. RM98-1-000), received October 20, 1999; to the Committee on Energy and Natural Resources.

EC-5776. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report relative to refunds of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-5777. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Glacier Bay National Park, Alaska; Commercial Fishing" (RIN1024-AB99), received October 20, 1999; to the Committee on Energy and Natural Resources.

EC-5778. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Mississippi Regulatory Program" (SPATS No. MS-015-FOR), received October 20, 1999; to the Committee on Energy and Natural Resources.

EC-5779. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Indiana Regulatory Program" (SPATS No. IN-140-FOR), received October 20, 1999; to the Committee on Energy and Natural Resources.

EC-5780. A communication from the Inspector General, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Superfund for fiscal year 1998; to the Committee on Environment and Public Works.

EC-5781. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Disaster Assistance; Redesign of Public Assistance Program Administration; 64 FR 55158; 10/12/99", received October 21, 1999; to the Committee on Environment and Public Works.

EC-5782. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Respiratory Protection and Controls To Restrict Internal Exposures" (RIN3150-AF81), received October 20, 1999; to the Committee on Environment and Public Works.

EC-5783. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Approval of Revisions to the North Carolina State Implementation Plan" (FRL #6463-6), received October 21, 1999; to the Committee on Environment and Public Works.

EC-5784. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Control of VOC Emissions from Solvent Metal Cleaning Operations" (FRL #6459-9), received October 21, 1999; to the Committee on Environment and Public Works.

EC-5785. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Jersey; Approval of National Low Emission Vehicle Program" (FRL #6461-9), received October 21, 1999; to the Committee on Environment and Public Works.

EC-5786. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emissions Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works" (FRL #6462-7), received October 21, 1999; to the Committee on Environment and Public Works.

EC-5787. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna: Adjustment of General Category Daily Retention Limit on Previously Designated Restricted Fishing Days" (I.D. 091599A), received October 21, 1999; to the Committee on Commerce, Science, and Transportation.

EC-5788. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure of Pollock Fishery in Statistical Area 620 of the Gulf of Alaska", received October 21, 1999; to the Committee on Commerce, Science, and Transportation.

EC-5789. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sharpchin and Northern Rockfish in the Aleutian Islands Sub Area of the Bering Sea and Aleutian Islands Management Area", received October 13, 1999; to the Committee on Commerce, Science, and Transportation.

EC-5790. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Other Rockfish in the Aleutian Islands Sub Area of the Bering Sea and Aleutian Islands Management Area", received October 21, 1999; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1754. A bill entitled the "Denying Safe Havens to International and War Criminals Act of 1999."

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mrs. FEINSTEIN (for herself and Mr. LAUTENBERG):

S. 1774. A bill to amend the Internal Revenue Code of 1986 to regulate certain 50 caliber sniper weapons in the same manner as machine guns and other firearms; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. HELMS):

S. 1775. A bill to amend section 490 of the Foreign Assistance Act to 1961 to modify the matters taken into account in assessing the cooperation of foreign countries with the counterdrug efforts of the United States, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRAIG (for himself, Mr. HAGEL, Mr. ROBERTS, Mr. ENZI, and Mr. GRAMS):

S. 1776. A bill to amend the Energy Policy Act of 1992 to revise the energy policies of the United States in order to reduce greenhouse gas emissions, advance global climate science, promote technology development, and increase citizen awareness, and for other purposes; to the Committee on Energy and Natural Resources.

S. 1777. A bill to amend the Internal Revenue Code of 1986 to provide incentives for the voluntary reduction of greenhouse gas emissions and to advance global climate science and technology development; to the Committee on Finance.

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

S. 1778. A bill to provide for equal exchanges of land around the Cascade Reservoir; to the Committee on Energy and Natural Resources.

By Mr. CLELAND:

S. 1779. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement with appropriate endorsement for employment in the coastwise trade for the vessel M/V SANDPIPER; to the Committee on Commerce, Science, and Transportation.

By Mr. HOLLINGS:

S. 1780. A bill for the relief of Raul Morales-Torna; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 1781. A bill to amend the Act that established the Keweenaw National Historical Park to require the Secretary of the Interior to consider nominees of various local interests in appointing members of the Keweenaw National Historic Park Advisory Commission; to the Committee on Energy and Natural Resources.

By Mr. FRIST:

S. 1782. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to small business employees working or living in areas of poverty; to the Committee on Finance.

By Mr. COCHRAN:

S. 1783. A bill to amend title XVIII of the Social Security Act to provide for a prospective payment system for inpatient longstay hospital services under the medicare program; to the Committee on Finance.

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

S. 1784. A bill entitled the "Saint Helena Island National Scenic Area Act"; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. REED, Mr. THURMOND, Mr. BYRD, Mr. KENNEDY, Mr. INOUE, Mr. HOLLINGS, Mr. STEVENS, Mr. ROTH, Mr. HELMS, Mr. DOMENICI, Mr. BIDEN, Mr. LEAHY, Mr. SARBANES, Mr. MOYNIHAN, Mr. LUGAR, Mr. HATCH, Mr. BAUCUS, Mr. COCHRAN, Mr. WARNER, Mr. LEVIN, Mr. DODD, Mr. GRASSLEY, Mr. SPECTER, Mr. NICKLES, Mr. MURKOWSKI, Mr. LAUTENBERG, Mr. BINGAMAN, Mr. KERRY, Mr. HARKIN, Mr. GRAMM, Mr. MCCONNELL, Mr. ROCKEFELLER, Mr. BREAUX, Ms. MIKULSKI, Mr. SHELBY, Mr. MCCAIN, Mr. REID, Mr. GRAHAM, Mr. BOND, Mr. CONRAD, Mr. GORTON, Mr. JEFFORDS, Mr. BRYAN, Mr. MACK, Mr. KERREY, Mr. ROBB, Mr. BURNS, Mr. KOHL, Mr. LIEBERMAN, Mr. AKAKA, Mr. SMITH of New Hampshire, Mr. CRAIG, Mr. WELLSTONE, Mrs. FEINSTEIN, Mr. DORGAN, Mrs. BOXER, Mr. GREGG, Mr. CAMPBELL, Mr. COVERDELL, Mr. FEINGOLD, Mrs. MURRAY, Mr. BENNETT, Mrs. HUTCHISON, Mr. INHOFE, Mr. THOMPSON, Ms. SNOWE, Mr. DEWINE, Mr. KYL, Mr. THOMAS, Mr. SANTORUM, Mr. GRAMS, Mr. ASHCROFT, Mr. ABRAHAM, Mr. FRIST, Mr. WYDEN, Mr. BROWNBACK, Mr. ROBERTS, Mr. DURBIN, Mr. TORRICELLI, Mr. JOHNSON, Mr. ALLARD, Mr. HUTCHINSON, Mr. CLELAND, Ms. LANDRIEU, Mr. SESSIONS, Mr. SMITH of Oregon, Mr. HAGEL, Ms. COLLINS, Mr. ENZI, Mr. SCHUMER, Mr. BUNNING, Mr. CRAPO, Mrs. LINCOLN, Mr. BAYH, Mr. VOINOVICH, Mr. FITZGERALD, and Mr. EDWARDS):

S. Res. 206. A resolution relative to the death of the Honorable JOHN H. CHAFEE, of Rhode Island; considered and agreed to.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mr. LAUTENBERG):

S. 1774. A bill to amend the Internal Revenue Code of 1986 to regulate certain 50 caliber sniper weapons in the same manner as machine guns and other firearms; to the Committee on Finance.

MILITARY SNIPER WEAPON REGULATION ACT OF 1999

Mrs. FEINSTEIN. Mr. President, I rise today on behalf of myself and Senator LAUTENBERG to introduce the Military Sniper Weapon Regulation Act of 1999. This bill will reclassify powerful .50 caliber military sniper rifles under the National Firearms act, thus making it much more difficult for terrorists, doomsday cults, and criminals to obtain these guns for illegitimate use.

Let me just talk a little bit about what a .50 caliber gun is, and then I will describe why I believe it is vital to tighten the rules surrounding their use and purchase.

These .50 caliber firearms are weapons of such range and destructive capability that it seems unthinkable for them to fall into civilian hands. These

.50 caliber guns, manufactured by a small handful of companies and individuals, are deadly, military style assault rifles. The M82A1, one common example of these guns, was manufactured with one purpose in mind—the efficient destruction of enemy armaments and personnel. These guns, weighing 28 pounds and capable of piercing light armor at more than 4 miles, enable a single shooter to destroy enemy jeeps, tanks, personnel carriers, bunkers, fuel stations, and even communication centers. As a result, their use by military organizations worldwide has been rapidly spreading during the course of this decade.

But with the increasing military use of the gun, we have also seen increased use of the weapon by violent criminals and terrorists around the world.

The weapons are deadly accurate up to 2,000 yards. This means that a shooter using a .50 caliber weapon can reliably hit a target more than a mile away. In fact, according to a training manual for military and police snipers published in 1993, a bullet from this gun “even at one and a half miles crashes into a target with more energy than Dirty Harry’s famous .44 magnum at point-blank” range.

And the gun is “effective” up to 7,500 yards. In other words, although it may be hard to aim at that distance, the gun will have its desired destructive effect at that distance—more than 4 miles from the target.

The weapon can penetrate several inches of steel, concrete, or even light armor.

Many ranges used for target practice do not even have enough safety features to accommodate these guns—it is just too powerful.

This gun was used extensively in the gulf war by American troops. Ideal for long range destruction of personnel, light armor or communications, there is no question that this gun is an effective wartime tool.

Recent advances in weapons technology, however, allow this gun to be used by civilians against armored limousines, bunkers, individuals, and even aircraft—in fact, one advertisement for the gun apparently promoted the weapon as able to “wreck several million dollars’ worth of jet aircraft with one or two dollars’ worth of cartridge.”

One new version of the .50 caliber weapon is a modified machine gun capable of accepting ammunition belts, and yet is still allowed for civilian use by BATF.

This gun is so powerful that one dealer told undercover GAO investigators “You’d better buy one soon. It’s only a matter of time before someone lets go a round on a range that travels so far, it hits a school bus full of kids. The government will definitely ban .50 calibers. This gun is just too powerful.”

Mr. President, a recent study by the General Accounting Office revealed some eye-opening facts about how and where this gun is used, and how easily it is obtained.

The GAO reports that many of these guns wind up in the hands of domestic and international terrorists, religious cults, outlaw motorcycle gangs, drug traffickers, and violent criminals.

One doomsday cult headquartered in Montana purchased 10 of these guns and stockpiled them in an underground bunker, along with thousands of rounds of ammunition and other guns.

At least one .50 caliber gun was recovered by Mexican authorities after a shoot-out with an international drug cartel in that country. The gun was originally purchased in Wyoming, so it is clear that the guns are making their way into the hands of criminals worldwide.

According to a recent news story, another .50 caliber sniper rifle, smuggled out of the United States, was used by the Irish Republican Army to kill a large number of British soldiers.

And ammunition for these guns is also readily available, even over the Internet. Bullets for these guns include “armor piercing incendiary” ammunition that explodes on impact, and even “armor piercing tracing” ammunition reminiscent of the ammunition that lit up the skies over Baghdad during the Persian Gulf war.

Several ammunition dealers were willing to sell armor piercing ammunition to an undercover GAO investigator even after the investigator said he wanted the ammunition to pierce an armored limousine or maybe to “take down” a helicopter.

In fact, our own military helps to provide thousands of rounds of .50 caliber ammunition, by essentially giving away tons of spent cartridges, many of which are then refurbished and sold on the civilian market.

The bill I offer today will begin the process of making these guns harder to get and easier to track.

Current law classifies .50 caliber guns as “long guns,” subject to the least government regulation for any firearm. Sawed-off shotguns, machine guns, and even handguns are more highly regulated than this military sniper rifle.

In fact, many states allow possession of .50 caliber guns by those as young as 14 years old, and there is no regulation on second-hand sales.

Essentially, this bill would re-classify .50 caliber guns under the National Firearms Act, which imposes far stricter standards on powerful and destructive weapons.

For instance:

NFA guns may only be purchased from a licensed dealer, and not second-hand. This will prevent the sale of these guns at gun shows and in other venues that make it hard for law enforcement to track the weapons.

Second, purchasers of NFA guns must fill out license transfer applications and provide fingerprints to be processed by the FBI in detailed criminal background checks. By reclassifying the .50 caliber, Congress will be making a determination that sellers should be more careful about to whom

they give these powerful, military guns.

ATF reports that this background check process takes about 60 days, so prospective gun buyers will face some delay. However, legitimate purchasers of this \$7,000 gun can certainly wait that long.

Clearly, Mr. President, placing a few more restrictions on who can get these guns and how is simply common sense. This bill will not ban the sale, use or possession of .50 caliber weapons. The .50 caliber shooting club will not face extinction, and “legitimate” purchasers of these guns will not lose their access—even though that, too, might be a reasonable step, since I cannot imagine a legitimate use of this gun.

The bill will simply place stricter requirements on the way in which these guns can be sold, and to whom. The measure is meant to offer a reasoned solution to making it harder for terrorists, assassins, and other criminals to obtain these powerful weapons. If we are to continue to allow private citizens to own and use guns of this caliber, range, and destructive power, we should at the very least take greater care in making sure that these guns do not fall into the wrong hands.

I urge my colleagues to support this bill.

By Mr. GRASSLEY (for himself and Mr. HELMS):

S. 1775. A bill to amend section 490 of the Foreign Assistance Act to 1961 to modify the matters taken into account in assessing the cooperation of foreign countries with the counter drug efforts of the United States, and for other purposes; to the Committee on Foreign Relations.

• Mr. GRASSLEY. Mr. President, I am introducing today for Senator HELMS and myself legislation to help the Administration better understand the importance of representing the US national interest. I am sending to the desk a bill on additional considerations for assessment of cooperation of foreign countries with United States counter-drug efforts. The purpose of this bill is to help the Administration get its act together when it comes to the certification process on illegal drugs. Recent statements by the Drug Czar and other Administration officials on certification, along with their actions in regard to such countries as Syria and Iran, show that they may have misplaced US national interests when it comes to drug policy. I want to help them find it again.

Over a decade ago, Congress passed measures in the Foreign Assistance Act that require US Administrations to certify whether other countries are taking serious steps to deal with major illegal drug production or trafficking in their territories. The view behind this legislation was to force an accounting, at least once a year, of what the US and other countries were doing to address a major foreign policy concern that, in the view of Congress, governments here and abroad would just

as soon have ignored. Administrations do not like accounting for themselves. Not many foreign countries welcome it either. They would prefer that legislatures and the public give them the money and approval they want with no questions asked. It's less troubling than having to explain actions, account for shortfalls, or demonstrate that the money being provided is achieving anything. Congress, however, thinks differently. It should and it must, in my view.

Today, the Clinton Administration, like its predecessors, is trying both to ignore certification as a genuine responsibility and to undo it where it can. It has made efforts to get Congress to scuttle the requirement. It has poor-mouthed the idea internationally while denying it has done so. It has resorted to lawerly gimmicks and low tricks to drop from certification some of the worst countries imaginable. And lately it has been trying to broaden, as it says, the evaluation and accountability process in the Western Hemisphere to make it fairer by participating with the Organization of American States in the creation of what is called the Multinational Evaluation Mechanism (MEM). This is a subterfuge for trying to get rid of the process by calling it something else. Given this Administration's poor performance on international drug control, I am not surprised at an effort to disguise shortcomings in some artful bureaucratic way. I am not surprised, but I am disappointed.

As part of the effort to discredit certification, the Administration has resorted to distortions and misrepresentations about what it involves and has enlisted a set of arguments that, while sounding plausible, are really little more than the old magician's trick of "watch the birdie" while hoping that you will not notice what he is really doing with his other hand. Well, we deserve better than sleight-of-hand on an issue as important as this one. I thought it might be useful to provide an antidote to these shenanigans with a few home truths.

There are many arguments advanced against certification, and I have addressed many of these in earlier statements on this floor, but the best one argues that while certification may once have been useful—time unspecified—it has served its purpose and is counter-productive because it hampers further cooperation with other countries that resent being subject to a unilateral, U.S. judgment of their performance. Mexico is often advanced as an example. This view is fine if you are working from the idea—which seems to be so much of the philosophy behind our present foreign policy—that we should be guided by everyone in the world's interests before our own or in spite of our own.

Now, I have no doubt that other countries resent being evaluated. In my experience, they resent being evaluated by any individual country or col-

lectively. This is not new, whether we are talking drugs or policies on intellectual properties or nuclear proliferation. And I am sure that this resentment over being judged can complicate negotiations. Both these points, however, are irrelevant to the circumstances under consideration. As a matter of our national interest, we are obliged to make judgments about the actions of other countries whether they like it or not. Let me try to make this point clearer in a different context.

The United States is currently embroiled in a controversy with the European Union over rules governing the importation of bananas. I am not going to comment on the merits of the particulars of the case, apart from noting that the United States, the present Administration, has determined—has judged—that EU restrictions, quotas, and preferences on the importation of bananas are unfair and prejudicial. This, folks, is an evaluation. And it is one deeply resented in Europe, as an infringement of the rights of not just one country but of an association of many countries, which happen to be our major allies. Nevertheless, the Administration is prepared to pursue the case in the teeth of this resentment to force a change it wants. And in doing this it is prepared to invoke sanctions to achieve its goals.

Similarly, the Administration is prepared to condemn a gaggle of other countries for permitting the pirating of various intellectual properties, such as books, videos, and copyrighted products. It is prepared to pursue sanctions to achieve a remedy. I can extend this list to judgments about states that support terrorism or are engaged in systematic human rights abuses. This Administration involved this country in a major military engagement—the ultimate sanction—to stop what it regarded as gross violations of human rights. I have no doubt that Slobodan Milosevic and his cronies deeply resented U.S. judgments about the fitness of his actions and even more objected to the steps we took to change his behavior. I do not detect that this resentment at being judged or the knowledge that there were objections to the actions then taken based on that judgment carried any weight in the decisions made by this Administration to bomb and strafe military and civilian targets in the former Yugoslavia.

What these examples show is that even this Administration understands, when it wants to, that there are matters of such import requiring judgments about the actions of other countries and involving responses based on those judgments that resentment or objections by others do not signify when it comes to deciding what we should do to protect interests we regard as important. Now, certification only requires that we make the involvement of other countries in the production and transit of illegal drugs—which kill more Americans

every year that all the terrorists have in the last ten years or more than Mr. Milosevic did at any time—a matter of judgment and possible action of a degree at least as important as bananas. I happen to believe that judgments about drugs coming to the U.S. are at least as much in our interest as judgments about bananas going to Europe.

I am puzzled by the Administration's reluctance to apply meaningful standards of judgment to the actions of other countries when it comes to drug policy. I am further puzzled by its willingness to be so moved by the resentment of other countries when it comes to judgments about drug policies and programs. The requirements in the law are not written in some mysterious dialect nor apply unfamiliar concepts. The idea is not so alien to our experience or even to this Administration's own actions as to be beyond comprehension. Yet, the Administration seems to have its own sources of bemusement when it comes to taking this issue seriously.

In essence, what the law requires is that the Administration determine first whether countries are major producing or transit areas for illegal drugs. You would not think this terribly difficult or controversial, or too intrusive on the feelings of others. It then asks for the Administration to determine whether these countries are acting in good faith to enforce their own domestic laws against these practices; are acting in conformity with any bilateral agreements with the United States to address these activities; or are doing what is reasonable and responsible to do in light of international law that governs the conduct of all countries on this issue. I am hard pressed to see how this infringes on the sovereignty of other countries or what in it is so outrageous as to occasion abandonment of the effort.

The law then requires that if, in the judgment of the Administration, any given country is not acting in good faith, it may then be subject to sanctions. The law does not require that the efforts of another country be successful in order to be certified. It does not require that judgments be without consideration of other national interests. It does ask, on this very important question, that the Administration supply to Congress and the American people at least once a year its considered opinion of whether other countries where a truly pernicious practice is being engaged in that affects directly the lives of U.S. citizens each and every day are, as a matter of fact, doing all that is reasonable to stop this practice. It then requires that if these countries are receiving U.S. assistance—that is, money from U.S. taxpayers—that this money be cut off—unless it is humanitarian aid or this self-same counter-drug assistance.

While I understand perfectly why an aid recipient might squawk, I do not know what act of imagination it requires to manufacture outrage on behalf of other countries threatened with

losing this assistance because in our judgment they are doing less than their best to cooperate with us. But that outrage is trotted out as an argument against certification. That aside, the most onerous part of the certification decision, and what other countries truly object to, is what world opinion makes of a U.S. judgment that a particular country is not cooperating with U.S. and international efforts to stop drug production or trafficking. What the Administration would have us do is forgo this judgment lest it hurt the feels of other countries. And yet, it is this judgment or the threat of it that has, in fact, been the primary impetus to encourage the very cooperation that the Administration says we do not need the certification process to achieve.

What the Administration would really like to do is to stop accounting to Congress and the public for its international drug policy. It knows that this is a non-starter. So it has proposed instead to bury this accountability in an elaborate ruse in cooperation with the OAS to neuter the process. In doing this, it has helped to devise through the OAS a list of over 80 evaluation items to help in developing a so-called multinational evaluative mechanism. There are, of course, no teeth in the evaluation process, and each of the member states involved has an effective veto over any adverse judgments of their respective efforts. In this regard, I am reminded of the inhabitants of Garrison Keiller's Lake Wobegon, where all the children are above average. The details behind the evaluation are to be kept confidential, which is okay since no one has much faith in the ability of most of the countries party to the evaluation to actually collect and evaluate the information in the first place. The countries involved lack the necessary reporting mechanisms, the budgets to sustain them, or the staffs to ensure ongoing, consistent information. This farrago is then supposed, gradually, to substitute for certification, somehow being fairer and more likely to ensure cooperation.

Ironically, the premise underlying this process is the same as that informing certification, that is, that a judgment about performance does need to be made. The difference here is that somehow a multilateral judgment would be better, and it wouldn't be offensive since it would be collaborative. In my view, it won't be offensive because it won't be effective. You can make what you want to of a process that is supposed to involve judgments about the effectiveness of actions that are designed not to offend anyone being judged. But I am not reassured. And if this is the face of cooperation, then we are in for some rude shocks in our international relations.

Having said this, I am prepared to help the Administration in its efforts. In order to give the Multinational Evaluation Mechanism some chance of effective implementation, I am, along

with Senator HELMS, today introducing legislation that would require that in future certification decisions the Administration incorporate the MEM as part of its deliberations in determining whether to certify other countries or not. Taking the Administration at its word that the mechanism is not an attempt to replace certification, but rather an effort to complement it, I offer this bill to enhance the process.●

By Mr. CRAIG (for himself, Mr. HAGEL, Mr. ROBERTS, Mr. ENZI, and Mr. GRAMS):

S. 1776. A bill to amend the Energy Policy Act of 1992 to revise the energy policies of the United States in order to reduce greenhouse gas emissions, advance global climate science, promote technology development, and increase citizen awareness, and for other purposes; to the Committee on Energy and Natural Resources.

THE CLIMATE CHANGE ENERGY POLICY  
RESPONSE ACT

S. 1777. A bill to amend the Internal Revenue Code of 1986 to provide incentives for the voluntary reduction of greenhouse gas emissions and to advance global climate science and technology development; to the Committee on Finance.

THE CLIMATE CHANGE TAX AMENDMENTS OF 1999

Mr. CRAIG. Mr. President, few issues present stakes as high for our country as global climate change. Worst case scenarios involving elevated temperatures and sea levels are disturbing to many people. On the other hand, capping energy use at levels lower than those in the growth-oriented nineties could chill our economy faster than it would cool down the climate.

Responsible governance includes environmental stewardship. However, the ultimate obligation of any government official anywhere is to win freedom for the governed who do not now have it, and to protect freedom for those who are already free.

By freedom, I mean the opportunity to achieve one's true potential, whether as an individual, a community, or a nation. And isn't it marvelous how freedom spawns discovery and innovation? And, in turn, how discovery and innovation solve problems and create opportunities?

Mr. President, we need consensus on climate change. But there is no magic dust that we can sprinkle on ourselves to make us all embrace the same scientific and economic conclusions on this issue. Our only chance lies in good, hard work toward that end.

Where should we begin? Knowledge leads to understanding, and understanding to consensus. Mr. President, at the moment we have some critical gaps in our knowledge of climate phenomena.

We know not nearly enough about the Earth's capacity to assimilate carbon dioxide. We know not nearly enough about natural variability of the climate over years, much less over centuries and millennia. Our ability to

measure and predict changes is not developed. Adequate measurement and modeling machinery is not even invented yet. Scientists at the National Research Council published a report in September, 1999, that confirm these observations. In the preface of that Report, they state:

It would be a misinterpretation of U.S. administration policy and agreements at the Kyoto conference to conclude that the causes and characteristics of global change are sufficiently clear that scientific inquiry in this area should be limited to mitigation measures.

\* \* \* \* \*  
A great deal more needs to be understood . . . about global environmental change before we concentrate on "mitigation" science. We do not understand the climate system well enough to clarify the causes and likelihoods of rapid or abrupt climate changes.

Likewise, Mr. President, we need to understand the economic implications of the leading policy alternatives. One year ago the U.S. Department of Energy published a sobering analysis of potential economic impacts of implementing the Kyoto agreement. But shouldn't we hear from other agencies as well? What would the Department of Labor have to say? How about Agriculture and Transportation? Let's look before we leap.

A third area we must explore is technology. What do we really know today about how energy will be produced in this country in 20 years? What do we know about how—and how much—it will be consumed? Can we develop policies to encourage real improvement in energy efficiency without trying to pick the market winners and losers?

Mr. President, we are now living in the Information Renaissance. But many in government behave as though we are still in the Dark Ages. If some of us in Congress have difficulty gaining access to government-controlled information in this area—and all too often we have—can you imagine the obstacles to private citizens?

Let's get all the information—science, technology, economics—together. Let's make it freely and widely available. All Americans have a right to know what their Government knows—and what their Government is doing—about climate change.

Knowledge in the science, economics, and technology of climate change will yield to understanding. We should all be open to unexpected discovery, whether in pleasant surprises or confirmation of today's predictions.

While we are waiting to close our knowledge gaps, why not go ahead with some steps that reduce greenhouse gas emissions while accomplishing other benefits along the way? Every minute wasted in traffic tie-ups is that much more carbon dioxide man releases into the atmosphere. If we apply technology to solving traffic problems and the greenhouse gas theory fizzles out, at least our efforts will have saved time for busy travelers and commuters.

Let's find ways to encourage individual citizens, farms and small businesses, communities and States, to take some no-regrets action to lower greenhouse gas emissions. But let's not offer the false hope that their efforts will be rewarded in some kind of negotiable credits issued in an international currency of carbon caps or fuel rations.

Mr. President, the two companion bills that several colleagues and I are introducing today set out to do all these things with regard to the global climate change issue. My legislation does not pretend to answer all the questions. Rather, it lays out a framework for reaching consensus that begins by developing knowledge; and from knowledge understanding; and from understanding consensus.

Mr. President, let's get started. I welcome my colleagues to join me as co-sponsors.

I ask unanimous consent that the text and a section-by-section analysis of each measure be printed in the RECORD.

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

S. 1776

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the "Climate Change Energy Policy Response Act".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.

**TITLE I—ENERGY POLICY COORDINATION**

Sec. 101. Responsibility of Department of Energy.

**TITLE II—ADVANCEMENT OF CLIMATE CHANGE SCIENCE**

Sec. 201. Coordination, prioritization, and evaluation of climate change science research.

**TITLE III—COMPREHENSIVE POLICY REVIEW AND ANALYSIS**

Sec. 301. Domestic and international assessment of policies for addressing the effects of greenhouse gas emissions.

**TITLE IV—PUBLIC RIGHT TO KNOW**

Sec. 401. Annual report to public.

**TITLE V—ACCELERATED DEVELOPMENT AND DEPLOYMENT OF RESPONSE TECHNOLOGY**

Sec. 501. Review of federally funded energy technology research and development.

Sec. 502. Study of regulatory barriers to rapid deployment of emission reduction technology.

**TITLE VI—INTERNATIONAL DEPLOYMENT OF ENERGY TECHNOLOGY TO MITIGATE CLIMATE CHANGE**

Sec. 601. International deployment of energy technology to mitigate climate change.

**TITLE VII—OPTIMAL OPERATING EFFICIENCY OF TRANSPORTATION SYSTEMS**

Sec. 701. Traffic congestion relief research.

**TITLE VIII—VOLUNTARY INITIATIVES**

Sec. 801. Improved and streamlined reporting and certification of voluntary measures.

Sec. 802. Public awareness campaign regarding benefits of certification of voluntary emission reductions.

Sec. 803. State authority to encourage voluntary energy initiatives.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) to responsibly address climate change issues requires examination of energy policies and practices;

(2) global climate change issues have profound scientific, technological, economic, and public policy facets that must be addressed in a comprehensive, integrated fashion;

(3) current scientific research, experimentation, and data collection are not adequately focused on answering key questions within the United States or internationally;

(4)(A) the lack of a coordinated climate modeling strategy in the United States is hampering progress in high-end climate modeling activities;

(B) the United States lacks the capabilities to perform the requisite climate change modeling simulations and experiments in order to be able to apply existing United States intellectual expertise to important science and policy questions related to climate change; and

(C) those deficiencies, among others, limit the ability of the United States to—

(i) predict future climate characteristics and assess the results of climate change;

(ii) formulate policies that are consistent with national objectives; and

(iii) advance most effectively an understanding of the underlying scientific issues pertaining to climate change and variability;

(5) there has been a lack of progress made by Federal agencies responsible for climate observation systems, individually and collectively, in developing and maintaining a credible, integrated climate observing system, consequently limiting the ability of the United States to document and understand climate change adequately;

(6)(A) developing and deploying technologies can speed the transition to a lower level of greenhouse gas emissions in the United States and throughout the world;

(B) the pace of technological change in the marketplace is difficult to predict accurately; while breakthroughs in such developments are often incremental, capital turnover, consumer acceptance, technological compatibility, economics, and other factors can alter the pace of such change; and

(C) such technologies need to be environmentally sound, safe, cost-effective, and consumer-friendly;

(7)(A) public access to scientific, economic, and public policy information regarding climate change is severely limited;

(B) the public's right to know and to be fully informed of all aspects of climate change is not being satisfied; and

(C) open and balanced discussion leading to public support for the best environmentally and economically sound approaches to climate change policy resolution is urgently needed;

(8) sufficient scientific questions and public interest exist to warrant tangible encouragement and acknowledgment of responsible actions by private entities to reduce, avoid, or offset greenhouse gas emissions, even though many scientific, technological, economic, and public policy questions have not yet been resolved;

(9) voluntary measures should be encouraged through incentives rather than in anticipation of future domestic or international regulatory mandates; and

(10) greenhouse gas emission improvements can be achieved through voluntary measures even as we answer yet unresolved key questions about global and regional climates.

**SEC. 3. DEFINITIONS.**

(a) **IN GENERAL.**—Title XVI of the Energy Policy Act of 1992 is amended by inserting before section 1601 (42 U.S.C. 13381) the following:

**"SEC. 1600. DEFINITIONS.**

"In this title:

"(1) **ADMINISTRATOR.**—The term 'Administrator' means the Administrator of the Energy Information Administration.

"(2) **EMISSION REDUCTION.**—The term 'emission reduction' includes—

"(A) avoidance of the emission of a greenhouse gas;

"(B) a limitation on the emission of a greenhouse gas;

"(C) sequestration of carbon; and

"(D) mitigation for the emission of a greenhouse gas.

"(3) **ENERGY TECHNOLOGY.**—The term 'energy technology' means—

"(A) a technology relating to—

"(i) the generation or production (including exploration and discovery) of an energy source; or

"(ii) the transmission, distribution, conservation, or use of energy that could reduce greenhouse gas emissions; and

"(B) a technology relating to carbon sequestration, including carbon sequestration through crops, soils, forests, oceans, and wetlands.

"(4) **GREENHOUSE GAS.**—The term 'greenhouse gas' means a gaseous constituent of the atmosphere, natural or anthropogenic, that absorbs and re-emits infrared radiation."

(b) **TECHNICAL AMENDMENT.**—The table of contents of the Energy Policy Act of 1992 (106 Stat. 2776) is amended by inserting before the item relating to section 1601 the following:

"Sec. 1600. Definitions."

**TITLE I—ENERGY POLICY COORDINATION**  
**SEC. 101. RESPONSIBILITY OF DEPARTMENT OF ENERGY.**

(a) **IN GENERAL.**—Section 1603 of the Energy Policy Act of 1992 (42 U.S.C. 13383) is amended—

(1) by inserting striking "Within 6 months" and inserting the following:

"(a) **IN GENERAL.**—Within 6 months"; and

(2) by adding at the end the following:

"(b) **ROLE OF SECRETARY.**—The Secretary, consistent with other Federal law, shall—

"(1) coordinate all energy-related activities involving climate change issues, including scientific research, energy technology and development, and evaluation of effects and implications on energy use, sources, and related activities of various global climate change policies described in this title;

"(2) select policies to be assessed under this section and conduct the assessments; and

"(3) ensure that—

"(A) the collection and dissemination of all information developed and disseminated (including data and modeling results) relating to climate change issues described in this title is timely, balanced, accurate, and sound; and

"(B) the information described in subparagraph (A) is made available to the public.

"(c) **STAFF.**—

"(1) **STAFF DIRECTOR.**—The Secretary of Energy shall designate an appropriate officer of the Department of Energy to function as staff director for the Secretary for functions assigned to the Secretary under this title.

"(2) **STAFF SUPPORT.**—

"(A) **IN GENERAL.**—The Secretary of Energy may request from the Secretary of Agriculture, Secretary of Commerce, Secretary

of State, and Secretary of Transportation such additional staff support as the Secretary may require to carry out functions under this title.

“(B) PERSONNEL ON DETAIL.—Staff provided under subparagraph (A) shall serve on detail to the Secretary with the approval of the respective agency heads.

“(C) NO STAFFING INCREASE.—This subsection and the other amendments made to this title by the Climate Change Energy Policy Response Act shall not serve to authorize an increase in staffing authority for the Secretary or any such agency head.

“(e) CONSULTATION WITH NAS, NAE, NRC, AND EPA.—The Secretary shall consult, as appropriate, with—

“(1) the National Academy of Sciences and National Academy of Engineering;

“(2) the National Research Council; and

“(3) the Environmental Protection Agency.”.

(b) TECHNICAL AMENDMENTS.—

(1) The section heading for section 1603 of the Energy Policy Act of 1992 is amended by striking “DIRECTOR OF” and inserting “COORDINATION OF”.

(2) The item in the table of contents for the Energy Policy Act of 1992 (42 U.S.C. 13381 et seq.) is amended by striking “Director of” and inserting “Coordination of”.

#### TITLE II—ADVANCEMENT OF CLIMATE CHANGE SCIENCE

##### SEC. 201. COORDINATION, PRIORITIZATION, AND EVALUATION OF CLIMATE CHANGE SCIENCE RESEARCH.

(a) IN GENERAL.—Title XVI of the Energy Policy Act of 1992 (42 U.S.C. 13381 et seq.) is amended by striking section 1604 and inserting the following:

##### “SEC. 1604. COORDINATION, PRIORITIZATION, AND EVALUATION OF CLIMATE CHANGE SCIENCE RESEARCH.

“(a) IN GENERAL.—The Secretary, with the advice and assistance of the National Academy of Sciences and the National Academy of Engineering, shall coordinate, prioritize, and evaluate the Federally funded research conducted by or through Federal agencies that, in whole or in part, involves climate change science.

“(b) RECOMMENDATIONS TO CARRY OUT RESEARCH.—The Secretary shall annually request from the National Research Council recommendations of measures to effectively carry out all scientific research performed under this title, including strengthening of peer review processes and grantmaking procedures.

“(c) PLAN FOR COORDINATION.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Climate Change Energy Policy Response Act, the Secretary shall submit to Congress recommendations for legislative and administrative measures to effectively carry out research and public information programs under this title.

“(2) SUBJECTS.—Recommendations under paragraph (1) shall include recommendations to improve peer review processes and grantmaking procedures.

“(d) OBJECTIVES OF FEDERAL CLIMATE CHANGE SCIENCE RESEARCH.—

“(1) IN GENERAL.—All climate change science research performed under this title—

“(A) in the aggregate, shall adequately address the objectives stated in paragraph (2); and

“(B) individually, shall, to the extent practicable, incorporate a focus on those objectives, as appropriate.

“(2) OBJECTIVES.—The objectives referred to in paragraph (1) are the objectives of—

“(A) understanding the Earth’s capacity to assimilate natural and manmade greenhouse gas emissions;

“(B) evaluating the natural variability of the climate, including such phenomena as El Niño;

“(C)(i) developing, and assessing the capabilities of, climate models; and

“(ii) facilitating future climate assessments and our understanding and predictions of climate through formulation of a national statement of goals and objectives, followed by appropriate development of a national climate modeling strategy that—

“(I) includes the provision of adequate computational resources to enhance supercomputing capabilities and the provision of adequate human resources; and

“(II) is integrated and coordinated across the relevant agencies;

“(D) ensuring the integrity of all observational data used to validate models;

“(E) stabilizing the existing climate observational capability;

“(F) identifying critical climate variables that are inadequately measured or not measured at all;

“(G) building climate observing requirements into existing, ongoing operational programs;

“(H) revamping climate research programs and appropriate climate-critical parts of operational observing programs so as to produce truly useful long-term climate data;

“(I) establishing a funded activity for the development, implementation, and operation of climate-specific observational programs;

“(J) assessing the capability and potential of the United States and North American carbon sequestration, including carbon sequestration through crops, forests, soils, oceans, and wetlands; and

“(K) developing and deploying the technology to monitor all relevant national and global data.

“(e) REPORTS.—

“(1) IN GENERAL.—Not later than October 1 of each year, the Secretary shall submit to Congress and the President a report on the activities carried out under this section.

“(2) CONTENTS.—The report under paragraph (1) shall contain any scientific conclusions, interim status reports, and recommendations for subsequent research and testing that the Secretary considers appropriate.

“(3) DRAFT REPORT.—A report under paragraph (1) shall be made available in draft form not later than August 1 of each year to appropriate nongovernmental organizations with applicable scientific expertise for review before final publication.

“(4) PUBLIC AVAILABILITY.—Each report under paragraph (1) shall be made public, including through the National Resource Center on Climate Change established under section 1612.

“(f) AUTHORIZATION OF APPROPRIATIONS FOR CERTAIN CLIMATE CHANGE RESEARCH.—For each of fiscal years 2001 through 2004, there are authorized to be appropriated to the Secretary such sums as are necessary for—

“(1) research to assess the ability of natural carbon sinks to adjust to natural variations in climate and greenhouse gas emissions including crops, grassland, forests, soils, and oceans;

“(2) research on natural climate variability;

“(3) research to develop and assess the capabilities of climate models;

“(4) research to ensure the integrity of data used to validate climate models;

“(5) research to develop carbon sinks in the United States, primarily crop and forestry research; and

“(6) research to develop and deploy monitoring technology.”.

(b) TECHNICAL AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (106 Stat. 2776) is amended by striking the item

relating to section 1604 and inserting the following:

“Sec. 1604. Coordination, prioritization, and evaluation of climate change science research.”.

#### TITLE III—COMPREHENSIVE POLICY REVIEW AND ANALYSIS

##### SEC. 301. DOMESTIC AND INTERNATIONAL ASSESSMENT OF POLICIES FOR ADDRESSING THE EFFECTS OF GREENHOUSE GAS EMISSIONS.

(a) IN GENERAL.—Title XVI of the Energy Policy Act of 1992 (42 U.S.C. 13381 et seq.) is amended by inserting after section 1604 the following:

##### “SEC. 1604A. ASSESSMENT OF ALTERNATIVE ENERGY-RELATED POLICIES FOR ADDRESSING GREENHOUSE GAS EMISSIONS.

“(a) EVALUATION AND COMPREHENSIVE REPORT.—

“(1) DEFINITION OF ECONOMIC INDICATOR.—In this subsection, the term ‘economic indicator’ means—

“(A) the rate of inflation;

“(B) the rate of change in the gross domestic product;

“(C) the unemployment rate;

“(D) interest rates; and

“(E) the price and supply availability of fossil fuels (by category and source).

“(2) REPORTS BY SECRETARY.—

“(A) IN GENERAL.—Not later than 2 years after the date of enactment of the Climate Change Energy Policy Response Act and bi-annually thereafter, the Secretary, after consultation with each department referred to in paragraphs (3) through (10) and the United States Trade Representative, shall submit to Congress and to the President a report containing a critical analysis and assessment of energy-related policies for responding to potential global climate change (including a comparative assessment of the policies).

“(B) DESIGNATED POLICIES.—The Secretary shall select at least 3 energy-related policies for assessment under subparagraph (A).

“(C) SHORT-TERM AND LONG-TERM ASSESSMENTS.—The assessments shall be for the short term (within 5 years following the date of the report) and the long term (within 50 years following the date of the report).

“(3) ENERGY SUPPLY AND DEMAND.—

“(A) IN GENERAL.—The Secretary shall analyze and assess the energy supply, demand, and price implications for each energy-related policy referred to in paragraph (2)(A).

“(B) ACCOUNTING FOR VARIOUS SCENARIOS.—Each assessment described in subparagraph (A) shall address any energy implications under various scenarios, including changes in economic indicators.

“(C) INITIAL DRAFT.—The Energy Information Administration shall—

“(i) prepare the initial draft of each report required under this paragraph; and

“(ii) make a copy of the initial draft available to the public.

“(4) AGRICULTURE.—

“(A) IN GENERAL.—After opportunity for consultation with the Department of Agriculture, each report by the Secretary shall analyze and assess the agricultural production cost and market implications of each energy-related policy referred to in paragraph (2)(A), including the overall impact of the policy on rural economies.

“(B) ACCOUNTING FOR VARIOUS SCENARIOS.—Each assessment described in subparagraph (A) shall address any agricultural implications under various scenarios, changes in economic indicators, and in livestock and commodity prices.

“(5) HEALTH.—

“(A) IN GENERAL.—After opportunity for consultation with the Department of Health

and Human Services, each report by the Secretary shall analyze and assess the health implications of each energy-related policy referred to in paragraph (2)(A).

“(B) ACCOUNTING FOR VARIOUS SCENARIOS.—Each assessment described in subparagraph (A) shall address any health implications under various scenarios, including changes in economic indicators.

“(6) LABOR.—

“(A) IN GENERAL.—After opportunity for consultation with the Department of Labor, each report by the Secretary shall analyze and assess the implications of each policy referred to in paragraph (2)(A) on—

“(i) workers, including wages, job opportunities, and the comparative attractiveness, if any, of locating operations of United States companies abroad; and

“(ii) consumers, in terms of projected impacts, if any, on the Consumer Price Index.

“(B) ACCOUNTING FOR VARIOUS SCENARIOS.—Each assessment described in subparagraph (A) shall account for implications under various scenarios, including changes in economic indicators.

“(7) TRANSPORTATION.—

“(A) IN GENERAL.—After opportunity for consultation with the Department of Transportation, each report by the Secretary shall analyze and assess the impacts, if any, of each policy described in paragraph (2)(A) on all modes of transportation, and the resulting economic effects of such cost changes on consumers, labor, agricultural enterprises, and businesses (including specifically domestic consumers and businesses that are dependent on transportation).

“(B) ACCOUNTING FOR VARIOUS SCENARIOS.—Each assessment described in subparagraph (A) shall address any transportation implications under various scenarios, including, in the case of motor vehicles, technological changes in vehicle design and traffic constraint mitigation.

“(C) CONSIDERATIONS.—Each assessment described in subparagraph (A) shall consider such factors as—

“(i) vehicle miles traveled;

“(ii) the availability of adequate and reliable public transportation within and between cities, States, and regions;

“(iii) the commercial use of trucks and other highway motor vehicles for transporting goods and passengers and delivering services;

“(iv) the geographic size and population of the United States relative to those of other developed countries;

“(v) safety;

“(vi) environmental laws;

“(vii) fuel prices;

“(viii) energy conservation; and

“(ix) changes in economic indicators.

“(8) HOUSING AND URBAN PLANNING.—

“(A) IN GENERAL.—After opportunity for consultation with the Department of Housing and Urban Development, each report by the Secretary shall analyze and assess the implications of each policy described in paragraph (2)(A) on housing costs and urban planning.

“(B) ACCOUNTING FOR VARIOUS SCENARIOS.—Each assessment described in subparagraph (A) shall address any housing and urban planning implications under various scenarios, including variations in mortgage and construction interest rates and changes in economic indicators.

“(9) INTERNATIONAL COMMERCE.—

“(A) IN GENERAL.—After opportunity for consultation with the Secretary of Commerce and the United States Trade Representative, each report by the Secretary shall analyze and assess the implications of each policy described in paragraph (2)(A) on United States exports and imports and trade competitiveness.

“(B) ACCOUNTING FOR VARIOUS SCENARIOS.—Each assessment described in subparagraph (A) shall address any international commerce implications under different scenarios, including changes in economic indicators.

“(10) ACTIONS BY OTHER NATIONS.—

“(A) IN GENERAL.—Each report by the Secretary shall analyze and assess the actions taken, or likely to be taken, and the net aggregate effect of such actions, by each United Nations member country to avoid, reduce, or adapt to potential global climate change.

“(B) CONSULTATION.—Each report shall be prepared in accordance with otherwise applicable laws (including regulations) after opportunity for consultation with the Central Intelligence Agency, the National Security Agency, and the Department of State.

“(C) ANALYSIS OF POLITICAL AND ECONOMIC FACTORS.—

“(i) IN GENERAL.—Each assessment described in subparagraph (A) shall analyze the political and economic factors present in each country that form the basis for the assessment.

“(ii) MATTERS TO BE ADDRESSED.—Each assessment shall specifically address—

“(I) the status of the commitment of each country to any international agreements, treaties, or protocols related to potential global climate change; and

“(II) the projected ability of each country to commit to, and the likelihood of each country's committing to, specific quantifiable targets to reduce, within specified timeframes, greenhouse gas emissions under a legally binding international agreement.

“(11) REPORTING FLEXIBILITY.—For biannual reports under this subsection, the Secretary may—

“(A) submit individual reports with respect to each paragraph under this subsection; or

“(B) submit a combination of 1 or more biannual reports, but only if submitting a combination of reports would facilitate public understanding in a timely manner.

“(b) COMPREHENSIVE POLICY REPORTS.—

“(1) IN GENERAL.—Not later than 30 months after the date of enactment of the Climate Change Energy Policy Response Act, and biannually thereafter, the President, with the advice and assistance of the Secretary, shall submit to Congress a report analyzing and integrating the combined findings of the reports required under subsection (a).

“(2) CONTENTS.—Each report under paragraph (1) shall include recommendations of any changes in law, international agreements, or public policy that the President considers to be in the best interests of the United States.

“(c) NATIONAL ACADEMY OF SCIENCES; NATIONAL ACADEMY OF ENGINEERING.—

“(1) IN GENERAL.—Not later than 30 days after the date of enactment of the Climate Change Energy Policy Response Act, the Secretary shall request that, not later than 2 years after the date of enactment of that Act and biannually thereafter, the National Academy of Sciences and the National Academy of Engineering (acting through the National Research Council) submit to Congress and to the Secretary (for inclusion in the review and report under subsection (c)) a report containing a comparative assessment of each policy assessed under subsection (b), including the known scientific effect of each mechanism on global climate change and the effect of each mechanism on the technology development and selection.

“(2) SHORT-TERM AND LONG-TERM ASSESSMENTS.—An assessment under paragraph (1) shall be for the short term (the following 5-year period) and for the long term (the following 50-year period).

“(d) REPORT ON ACTIONS UNDER EPA JURISDICTION.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Climate Change Energy Policy Response Act, and biannually thereafter, based on consultations with the Administrator of the Environmental Protection Agency, the Secretary shall submit to Congress and the President a report describing the energy supply and demand implications of all activities carried out by the Agency that have a coincidental effect on actions by the private sector that affect greenhouse gas emissions.

“(2) PUBLIC CONSULTATION.—In preparing a report under paragraph (1), the Secretary shall consult with—

“(A) persons in the private sector that are regulated by the Administrator; and

“(B) persons in the public sector.

“(e) SUSPENSION OF REPORTS.—After a second report is made under this section, the Secretary may suspend any reporting requirement under subsection (a) for a period of not more than 4 years if the Secretary determines that additional responses to that requirement would not be likely to provide information that substantially supplements the earlier reports.”

(b) TECHNICAL AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (106 Stat. 2776) is amended by inserting after the item relating to section 1604 the following:

“Sec. 1604A. Assessment of alternative policies for addressing greenhouse gas emissions.”

#### TITLE IV—PUBLIC RIGHT TO KNOW

##### SEC. 401. ANNUAL REPORT TO PUBLIC.

(a) IN GENERAL.—Title XVI of the Energy Policy Act of 1992 (42 U.S.C. 13381 et seq.) is amended by adding at the end the following:

##### “SEC. 1610. ANNUAL REPORT TO PUBLIC.

“(a) REPORT.—The Secretary, at the time the President submits to Congress the budget of the United States Government under section 1105 of title 31, United States Code, shall publish a detailed report that includes, to the maximum extent practicable—

“(1) a description of all current fiscal year and prior fiscal year Federal spending on climate change, categorized by research, regulation, education, and other activities;

“(2) an estimate of the prior year and current amount of any Federal tax credits or other Federal tax deductions claimed by taxpayers directly attributable to emission reduction activities;

“(3) a compendium of all proposed Federal spending related to climate change categorized by research, regulation, education, and other activities;

“(4) tables detailing all spending recommendations on climate change submitted by Federal agencies to the Office of Management and Budget, compared with the final recommendations of the President;

“(5) an alphabetical index of all climate change grantees, cross-referenced by name of institution and persons carrying out the grant project;

“(6) an index of all climate change grant proposals not funded by Federal agencies; and

“(7) a list of all persons, and their institutional affiliations, participating in peer review of climate change grant proposals submitted to Federal agencies.

“(b) AVAILABILITY OF REPORTS.—A report under subsection (a) shall be—

“(1) printed on recycled paper;

“(2) made available to the public; and

“(3) posted on the Internet.

##### “SEC. 1611. PUBLIC COMMENT.

“In the case of any report under this title that is to be published, the Secretary shall—

“(1) provide to the public notice and opportunity to comment on the contents or quality of the report before it is published; and

“(2) receive, catalogue, and make readily available to the public all written public comments on reports covered by this section, except that lengthy compilations of public comments may be published in electronic format only.

**“SEC. 1612. NATIONAL RESOURCE CENTER ON CLIMATE CHANGE.**

“(a) IN GENERAL.—The Secretary, in consultation with the National Academy of Sciences, shall maintain a National Resource Center on Climate Change (referred to in this section as the ‘Center’).

“(b) FUNCTIONS.—

“(1) IN GENERAL.—The Center shall preserve and make available to the public all reports, studies, or other information relating to climate change provided for in this title, provided for in the Climate Change Energy Policy Response Act, or otherwise available to the Federal Government.

“(2) REFERENCE ITEMS.—Except as otherwise provided in this title, reference items may be made available in electronic format only.

“(c) RELATIONSHIP TO OTHER LAW.—Nothing in this section alters or amends otherwise applicable law restricting public access to information, including laws protecting national defense secrets, intellectual property rights, and privacy rights.”.

(b) TECHNICAL AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (106 Stat. 2776) is amended by inserting after the item relating to section 1609 the following:

“Sec. 1610. Annual report to public.

“Sec. 1611. Public comment.

“Sec. 1612. National Resource Center on Climate Change.”.

**TITLE V—ACCELERATED DEVELOPMENT AND DEPLOYMENT OF RESPONSE TECHNOLOGY**

**SEC. 501. REVIEW OF FEDERALLY FUNDED ENERGY TECHNOLOGY RESEARCH AND DEVELOPMENT.**

(a) IN GENERAL.—Title XVI of the Energy Policy Act of 1992 (42 U.S.C. 13381 et seq.) (as amended by section 401(a)) is amended by adding at the end the following:

**“SEC. 1613. REVIEW OF FEDERALLY FUNDED ENERGY TECHNOLOGY RESEARCH AND DEVELOPMENT.**

“(a) DEPARTMENT OF ENERGY REVIEW OF FEDERALLY FUNDED ENERGY TECHNOLOGY RESEARCH AND DEVELOPMENT.—

“(1) IN GENERAL.—The Secretary shall—

“(A) review annually any federally funded research and development activities carried out on energy technology; and

“(B) issue a public report by October 15 of each year on the results of the review for consideration and use in the preparation of the budget of the United States Government submitted under section 1105 of title 31, United States Code, for the following fiscal year.

“(2) ASSESSMENT OF TECHNOLOGY READINESS.—As part of the review of an energy technology, the Secretary shall—

“(A) assess the status (including the potential commercialization) of the technology and any barriers to the deployment of the energy technology; and

“(B) consider—

“(i) the length of time it will take for deployment and use of the energy technology so as to have a meaningful impact on emission reductions;

“(ii) the cost of deploying the energy technology;

“(iii) the safety of the energy technology; and

“(iv) other relevant factors.

(b) ENERGY TECHNOLOGY RESEARCH AND DEVELOPMENT CLEARINGHOUSE.—

“(1) IN GENERAL.—The Secretary shall establish, in the National Resource Center on

Climate Change established under section 1614 or by such other means as the Secretary considers appropriate, an information clearinghouse to facilitate the transfer and dissemination of the results of federally funded research and development activities being carried out on energy technology.

“(2) NO EFFECT ON RESTRICTIONS OR SAFEGUARDS.—Paragraph (1) has no effect on any restrictions or safeguards established for national security or the protection of personal property rights (including trade secrets and confidential business information).

“(c) AUTHORIZATION OF APPROPRIATIONS FOR JOINT FEDERAL/PRIVATE DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to the Secretary for each of fiscal years 2001 through 2004 such sums as are necessary for programs for the demonstration of innovative energy sequestration technologies described in section 1600(3)(B) to be conducted jointly by the Federal Government and private nonprofit or for-profit entities.”.

(b) TECHNICAL AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (106 Stat. 2776) (as amended by section 401(b)) is amended by inserting after the item relating to section 1612 the following:

“Sec. 1613. Review of federally funded energy technology research and development.”.

**SEC. 502. STUDY OF REGULATORY BARRIERS TO RAPID DEPLOYMENT OF EMISSION REDUCTION TECHNOLOGY.**

Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States (in consultation with the Secretary of Commerce and the United States Trade Representative) shall—

(1) identify and evaluate regulatory barriers to the more rapid deployment of technology domestically and internationally for greenhouse gas emission reductions (within the meaning of section 1600 of the Energy Policy Act of 1992, as added by section 3);

(2) recommend to Congress changes in law that would permit more rapid deployment of such technologies; and

(3) make such other recommendations as the Comptroller General of the United States considers to be appropriate.

**TITLE VI—INTERNATIONAL DEPLOYMENT OF ENERGY TECHNOLOGY TO MITIGATE CLIMATE CHANGE**

**SEC. 601. INTERNATIONAL DEPLOYMENT OF ENERGY TECHNOLOGY TO MITIGATE CLIMATE CHANGE.**

Section 1608 of the Energy Policy Act of 1992 (42 U.S.C. 13386) is amended by striking subsection (1) and inserting the following:

“(1) INTERNATIONAL DEPLOYMENT OF ENERGY TECHNOLOGY TO MITIGATE CLIMATE CHANGE.—

“(I) DEFINITIONS.—In this subsection:

“(A) ENERGY EFFICIENCY.—The term ‘energy efficiency’ means the ratio of the design average annual energy output of a unit of an energy production facility (determined without regard to any cogeneration of steam) to the design average annual heat input of the unit (based on the highest heating value of the fuel used by the unit).

“(B) INTERNATIONAL ENERGY DEPLOYMENT PROJECT.—The term ‘international energy deployment project’ means a project to construct a unit of an energy production facility outside the United States—

“(i) the output of which will be consumed outside the United States; and

“(ii) the deployment of which will result in greenhouse gas reduction when compared to the technology that would otherwise be implemented through an increase in energy efficiency of—

“(I) 5 percentage points or more, in the case of a unit placed in service before January 1, 2010;

“(II) 7 percentage points or more, in the case of a unit placed in service after December 31, 2009, and before January 1, 2020; or

“(III) 10 percentage points or more, in the case of a unit placed in service after December 31, 2019, and before January 1, 2030.

“(C) QUALIFYING INTERNATIONAL ENERGY DEPLOYMENT PROJECT.—The term ‘qualifying international energy deployment project’ means an international energy deployment that—

“(i) is submitted by a United States firm to the Secretary in accordance with procedures established by the Secretary by regulation;

“(ii) uses technology that has been successfully developed or deployed in the United States;

“(iii) meets the criteria of subsection (k);

“(iv) is approved by the Secretary, with notice of the approval being published in the Federal Register; and

“(v) complies with such terms and conditions as the Secretary establishes by regulation.

“(D) UNITED STATES.—The term ‘United States’, when used in a geographical sense, means the 50 States, the District of Columbia, and territories and possessions of the United States.

“(2) PILOT PROGRAM FOR FINANCIAL ASSISTANCE.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Climate Change Energy Policy Response Act, the Secretary shall by regulation provide for a pilot program for financial assistance for qualifying international energy deployment projects.

“(B) LIMITATION.—The pilot program shall provide financial assistance, subject to the availability of appropriations, for not more than 6 qualifying international energy deployment projects.

“(C) SELECTION CRITERIA.—After consultation with the Secretary of State, the Secretary of Commerce, and the United States Trade Representative, the Secretary shall select projects for participation in the program based solely on the criteria under this title and without regard to the country in which the project is located.

“(D) FINANCIAL ASSISTANCE.—

“(i) IN GENERAL.—A United States firm that undertakes a qualifying international energy deployment project selected to participate in the pilot program shall be eligible to receive a loan or a loan guarantee from the Secretary.

“(ii) TIMING.—The Secretary may enter into a commitment to make a loan or loan guarantee before the United States firm decides on a binding contract for the construction of a qualifying international energy deployment project.

“(iii) RATE OF INTEREST.—The rate of interest of any loan made under clause (i) shall be equal to the rate for Treasury obligations then issued for periods of comparable maturities.

“(iv) AMOUNT.—The amount of a loan or loan guarantee under clause (i) shall not exceed 75 percent of the total cost of the qualified international energy deployment project.

“(E) COORDINATION WITH OTHER PROGRAMS.—A qualifying international energy deployment project funded under this section shall not be eligible as a qualifying clean coal technology under section 415 of the Clean Air Act (42 U.S.C. 7651n).

“(F) REPORT.—Not later than 4 years after the date of enactment of the Climate Change Energy Policy Response Act, the Secretary shall submit to the President a report on the results of the pilot projects.

“(G) RECOMMENDATION.—Not later than 60 days after receiving the report under subparagraph (F), the President shall submit to Congress a recommendation, based on the results of the pilot projects as reported by the Secretary of Energy, concerning whether the financial assistance program under this section should be continued, expanded, reduced, or eliminated.

“(H) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as are necessary for fiscal years 2001 through 2004.”.

**TITLE VII—OPTIMAL OPERATING EFFICIENCY OF TRANSPORTATION SYSTEMS**  
**SEC. 701. TRAFFIC CONGESTION RELIEF RESEARCH.**

Section 502 of title 23, United States Code, is amended by adding at the end the following:

“(h) TRAFFIC CONGESTION RELIEF RESEARCH.—

“(1) STUDIES.—

“(A) REGIONAL APPROACHES FOR REDUCING TRAFFIC CONGESTION.—

“(i) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences to conduct a study, and prepare a report comparing the effectiveness of various regional approaches for reducing traffic congestion.

“(ii) REQUIRED ASSESSMENTS.—At a minimum, the study shall assess the impact on traffic congestion of—

“(I) expansion of highway capacity;

“(II) improvement of traffic operations (including improved incident management associated with traffic accidents and vehicle breakdowns); and

“(III) programs for demand management.

“(B) HIGHWAY DESIGN CONCEPTS.—

“(i) IN GENERAL.—The Secretary shall fund a study analyzing, and preparation of a report concerning, highway design concepts for projects to relieve congestion in urban areas without acquisition of additional rights-of-way.

“(ii) ENTITY TO CARRY OUT STUDY.—The study may be carried out and the report prepared—

“(I) by the Department of Transportation;

“(II) by another entity, through an arrangement with the Secretary; or

“(III) by a combination of the entities described in subclauses (I) and (II).

“(2) FEDERAL SHARE.—The Federal share of the cost of the studies required under paragraph (1) shall be 100 percent.

“(3) FUNDING.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, for each of fiscal years 2000 through 2002, \$1,000,000 of the sum deducted by the Secretary under section 104(a) shall be made available to carry out the studies required under paragraph (1).

“(B) ALLOCATION OF FUNDS.—Funds made available under subparagraph (A) shall be allocated among the 2 studies at the discretion of the Secretary, except that each study shall be allocated funds sufficient to allow for completion of the study.”.

**TITLE VIII—VOLUNTARY INITIATIVES**

**SEC. 801. IMPROVED AND STREAMLINED REPORTING AND CERTIFICATION OF VOLUNTARY MEASURES.**

(a) REVISED GUIDELINES UNDER ENERGY POLICY ACT OF 1992.—Section 1605(b) of the Energy Policy Act of 1992 (42 U.S.C. 13385(b)) is amended—

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

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

“(2) REVISED GUIDELINES.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Climate

Change Energy Policy Response Act, the Secretary shall revise the guidelines, after notice and opportunity for public comment, to reflect the amendments to this title made by that Act. Thereafter, the Secretary shall review and revise the guidelines every 5 years, after notice and opportunity for public comment.

“(B) CONTENTS.—The revised guidelines shall—

“(i) provide for a random or other verification process using the authorities available to the Secretary under other provisions of law;

“(ii) include a range of reference cases for reporting project-based activities in all appropriate sectors of the economy (including forestry and electric power generation); and

“(iii) address the issues, such as comparability, that are associated with permitting the option of reporting on an entity basis or on an activity or project basis.

“(C) RETENTION OF VOLUNTARY REPORTING.—Any review under this paragraph shall give appropriate weight to—

“(i) the purpose of encouraging voluntary emission reductions by the private sector; and

“(ii) the voluntary nature of reporting under this section.

“(D) VALIDITY OF CERTIFICATION.—Except to the extent that an emission reduction certified in a report under this subsection, not later than 1 year after the date of the report, is adjusted under the verification process under subparagraph (B) or review process under subsection (d)(2), the emission reduction shall be valid for purposes of this and any other provision of law if the report meets the guidelines as in effect on the date on which the report is made.”.

(b) ASSURANCE OF ACCURATE REPORTING.—Section 1605(b) of the Energy Policy Act of 1992 (42 U.S.C. 13385(b)) (as amended by subsection (a)) is amended by striking paragraph (3) and inserting the following:

“(3) REPORTING PROCEDURES.—

“(A) IN GENERAL.—In accordance with paragraph (5), the Administrator shall—

“(i) develop forms for voluntary reporting under the guidelines established under paragraph (1); and

“(ii) make the forms available to entities wishing to report such information.

“(B) CERTIFICATION OF REPORTS.—

“(i) IN GENERAL.—A person reporting under this subsection shall certify the accuracy of the information reported.

“(ii) REPORTS BY A CORPORATION.—In the case of information reported by a corporation, the report—

“(I) shall be signed by an officer of the corporation; and

“(II) shall be subject to section 1001 of title 18, United States Code.”.

(c) AVOIDANCE OF DUPLICATE REPORTING.—Section 1605(b) of the Energy Policy Act of 1992 (42 U.S.C. 13385(b)) (as amended by subsection (a)) is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

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

“(4) AVOIDANCE OF DUPLICATE REPORTING.—

“(A) IN GENERAL.—The guidelines under this subsection shall ensure against multiple certification of the same emission reductions.

“(B) FIRST TO SEEK CERTIFICATION.—In a case in which—

“(i) more than 1 person is directly involved in the creation or implementation of an emission reduction measure;

“(ii) there is no—

“(I) written contractual arrangement between the persons that specifies which person is entitled to report the emission reduction; or

“(II) reference case or other provision of the guidelines that addresses the question which person is entitled to report the emission reduction in the circumstance of the case; and

“(iii) the Administrator determines that 2 or more of the persons have equally valid claims to the same emission reduction;

the first of the persons to certify the emission reduction in a report under this subsection shall be the only person entitled to report the emission reduction.”.

(d) SIMPLIFICATION OF REPORTING.—Section 1605(b) of the Energy Policy Act of 1992 (42 U.S.C. 13385(b)) (as amended by subsection (c)) is amended by inserting after paragraph (4) the following:

“(5) SIMPLIFICATION OF REPORTING.—Not later than 60 days after the date of enactment of the Climate Change Energy Policy Response Act, the Administrator shall by regulation, in consultation with the Secretary of Agriculture and the Administrator of the Small Business Administration, as appropriate, review and revise the reporting forms and procedures to facilitate greater participation by small businesses, farms, and other organizations that did not extensively participate in voluntary emission reductions and reporting under this subsection during the first 6 years after the date of enactment of this Act.”.

(e) BEST PRACTICES FOR ESTIMATING EMISSION REDUCTIONS.—Section 1605 of the Energy Policy Act of 1992 (42 U.S.C. 13385) is amended by adding at the end the following:

“(d) BEST PRACTICES FOR ESTIMATING EMISSION REDUCTIONS.—

“(1) ESTABLISHMENT BY THE SECRETARY.—Not later than 180 days after the date of enactment of this subsection, after notice and opportunity for public comment, the Secretary, with the assistance of the Administrator, shall establish the most reasonably effective practices for estimating emission reductions under subsection (b).

“(2) REVIEW OF PRIOR CERTIFICATIONS.—Emission reductions certified before the date of enactment of this subsection shall be subject to review by the Secretary and adjustment, in appropriate cases, to account for any change in a practice under this subsection.

“(3) CONFORMITY OF PRIOR REPORTED EMISSION REDUCTIONS WITH BEST PRACTICES.—In any review under this subsection, the Secretary shall obtain the assistance of the Administrator in assessing whether and to what extent any prior reported emission reduction is in conformity with best practices established under paragraph (1).”.

**SEC. 802. PUBLIC AWARENESS CAMPAIGN REGARDING BENEFITS OF CERTIFICATION OF VOLUNTARY EMISSION REDUCTIONS.**

Section 1605 of the Energy Policy Act of 1992 (42 U.S.C. 13385) (as amended by section 801(f)) is amended by adding at the end the following:

“(e) PUBLIC AWARENESS PROGRAM.—

“(1) IN GENERAL.—The Secretary shall create and implement a public awareness program to educate all appropriate persons (especially farmers and small businesses) in all regions of the United States of—

“(A) the direct benefits of engaging in voluntary emission reduction measures and having the emission reductions certified under this section and available for use under other incentive programs; and

“(B) the forms and procedures for having emission reductions certified under this section.

“(2) SPECIAL AGRICULTURAL AND SMALL BUSINESS OUTREACH.—The Secretary of Agriculture, with respect to farmers, and the Administrator of the Small Business Administration, with respect to small businesses,

shall assist the Secretary in creating and implementing the public awareness program under paragraph (1).”.

**SEC. 803. STATE AUTHORITY TO ENCOURAGE VOLUNTARY ENERGY INITIATIVES.**

(a) IN GENERAL.—Title XVI of the Energy Policy Act of 1992 is amended by striking section 1606 (106 Stat. 3003) and inserting the following:

**“SEC. 1606. STATE AUTHORITY TO ENCOURAGE VOLUNTARY ENERGY INITIATIVES.**

“(a) IN GENERAL.—Notwithstanding any other provision of Federal law regarding the production, transmission, distribution, sale, or use of energy or of energy services, a State is not prohibited or restricted from continuing to engage in any action, or from implementing any State law (including a regulation) in effect on the date of enactment of the Climate Change Energy Policy Response Act, if the appropriate State authority finds that the action or law is appropriate for mitigating the financial risks to producers, transmitters, distributors, sellers, buyers, or users of energy or energy services that engage in voluntary steps to reduce greenhouse gas emissions.

“(b) COORDINATION WITH LATER ENACTED LAW.—This section shall remain in effect notwithstanding any Federal law, including any Federal law enacted after the date of enactment of this section, unless the later law specifically refers to this section and expressly states that this section is superseded.”.

(b) TECHNICAL AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (106 Stat. 2776) is amended by striking the item relating to section 1606 and inserting the following:

“Sec. 1606. State authority to encourage voluntary energy initiatives.”.

THE CLIMATE CHANGE ENERGY POLICY RESPONSE ACT OF 1999—SECTION-BY-SECTION ANALYSIS

*A bill to amend the Energy Policy Act of 1992 to revise the energy policies of the U.S. in order to reduce greenhouse gas emissions, advance global climate science, promote technology development, and increase citizen awareness, and for other purposes.*

SECTION 1.—SHORT TITLE AND TABLE OF CONTENTS.

SECTION 2.—FINDINGS.

SECTION 3.—DEFINITIONS.

TITLE I—ENERGY POLICY COORDINATION

SEC. 101

Directs the Secretary of Energy to: coordinate federal activities involving climate change issues including scientific research; energy technology and development, and economic analysis of various climate change policy alternatives;

select climate change policy alternatives for critical analysis;

ensure that collection and dissemination of all government developed or funded information relating to climate change is timely, balanced, understandable, accurate, sound, and made available to the public; and

consult with the National Academy of Sciences, the National Academy of Engineering, the National Research Council, and the Environmental Protection Agency.

The Secretary of Energy is to name staff to carry out this legislation. Consulting agencies may detail additional staff to DOE. The Act authorizes no additional staffing positions in any government agency.

TITLE II—ADVANCEMENT OF CLIMATE CHANGE SCIENCE

SEC. 201—COORDINATION, PRIORITIZATION, AND EVALUATION OF CLIMATE CHANGE SCIENCE RESEARCH

This section directs the Secretary of Energy to:

(with the National Academies of Science and Engineering) coordinate, prioritize, and evaluate federally funded scientific research on climate change conducted by or through federal agencies;

request the National Research Council to annually recommend measures to effectively carry out all scientific research covered by this legislation; and

submit to Congress legislative recommendations to more effectively carry out research and public information programs under this legislation, including recommendations to improve peer review processes and grant-making procedures

This section also provides that the objectives for federal climate change science research are to:

understand the Earth's capacity to assimilate natural and manmade greenhouse gas emissions;

evaluate the natural variability of the climate, including such phenomena as El Niño;

develop, and assess the capabilities of, climate models; and develop a national climate modeling strategy with adequate computational and human resources that are integrated and coordinated across the relevant agencies;

ensure the integrity of all observational data used to validate models and stabilize the existing climate observational capability;

identify critical climate variables that are inadequately measured or not measured at all;

build climate observing requirements into existing ongoing operational programs;

revamp climate research programs and appropriate climate-critical parts of operational observing programs so as to produce useful long-term data;

establish a funded activity for the development, implementation, and operation of climate-specific observational programs;

assess the capability and potential of the United States and North American carbon sequestration, including through crops, forests, soils, oceans, and wetlands; and

development deploy the technology to monitor all relevant national and global data.

Requires DOE to submit to Congress and the President a report on all science activities carried out under this title. The reports are to contain any scientific conclusions, interim status reports, and recommendations for subsequent research and testing that DOE considers appropriate. A draft report must be made available by DOE to appropriate nongovernmental organizations for their review no later than August 1 of each year. All reports under this section must be made available to the public through the National Resource Center on Climate Change.

For each of fiscal years 2000 through 2004, such sums as are necessary are authorized to be appropriated for research:

to assess the ability of natural carbon sinks to adjust to natural variations in climate and greenhouse gas emissions including, crops, grassland, forests, soils, and oceans;

on natural climate variability; to develop and assess the capabilities of climate models;

to ensure the integrity of data used to validate climate models;

to develop carbon sinks in the United States (primarily crop and forestry research); and

to develop and deploy monitoring technology

TITLE III—POLICY REVIEW AND COORDINATION

SEC. 301—DOMESTIC AND INTERNATIONAL ASSESSMENT OF POLICIES FOR ADDRESSING THE EFFECTS OF GREENHOUSE GAS EMISSIONS

This section provides that within two years after the bill becomes law (and bian-

nally thereafter) DOE, after consultation with each of seven federal agencies, is to prepare an economic analysis of climate change policy alternatives. The Secretary of Energy is to select three or more such policy alternatives for critical analysis only. Each analysis is to look at short term (five years) and long-term (fifty years) implications, and account for changes in various factors, including economic indicators.

Each agency to be consulted is to contribute expertise as appropriate on each policy alternative analysis in the following areas:

energy supply and demand, and energy price implications;

agricultural production cost and market implications, including overall impact on rural economies (discrete scenarios including variations in commodity and livestock prices);

health implications, if any;

implications for (1) workers, including wages and job opportunities and potential for U.S. firms locating operations abroad; and (2) for consumers in terms of predicted changes to the Consumer Price Index;

implications on all modes of transportation and the effects of the resulting cost changes on consumers, labor, agriculture and businesses;

housing costs and urban planning (under different mortgage and construction interest rate scenarios).

implications for U.S. exports and imports and trade competitiveness.

*Status of activities and commitments in other countries*

In addition to the foregoing seven economic analyses, DOE is to consult with the Department of State, the Central Intelligence Agency, and the National Security Administration to assess actions taken, or likely to be taken, by each United Nations member country to avoid, reduce, or adapt to climate change. Each such assessment is to analyze political and economic factors present in each country that may impact the assessment. The status of the country's commitment to international agreements relating to climate change, and the projected ability and likelihood of each country committing to binding international agreements with targets or timetables, are to be assessed.

*Integration of policy alternative analyses*

Within 30 months after enactment, and bi-annually thereafter, the President, with the advice and assistance of the Secretary of Energy, is to submit to Congress a report analyzing and integrating the combined findings of the report. The conclusion is to contain recommendations of any changes in law, international agreements, or public policy that the President considers to be in the best interest of the United States.

*Scientific effect of policy alternatives*

The Secretary of Energy is to request the National Academies of Science and Engineering to assess the known scientific effect of each policy alternative chosen for analysis under this Title and its effect on technology development and selection.

*Environmental Protection Agency activities with climate change implications*

DOE is to report on the activities of EPA that coincidentally affect actions by the private sector that, in turn, affect greenhouse gas emissions. DOE is to consult with the public and private sectors in preparing this report.

*Reporting flexibility*

The Secretary of Energy may suspend one or more of the agency reporting requirements after two reports if it finds that such

reports will not likely provide information that substantially supplements earlier reports.

TITLE IV—PUBLIC RIGHTS-TO-KNOW

SEC. 401—ANNUAL REPORT TO THE PUBLIC

DOE is to publish an annual report on U.S. investment in climate change activities that includes:

a description of current, prior year, and proposed spending on climate change categorized by research, regulation, education, and other activities;

estimate of current and prior year tax credits and deductions claimed by U.S. taxpayers attributable to greenhouse gas emissions reductions;

tables of spending proposals on climate change submitted by federal agencies to OMB, compared with President's final recommendations to Congress;

an index of all climate change grantees, cross-referenced by name of institutions and persons carrying out the projects;

an index of all grant proposals not funded by federal agencies; and

a list of all persons and their affiliations participating in peer review of climate change grant proposals.

Each such report is to be printed on recycled paper, made public, and posted on the Internet.

*Public comment*

DOE is to provide for notice and opportunity for public comment on the report. Such comments are to be catalogued and made readily available to the public in electronic format.

*National Resource Center on Climate Change*

DOE, in consultation with the National Academy of Science, is to establish a National Resource Center on Climate Change. The Center is to preserve and make publicly available all reports, information, studies or other information available to the federal government on climate change. Reference items may be made available in electronic format only. Public availability of information is subject to laws protecting national defense secrets, intellectual property rights, and privacy rights.

TITLE V—ACCELERATED DEVELOPMENT AND DEPLOYMENT OF RESPONSE TECHNOLOGY

SEC. 501—REVIEW OF FEDERALLY FUNDED ENERGY TECHNOLOGY RESEARCH AND DEVELOPMENT

Requires DOE by October 15 of each year to review any federally funded energy technology research and development activities. The review will assess the status of the energy technology, including lead-time required until deployment, cost, safety, potential barriers to deployment, and other relevant factors.

Requires DOE to establish a technology information clearinghouse to disseminate the results of federally funded energy technology research and development activities. The clearinghouse is to be set up within the National Research Center on Climate Change, but is not to affect national security secrets or personal property rights.

SEC. 502—STUDY OF REGULATORY BARRIERS TO RAPID DEPLOYMENT OF GREENHOUSE GAS EMISSION REDUCTION TECHNOLOGY

This section requires GAO, in consultation with the Secretary of Commerce and the U.S. Trade Representative, to identify and evaluate regulatory or other barriers to more rapid deployment of technology to reduce greenhouse gas emissions. The scope is both domestic and international. Requires GAO to recommend to Congress any necessary changes in law.

TITLE VI—INTERNATIONAL DEPLOYMENT OF ENERGY TECHNOLOGY TO MITIGATE CLIMATE CHANGE

SEC. 601—INTERNATIONAL DEPLOYMENT OF ENERGY TECHNOLOGY TO MITIGATE CLIMATE CHANGE

*Pilot program for financial assistance*

Requires the Secretary of Energy to create a pilot program to provide financial assistance, subject to available appropriations, for not more than six (6) qualifying, international, energy deployment projects. To qualify, the projects must be built, operated, and used outside the United States and must increase energy efficiency compared to the technology that would otherwise be implemented. The Secretary of Energy, after consultation with the Secretary of State, the Secretary of Commerce and the U.S. Trade Representative, may make the selection based solely on the criteria set forth in Sec. 601.

*Financial assistance (for qualifying international energy deployment projects)*

A U.S. firm undertaking an international energy deployment project which qualifies under the preceding section is eligible for financial assistance in the form of a loan or a loan guarantee. The loan amount would not exceed 75% of total project cost, and the interest rate would equal that for Treasury obligation then issued for periods of comparable maturities.

*Equity investment insurance (for firms selected to participate in pilot project)*

Under this section a U.S. firm that enters a binding contract for a qualifying international energy deployment project would, if approved by DOE to be part of the pilot project, be eligible for insurance on investment the firm has in the project.

*Coordination with other programs*

Provides that a qualifying international energy deployment project, funded under this title, would not be eligible as a qualifying clean coal technology under Section 415 of the Clean Air Act.

*Report and recommendations*

No later than four (4) years after the date of enactment, DOE must submit a report to the President on the results of the pilot projects. After reviewing the report the President is to recommend to Congress that the financial assistance program be continued, expanded, reduced or eliminated.

*Authorization of appropriations*

Authorizes appropriations (such sums as are necessary) to fund the programs under this title for fiscal years 2001-2004.

TITLE VII—OPTIMAL OPERATING EFFICIENCY OF TRANSPORTATION SYSTEMS

SEC. 701—TRAFFIC CONGESTION RELIEF RESEARCH

Amends Section 502 of title 23, United States Code. Requires DOE to enter into an arrangement with the National Academy of Sciences to conduct a study comparing the effectiveness of various regional approaches for reducing traffic congestion. At a minimum the study is to assess the impact on traffic of: (1) expansion of highway capacity; (2) improvement of traffic operations; and (3) programs for demand management.

*Relieving urban congestion without additional right-of-way*

Requires DOE to fund a study and prepare a report analyzing highway design concepts for projects to relieve congestion in urban areas without acquisition of additional rights-of-way. For fiscal years 2000 through 2002, \$1,000,000 of the [sum deducted by the Secretary under Section 104(a)] would be available for these studies.

TITLE VIII—VOLUNTARY INITIATIVES:

SEC. 801—IMPROVED AND STREAMLINED REPORTING AND CERTIFICATION OF VOLUNTARY MEASURES

Amends the Energy Policy Act of 1992 to improve and streamline reporting and certification of voluntary measures to reduce greenhouse gas emissions.

*Revised reporting guidelines*

Requires DOE (with one year of enactment and every five years thereafter), to revise reporting guidelines to reflect changes made by this legislation. Establishes criteria for review of the reporting guidelines. Requires that any review pursuant to this section give appropriate weight to (1) the purpose of encouraging voluntary greenhouse gas emission reductions; and (2) the voluntary nature of reporting under this section. Validates reported emissions reductions so long as (1) the report meets then applicable guidelines and (2) reported reductions are not adjusted by Energy Information Administration (EIA).

*Forms for accurate reporting*

Requires DOE to develop forms for voluntary reporting and to make the forms available to entities wishing to report. Provides that entities reporting emissions reductions certify the accuracy of the report. Information reported by a corporation must be signed by one of its officers. Ensures against multiple certification of the same greenhouse gas emissions reductions: If more than one party has a valid claim to the same reduction, the first person to seek certification of a greenhouse gas emission reduction shall be granted the certification.

*Greater participation by small businesses and farms*

Requires the Administrator of EIA, in conjunction with the Secretary of Agriculture and Administrator of the SBA, to review and revise the guidelines to facilitate greater participation by small businesses, farms, and other organizations that did not previously participate in voluntary reductions and reporting.

*Best practices for estimating reductions*

Requires the Administrator of EIA to establish the most reasonably effective practices for estimating greenhouse gas emission reductions under §1605(b). Provides that emission reductions certified prior to the effective date of this section be reviewed, and modified if necessary, to account for any changes implemented by this section.

SEC. 802—PUBLIC AWARENESS CAMPAIGN OF VOLUNTARY EMISSION REDUCTIONS CERTIFICATION

Requires EIA to create a public awareness campaign: (1) on the benefits of engaging in voluntary greenhouse gas reduction measures and having the reductions certified and available for use under other incentive programs; and (2) explaining forms and procedures for having reductions certified. USDA and SBA are to implement comparable programs for the agricultural and small business communities.

SEC. 803—STATE AUTHORITY TO ENCOURAGE VOLUNTARY ENERGY INITIATIVES

This section provides that a state is not restricted from continuing to engage in any action, or from implementing any State law, that is in effect at the time this legislation is enacted, if the State determines that the action or law is appropriate for mitigating the financial risks to producers, transmitters, distributors, sellers, buyers, or users of energy or energy services who engage in voluntary steps to reduce greenhouse gas emissions. This provision remains in effect unless specifically and expressly superseded in subsequent legislation.

S. 1777

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 "Climate Change Tax Amendments of 1999".

**SEC. 2. PERMANENT TAX CREDIT FOR RESEARCH AND DEVELOPMENT REGARDING GREENHOUSE GAS REDUCTION.**

(a) IN GENERAL.—Section 41(h) of the Internal Revenue Code of 1986 (relating to termination) is amended by adding at the end the following:

"(3) EXCEPTION FOR CERTAIN RESEARCH.—Paragraph (1)(B) shall not apply in the case of any qualified research expenses if the research—

"(A) has as 1 of its purposes the reducing or sequestering of greenhouse gases, and

"(B) has been reported to the Department of Energy under section 1605(b) of the Energy Policy Act of 1992."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to amounts paid or incurred after the date of enactment of this Act, except that such amendment shall not take effect unless the Climate Change Energy Policy Response Act is enacted into law.

**SEC. 3. TAX CREDIT FOR REDUCED GREENHOUSE GAS EMISSIONS FACILITIES.**

(a) ALLOWANCE OF REDUCED GREENHOUSE GAS EMISSIONS FACILITIES CREDIT.—Section 46 of the Internal Revenue Code of 1986 (relating to amount of credit) is amended by striking "and" at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting ", and", and by adding at the end the following:

"(4) the reduced greenhouse gas emissions facilities credit."

(b) AMOUNT OF CREDIT.—Subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to rules for computing investment credit) is amended by inserting after section 48 the following:

**"SEC. 48A. CREDIT FOR REDUCED GREENHOUSE GAS EMISSIONS FACILITIES.**

"(a) IN GENERAL.—For purposes of section 46, the reduced greenhouse gas emissions facilities credit for any taxable year is the applicable percentage of the qualified investment in a reduced greenhouse gas emissions facility for such taxable year.

"(b) REDUCED GREENHOUSE GAS EMISSIONS FACILITY.—For purposes of subsection (a), the term 'reduced greenhouse gas emissions facility' means a facility of the taxpayer—

"(1)(A) the construction, reconstruction, or erection of which is completed by the taxpayer, or

"(B) which is acquired by the taxpayer if the original use of such facility commences with the taxpayer,

"(2) the operation of which—

"(A) replaces the operation of a facility of the taxpayer,

"(B) reduces greenhouse gas emissions on a per unit of output basis as compared to such emissions of the replaced facility, and

"(C) uses the same type of fuel (or combination of the same type of fuel and biomass fuel) as was used in the replaced facility,

"(3) with respect to which depreciation (or amortization in lieu of depreciation) is allowable, and

"(4) which meets the performance and quality standards (if any) which—

"(A) have been jointly prescribed by the Secretary and the Secretary of Energy by regulations,

"(B) are consistent with regulations prescribed under section 1605(b) of the Energy Policy Act of 1992, and

"(C) are in effect at the time of the acquisition of the facility.

"(c) APPLICABLE PERCENTAGE.—For purposes of subsection (a), the applicable percentage is one-half of the percentage reduction in greenhouse gas emissions described in subsection (b)(2) and reported and certified under section 1605(b) of the Energy Policy Act of 1992.

"(d) QUALIFIED INVESTMENT.—For purposes of subsection (a), the term 'qualified investment' means, with respect to any taxable year, the basis of a reduced greenhouse gas emissions facility placed in service by the taxpayer during such taxable year, but only with respect to that portion of the investment attributable to providing production capacity not greater than the production capacity of the facility being replaced.

"(e) QUALIFIED PROGRESS EXPENDITURES.—"(1) INCREASE IN QUALIFIED INVESTMENT.—In the case of a taxpayer who has made an election under paragraph (5), the amount of the qualified investment of such taxpayer for the taxable year (determined under subsection (d) without regard to this subsection) shall be increased by an amount equal to the aggregate of each qualified progress expenditure for the taxable year with respect to progress expenditure property.

"(2) PROGRESS EXPENDITURE PROPERTY DEFINED.—For purposes of this subsection, the term 'progress expenditure property' means any property being constructed by or for the taxpayer and which it is reasonable to believe will qualify as a reduced greenhouse gas emissions facility which is being constructed by or for the taxpayer when it is placed in service.

"(3) QUALIFIED PROGRESS EXPENDITURES DEFINED.—For purposes of this subsection—

"(A) SELF-CONSTRUCTED PROPERTY.—In the case of any self-constructed property, the term 'qualified progress expenditures' means the amount which, for purposes of this subpart, is properly chargeable (during such taxable year) to capital account with respect to such property.

"(B) NON-SELF-CONSTRUCTED PROPERTY.—In the case of non-self-constructed property, the term 'qualified progress expenditures' means the amount paid during the taxable year to another person for the construction of such property.

"(4) OTHER DEFINITIONS.—For purposes of this subsection—

"(A) SELF-CONSTRUCTED PROPERTY.—The term 'self-constructed property' means property for which it is reasonable to believe that more than half of the construction expenditures will be made directly by the taxpayer.

"(B) NON-SELF-CONSTRUCTED PROPERTY.—The term 'non-self-constructed property' means property which is not self-constructed property.

"(C) CONSTRUCTION, ETC.—The term 'construction' includes reconstruction and erection, and the term 'constructed' includes reconstructed and erected.

"(D) ONLY CONSTRUCTION OF REDUCED GREENHOUSE GAS EMISSIONS FACILITY TO BE TAKEN INTO ACCOUNT.—Construction shall be taken into account only if, for purposes of this subpart, expenditures therefor are properly chargeable to capital account with respect to the property.

"(5) ELECTION.—An election under this subsection may be made at such time and in such manner as the Secretary may by regulations prescribe. Such an election shall apply to the taxable year for which made and to all subsequent taxable years. Such an election, once made, may not be revoked except with the consent of the Secretary."

(c) RECAPTURE.—Section 50(a) of the Internal Revenue Code of 1986 (relating to other special rules) is amended by adding at the end the following:

"(6) SPECIAL RULES RELATING TO REDUCED GREENHOUSE GAS EMISSIONS FACILITY.—For purposes of applying this subsection in the case of any credit allowable by reason of section 48A, the following shall apply:

"(A) GENERAL RULE.—In lieu of the amount of the increase in tax under paragraph (1), the increase in tax shall be an amount equal to the investment tax credit allowed under section 38 for all prior taxable years with respect to a reduced greenhouse gas emissions facility (as defined by section 48A(b)) multiplied by a fraction whose numerator is the number of years remaining to fully depreciate under this title the reduced greenhouse gas emissions facility disposed of, and whose denominator is the total number of years over which such facility would otherwise have been subject to depreciation. For purposes of the preceding sentence, the year of disposition of the reduced greenhouse gas emissions facility property shall be treated as a year of remaining depreciation.

"(B) PROPERTY CEASES TO QUALIFY FOR PROGRESS EXPENDITURES.—Rules similar to the rules of paragraph (2) shall apply in the case of qualified progress expenditures for a reduced greenhouse gas emissions facility under section 48A, except that the amount of the increase in tax under subparagraph (A) of this paragraph shall be substituted in lieu of the amount described in such paragraph (2).

"(C) APPLICATION OF PARAGRAPH.—This paragraph shall be applied separately with respect to the credit allowed under section 38 regarding a reduced greenhouse gas emissions facility."

(d) TECHNICAL AMENDMENTS.—

(1) Section 49(a)(1)(C) of the Internal Revenue Code of 1986 is amended by striking "and" at the end of clause (ii), by striking the period at the end of clause (iii) and inserting ", and", and by adding at the end the following:

"(iv) the portion of the basis of any reduced greenhouse gas emissions facility attributable to any qualified investment (as defined by section 48A(d))."

(2) Section 50(a)(4) of such Code is amended by striking "and (5)" and inserting ", (5), and (6)".

(3) The table of sections for subpart E of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 48 the following:

"Sec. 48A. Credit for reduced greenhouse gas emissions facilities."

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

(f) STUDY OF ADDITIONAL INCENTIVES FOR VOLUNTARY REDUCTION OF GREENHOUSE GAS EMISSIONS.—

(1) IN GENERAL.—The Secretary of the Treasury and the Secretary of Energy shall jointly study possible additional incentives for, and removal of barriers to, voluntary, non-recoupable expenditures for the reduction of greenhouse gas emissions. For purposes of this subsection, an expenditure shall be considered voluntary and non-recoupable if the expenditure is not recoupable—

(A) from revenues generated from the investment, determined under generally accepted accounting standards (or under the applicable rate-of-return regulation, in the case of a taxpayer subject to such regulation),

(B) from any tax or other financial incentive program established under Federal, State, or local law, or

(C) pursuant to any credit-trading or other mechanism established under any international agreement or protocol that is in force.

(2) REPORT.—Within 6 months of the date of enactment of this Act, the Secretary of the Treasury and the Secretary of Energy shall jointly report to Congress on the results of the study described in paragraph (1), along with any recommendations for legislative action.

(g) SCOPE AND IMPACT.—

(1) POLICY.—In order to achieve the broadest response for reduction of greenhouse gas emissions and to ensure that the incentives established by or pursuant to this Act do not advantage one segment of an industry to the disadvantage of another, it is the sense of Congress that incentives for greenhouse gas reductions should be available for individuals, organizations, and entities, including both for-profit and non-profit institutions.

(2) LEVEL PLAYING FIELD STUDY AND REPORT.—

(A) IN GENERAL.—The Secretary of the Treasury and the Secretary of Energy shall jointly study possible additional measures that would provide non-profit entities (such as municipal utilities and energy cooperatives) with economic incentives for greenhouse gas emission reductions comparable to those incentives provided to taxpayers under the amendments made to the Internal Revenue Code of 1986 by this Act.

(B) REPORT.—Within 6 months after the date of enactment of this Act, the Secretary of the Treasury and the Secretary of Energy shall jointly report to Congress on the results of the study described in subparagraph (A), along with any recommendations for legislative action.

#### THE CLIMATE CHANGE TAX AMENDMENTS OF 1999—SECTION-BY-SECTION ANALYSIS

A bill to amend the Internal Revenue Code of 1986 to provide incentives for the voluntary reduction of greenhouse gas emissions and to advance global climate science and technology development.

Section 1 designates the short title as the "Climate Change Tax Amendments of 1999."

Section 2 extends on a permanent basis the tax credit for research and development in the case of R & D involving climate change.

In order for a research expense to qualify for the credit, it must: have as one of its purposes the reducing or sequestering of greenhouse gases; and have been reported to DOE under Sec. 1605(b) of the Energy Policy Act of 1992.

This tax credit applies with respect to amounts incurred after this Act becomes law, and only if the Climate Change Energy Policy Response Act also becomes law.

Section 3 provides for investment tax credits for greenhouse-gas-emission reduction facilities.

#### GREENHOUSE GAS EMISSIONS FACILITY CREDIT

The amount of the credit would be calculated based upon the amount of greenhouse gas emission reductions reported and certified under section 1605(b) of the Energy Policy Act. The credit would be equal to one-half of the applicable percentage of the qualified investment in a "reduced greenhouse gas emissions facility."

For example, if a taxpayer replaces a coal-fired generator with a more efficient one that reduced greenhouse gas emissions by 18 percent, compared to the retired unit, the taxpayer would be entitled to a tax credit of 9 percent of qualified investment in that "reduced greenhouse gas emissions facility". Such facility is defined as a facility of the taxpayer: the construction, reconstruction, or erection of which is completed by the taxpayer; or the facility may be acquired by the

taxpayer if the original use of the facility commences with the taxpayer; which replaces an existing facility of the taxpayer; which reduces greenhouse gas emissions (on a per unit of output basis) as compared to the facility it replaces; which uses the same type of fuel as the facility it replaces; the depreciation (or amortization in lieu of depreciation) of which is allowable; which meets performance and quality standards (if any) jointly prescribed by the Secretaries of Treasury and Energy; and are consistent with regulations prescribed under Sec. 1605(b) of the Energy Policy Act (relating to voluntary reporting of greenhouse gas emission reductions).

Only that portion of the investment attributable to providing production capacity not greater than the production capacity of the facility being replaced qualifies for the credit.

While unit efficiencies could be achieved if the credit were allowed for replacing a unit with another that burned a different fuel, such incentive for fuel shifting does not directly stimulate efficiency technology development for each fuel type. The objective is to improve efficiencies "within a fuel"; not to encourage fuel shifting "between fuels."

#### QUALIFIED PROGRESS EXPENDITURE CREDIT

With respect to qualified progress expenditures, the amount of the qualified investment for the taxable year shall be increased by the aggregate of each qualified progress expenditure for the taxable year with respect to progress expenditure property. Progress expenditure property is defined as any property being constructed by or for the taxpayer and which it is reasonable to believe will qualify as a reduced greenhouse gas emission facility.

#### ELECTION

A taxpayer may elect to take the tax credit in such a manner (i.e. as an investment credit, or as qualified progress expenditure) as the Secretary may by regulations prescribe. The election will apply to the taxable year for which it was made and to all subsequent taxable years. Such an election, once made, may not be revoked except with the consent of the Secretary.

#### RECAPTURE WHERE FACILITY IS PREMATURELY DISPOSED OF

If the facility is disposed of before the end of the facility's depreciation period (or "useful life" for tax purposes) the taxpayer will be assessed an increase in tax equal to the greenhouse gas emissions facility investment tax credit allowed for all prior taxable years multiplied by a fraction whose numerator is the number of years remaining to fully depreciate the facility to be disposed of, and whose denominator is the total number of years over which the facility would otherwise have been subject to depreciation.

Similar rules apply in the case in which the taxpayer elected credit for progress expenditures and the property thereafter ceases to qualify for such credit.

#### EFFECTIVE DATE

Amendments made to the Internal Revenue Code apply to property placed in service after the date of enactment of this Act.

#### STUDY OF ADDITIONAL INCENTIVES FOR VOLUNTARY REDUCTION OF GREENHOUSE GAS EMISSIONS

The Secretary of Energy and the Secretary of Transportation are directed to study, and report upon to Congress along with any recommendations for legislative action, possible additional incentives for and removal of barriers to voluntary non-recoupable expenditures on the reduction of greenhouse gas emissions. An expenditure qualifies if it is voluntary and not recoupable—from reve-

nues generated from the investment; determined under generally accepted accounting standards; under the applicable rate-of-return regulation (in the case of a taxpayer subject to such regulation); from any tax or other financial incentive program established under federal, State, or local law; and pursuant to any credit-trading or other mechanism established under any international agreement or protocol that is in force.

By Mr. CLELAND:

S. 1779. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel M/V *Sandpiper*; to the Committee on Commerce, Science, and Transportation.

#### CERTIFICATE OF DOCUMENTATION FOR THE VESSEL "SANDPIPER"

● Mr. CLELAND. Mr. President, I am introducing a bill today to direct that the sailing vessel *Sandpiper*, Official Number 1079439, be accorded coastwise trading privileges and be issued a certificate of documentation under section 12103 of title 46, U.S. Code.

The hull and interior of the *Sandpiper* were constructed in Taiwan in 1998 by Ta-Yang Yacht Building Company, Ltd. She is a 48 foot Cutter Rig presently used as a recreational vessel. Since construction, the vessel has been rigged and outfitted in the United States. It is estimated that 60% of the cost of the vessel has been spent on the mast, rigging, sails, electronics, navigational instruments, safety equipment, interior furnishings, and various other deck fittings. These items were acquired in Annapolis, Maryland and refitting was completed in April, 1999.

The vessel is owned by Mr. and Mrs. David Maner of Augusta, Georgia. The Maners would like to utilize their vessel in the coastwise trade of the United States. However, because the vessel's hull was constructed in Taiwan, it did not meet the requirements for coastwise license endorsement in the United States. Such documentation is mandatory to enable the owner to use the vessel for its intended purpose.

The owners of the *Sandpiper* are seeking a waiver of the existing law because they wish to use the vessel for charters. The desired intentions for the vessel's use will not adversely affect the coastwise trade in U.S. waters. If the Maners are granted this waiver, it is their intention to comply fully with U.S. documentation and safety requirements. The purpose of the legislation I am introducing is to allow the *Sandpiper* to engage in the coastwise trade of the United States.

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

The bill follows:

S. 1779

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

#### SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and section 12106 of title 46, United States Code, the

Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coast-wise trade for the vessel SANDPIPER, United States official number 1079439.●

#### ADDITIONAL COSPONSORS

S. 88

At the request of Mr. ROBB, his name was added as a cosponsor of S. 88, a bill to amend title XIX of the Social Security Act to exempt disabled individuals from being required to enroll with a managed care entity under the medicaid program.

S. 631

At the request of Mr. DEWINE, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 631, a bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the Medicare Program, to provide continued entitlement for such drugs for certain individuals after Medicare benefits end, and to extend certain Medicare secondary payer requirements.

S. 961

At the request of Mr. BURNS, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 961, a bill to amend the Consolidated Farm And Rural Development Act to improve shared appreciation arrangements.

S. 1109

At the request of Mr. MCCONNELL, the name of the Senator from South Dakota (Mr. DASCHLE) 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. 1144

At the request of Mr. VOINOVICH, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Rhode Island (Mr. REED), and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1144, a bill to provide increased flexibility in use of highway funding, and for other purposes.

S. 1277

At the request of Mr. GRASSLEY, the names of the Senator from Montana (Mr. BURNS), the Senator from California (Mrs. BOXER), the Senator from New York (Mr. SCHUMER), and the Senator from Michigan (Mr. ABRAHAM) were added as cosponsors of S. 1277, a bill to amend title XIX of the Social Security Act to establish a new prospective payment system for Federally-qualified health centers and rural health clinics.

S. 1303

At the request of Mr. BREAUX, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of

S. 1303, a bill to amend the Internal Revenue Code of 1986 to modify certain provisions relating to the treatment of forestry activities.

S. 1464

At the request of Mr. HAGEL, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1464, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish certain requirements regarding the Food Quality Protection Act of 1996, and for other purposes.

S. 1473

At the request of Mr. ROBB, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 1473, a bill to amend section 2007 of the Social Security Act to provide grant funding for additional Empowerment Zones, Enterprise Communities, and Strategic Planning Communities, and for other purposes.

S. 1488

At the request of Mr. GORTON, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 1488, a bill to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices.

S. 1494

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1494, a bill to ensure that small businesses throughout the United States participate fully in the unfolding electronic commerce revolution through the establishment of an electronic commerce extension program at the National Institutes of Standards and technology.

S. 1528

At the request of Mr. LOTT, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Michigan (Mr. ABRAHAM), the Senator from Colorado (Mr. ALLARD), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Minnesota (Mr. GRAMS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Vermont (Mr. JEFFORDS), the Senator from Florida (Mr. MACK), the Senator from New Hampshire (Mr. GREGG), the Senator from North Carolina (Mr. HELMS), the Senator from Tennessee (Mr. THOMPSON), the Senator from Alabama (Mr. SESSIONS), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Virginia (Mr. ROBB), the Senator from South Carolina (Mr. THURMOND), the Senator from Iowa (Mr. GRASSLEY), the Senator from North Carolina (Mr. EDWARDS), the Senator from Georgia (Mr. COVERDELL), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Maine (Ms. COLLINS), the Senator from Arkansas (Mr. HUTCH-

INSON), the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Mr. SARBANES), the Senator from Oregon (Mr. SMITH), the Senator from Georgia (Mr. CLELAND), the Senator from California (Mrs. BOXER), the Senator from Nebraska (Mr. HAGEL), the Senator from Maryland (Ms. MIKULSKI), the Senator from Maine (Ms. SNOWE), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Louisiana (Mr. BREAUX), the Senator from Indiana (Mr. BAYH), the Senator from Kansas (Mr. ROBERTS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New York (Mr. MOYNIHAN), the Senator from Washington (Mrs. MURRAY), the Senator from Washington (Mr. GORTON), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from New York (Mr. SCHUMER), the Senator from Indiana (Mr. LUGAR), the Senator from Florida (Mr. GRAHAM), and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 1528, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that act for certain recycling transactions.

S. 1537

At the request of Mr. SMITH, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1537, a bill to reauthorize and amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

S. 1547

At the request of Mr. BURNS, the names of the Senator from Georgia (Mr. COVERDELL) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1547, a bill to amend the Communications Act of 1934 to require the Federal Communications Commission to preserve low-power television stations that provide community broadcasting, and for other purposes.

S. 1619

At the request of Mr. DEWINE, the names of the Senator from Utah (Mr. HATCH) and the Senator from Washington (Mr. GORTON) were added as cosponsors of S. 1619, a bill to amend the Trade Act of 1974 to provide for periodic revision of retaliation lists or other remedial action implemented under section 306 of such Act.

S. 1623

At the request of Mr. SPECTER, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1623, a bill to select a National Health Museum site.

S. 1667

At the request of Mr. ABRAHAM, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1667, a bill to impose a moratorium on the export of bulk fresh water from the Great Lakes.

S. 1678

At the request of Mr. DASCHLE, the name of the Senator from Louisiana

(Ms. LANDRIEU) was added as a cosponsor of S. 1678, a bill to amend title XVIII of the Social Security Act to modify the provisions of the Balanced Budget Act of 1997.

S. 1701

At the request of Mr. SESSIONS, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1701, a bill to reform civil asset forfeiture, and for other purposes.

S. 1717

At the request of Mr. BOND, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1717, a bill to amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

SENATE CONCURRENT RESOLUTION 60

At the request of Mr. FEINGOLD, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of Senate Concurrent Resolution 60, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who served aboard her.

SENATE RESOLUTION 196

At the request of Mr. WARNER, the names of the Senator from Alaska (Mr. STEVENS), the Senator from Michigan (Mr. LEVIN), the Senator from Hawaii (Mr. INOUE), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of Senate Resolution 196, a resolution commending the submarine force of the United States Navy on the 100th anniversary of the force.

SENATE RESOLUTION 206—RELATIVE TO THE DEATH OF THE HONORABLE JOHN H. CHAFEE, OF RHODE ISLAND

Mr. LOTT (for himself, Mr. DASCHLE, Mr. REED, Mr. THURMOND, Mr. BYRD, Mr. KENNEDY, Mr. INOUE, Mr. HOLLINGS, Mr. STEVENS, Mr. ROTH, Mr. HELMS, Mr. DOMENICI, Mr. BIDEN, Mr. LEAHY, Mr. SARBANES, Mr. MOYNIHAN, Mr. LUGAR, Mr. HATCH, Mr. BAUCUS, Mr. COCHRAN, Mr. WARNER, Mr. LEVIN, Mr. DODD, Mr. GRASSLEY, Mr. SPECTER, Mr. NICKLES, Mr. MURKOWSKI, Mr. LAUTENBERG, Mr. BINGAMAN, Mr. KERRY, Mr. HARKIN, Mr. GRAMM, Mr. MCCONNELL, Mr. ROCKEFELLER, Mr. BREAUX, Ms. MIKULSKI, Mr. SHELBY, Mr. MCCAIN, Mr. REID, Mr. GRAHAM, Mr. BOND, Mr. CONRAD, Mr. GORTON, Mr. JEFFORDS, Mr. BRYAN, Mr. MACK, Mr. KERREY, Mr. ROBB, Mr. BURNS, Mr. KOHL, Mr. LIEBERMAN, Mr. AKAKA, Mr. SMITH of New Hampshire, Mr. CRAIG, Mr. WELLSTONE, Mrs. FEINSTEIN, Mr. DORGAN, Mrs. BOXER, Mr. GREGG, Mr. CAMPBELL, Mr. COVERDELL, Mr. FEINGOLD, Mrs. MURRAY, Mr. BENNETT, Mrs. HUTCHISON, Mr. INHOFE, Mr. THOMPSON, Ms. SNOWE, Mr. DEWINE, Mr. KYL, Mr. THOMAS, Mr. SANTORUM, Mr. GRAMS, Mr. ASHCROFT, Mr. ABRAHAM, Mr.

FRIST, Mr. WYDEN, Mr. BROWNBACK, Mr. ROBERTS, Mr. DURBIN, Mr. TORRICELLI, Mr. JOHNSON, Mr. ALLARD, Mr. HUTCHINSON, Mr. CLELAND, Ms. LANDRIEU, Mr. SESSIONS, Mr. SMITH of Oregon, Mr. HAGEL, Ms. COLLINS, Mr. ENZI, Mr. SCHUMER, Mr. BUNNING, Mr. CRAPO, Mrs. LINCOLN, Mr. BAYH, Mr. VOINOVICH, Mr. FITZGERALD, and Mr. EDWARDS) submitted the following resolution; which was considered and agreed to:

S. RES. 206

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable John H. Chafee, a Senator from the State of Rhode Island.

*Resolved*, That Senator Chafee's record of public service embodied the best traditions of the Senate: Statesmanship, Comity, Tolerance, and Decency.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to be family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

AMENDMENTS SUBMITTED

THE AFRICAN GROWTH AND OPPORTUNITY ACT

ASHCROFT (AND OTHERS) AMENDMENT NO. 2328

(Ordered to lie on the table.)

Mr. ASHCROFT (for himself, Mr. DASCHLE, Mr. BAUCUS, Mr. BURNS, Mr. BROWNBACK, Mr. GRASSLEY, Mr. INHOFE, Mr. HARKIN, Mr. ROBB, Mr. CRAIG, Mr. DORGAN, Mr. LUGAR, Mr. HELMS, Mr. DURBIN, Mr. INOUE, Mr. CONRAD, Mr. WYDEN, Mr. JOHNSON, Mr. FITZGERALD, Mr. GRAMS, Mr. ALLARD, Mr. HUTCHINSON, Mr. BOND, Mr. ENZI, and Mr. CRAPO) submitted an amendment intended to be proposed by them to the bill (H.R. 434) to authorize a new trade and investment policy for sub-Saharan Africa; as follows:

At the appropriate place, add the following:

SEC. . CHIEF AGRICULTURAL NEGOTIATOR.

(a) ESTABLISHMENT OF A POSITION.—There is established the position of Chief Agricultural Negotiator in the Office of the United States Trade Representative. The Chief Agricultural Negotiator shall be appointed by the President, with the rank of Ambassador, by and with the advice and consent of the Senate.

(b) FUNCTIONS.—The primary function of the Chief Agricultural Negotiator shall be to conduct trade negotiations and to enforce trade agreements relating to U.S. agricultural products and services. The Chief Agricultural Negotiator shall be a vigorous advocate on behalf of U.S. agricultural interests. The Chief Agricultural Negotiator shall perform such other functions as the United States Trade Representative may direct.

(c) COMPENSATION.—The Chief Agricultural Negotiator shall be paid at the highest rate of basic pay payable to a member of the Senior Executive Service.

THE MILLENNIUM DIGITAL COMMERCE ACT

ABRAHAM AND OTHERS AMENDMENT NO. 2329

(Ordered to lie on the table.)

Mr. ABRAHAM (for himself, Mr. WYDEN, and Mr. LOTT) submitted an amendment intended to be proposed by them to the bill (S. 761) to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and for other purposes; as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Millennium Digital Commerce Act".

SEC. 2. FINDINGS.

The Congress makes the following findings: (1) the growth of electronic commerce and electronic government transactions represent a powerful force for economic growth, consumer choice, improved civic participation and wealth creation.

(2) The promotion of growth in private sector electronic commerce through Federal legislation is in the national interest because that market is globally important to the United States.

(3) A consistent legal foundation, across multiple jurisdictions, for electronic commerce will promote the growth of such transactions, and that such a foundation should be based upon a simple, technology neutral, non-regulatory, and market-based approach.

(4) The Nation and the world stand at the beginning of a large scale transition to an information society which will require innovative legal and policy approaches, and therefore, States can serve the national interest by continuing their proven role as laboratories of innovation for quickly evolving areas of public policy, provided that States also adopt a consistent, reasonable national baseline to eliminate obsolete barriers to electronic commerce such as undue paper and pen requirements, and further, that any such innovation should not unduly burden inter-jurisdictional commerce.

(5) To the extent State laws or regulations do not provide a consistent, reasonable national baseline or in fact create an undue burden to interstate commerce in the important burgeoning area of electronic commerce, the national interest is best served by Federal preemption to the extent necessary to provide such consistent, reasonable national baseline eliminate said burden, but that absent such lack of consistent, reasonable national baseline or such undue burdens, the best legal system for electronic commerce will result from continuing experimentation by individual jurisdictions.

(6) With due regard to the fundamental need for a consistent national baseline, each jurisdiction that enacts such laws should have the right to determine the need for any exceptions to protect consumers and maintain consistency with existing related bodies of law within a particular jurisdiction.

(7) Industry has developed several electronic signature technologies for use in electronic transactions, and the public policies of the United States should serve to promote a dynamic marketplace within which these technologies can compete. Consistent with this Act, States should permit the use and development of any authentication technologies that are appropriate as practicable as between private parties and in use with State agencies.

**SEC. 3. PURPOSES.**

The purposes of this Act are—

(1) to permit and encourage the continued expansion of electronic commerce through the operation of free market forces rather than proscriptive governmental mandates and regulations;

(2) to promote public confidence in the validity, integrity and reliability of electronic commerce and online government under Federal law;

(3) to facilitate and promote electronic commerce by clarifying the legal status of electronic records and electronic signatures in the context of writing and signing requirements imposed by law;

(4) to facilitate the ability of private parties engaged in interstate transactions to agree among themselves on the terms and conditions on which they use and accept electronic signatures and electronic records; and

(5) to promote the development of a consistent national legal infrastructure necessary to support of electronic commerce at the Federal and State levels within existing areas of jurisdiction.

**SEC. 4. DEFINITIONS.**

In this Act:

(1) **AGREEMENT.**—The term ‘agreement’ means the bargain of the parties in fact as found in their language or inferred from other circumstances and from rules, regulations, and procedures given the effect of agreements under laws otherwise applicable to a particular transaction.

(2) **ELECTRONIC.**—The term ‘‘electronic’’ means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(3) **ELECTRONIC AGENT.**—The term ‘‘electronic agent’’ means a computer program or an electronic or other automated means used to initiate an action or respond to electronic records or performances in whole or in part without review by an individual at the time of the action or response.

(4) **ELECTRONIC RECORD.**—The term ‘‘electronic record’’ means a record created, generated, sent, communicated, received, or stored by electronic means.

(5) **ELECTRONIC SIGNATURE.**—The term ‘‘electronic signature’’ means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record.

(6) **GOVERNMENTAL AGENCY.**—The term ‘‘governmental agency’’ means an executive, legislative, or judicial agency, department, board, commission, authority, institution, or instrumentality of the Federal Government or of a State or of any country, municipality, or other political subdivision of a State.

(7) **RECORD.**—The term ‘‘record’’ means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(8) **TRANSACTION.**—The term ‘‘transaction’’ means an action or set of actions relating to the conduct of commerce, including the business of insurance, between 2 or more persons, neither of which is the United States Government, a State, or an agency, department, board, commission, authority, institution, or instrumentality of the United States Government or of a State.

(9) **UNIFORM ELECTRONIC TRANSACTIONS ACT.**—The term ‘‘Uniform Electronic Transactions Act’’ means the Uniform Electronic Transactions Act as provided to State legislatures by the National Conference of Commissioners on Uniform State Law.

**SEC. 5. INTERSTATE CONTRACT CERTAINTY.**

(a) **APPLICATION OF SECTION.**—This section applies only to transactions between parties

each of which has agreed to conduct such transaction by electronic means. By agreeing to conduct a transaction by electronic means a party does not necessarily agree to conduct other transactions by electronic means.

(b) **IN GENERAL.**—In any commercial transaction affecting interstate commerce:

(1) A record or signature may not be denied legal effect or enforceability solely because it is in electronic form.

(2) A contract or agreement may not be denied legal effect or enforceability solely because an electronic record was used in its formation.

(3) If a law requires a record to be in writing, an electronic record satisfies the law.

(4) If a law requires a signature, an electronic signature satisfies the law.

(c) **ADMISSIBILITY OF EVIDENCE.**—In a legal proceeding, evidence of an electronic record of signature may not be excluded solely because it is in electronic form.

(d) **TERMS AND CONDITION OF AGREEMENTS.**—The parties to a transaction may agree on the terms and conditions on which they will use and accept electronic signatures and electronic records, including the methods therefore, in commercial transactions affecting interstate commerce. Nothing in this subsection requires that any party enter into such a transaction.

(e) **RETENTION.**—

(1) If a law requires that certain records be retained, that requirement is met by retaining an electronic record of the information in the record which—

(A) accurately reflects the information set forth in the record after it was first generated in its final form as an electronic record or otherwise; and

(B) remains accessible for later reference.

(2) A requirement to retain records in accordance with paragraph (1) does not apply to any information whose sole purpose is to enable the record to be sent, communicated, or received.

(3) A person satisfies the requirements of paragraph (1) by using the services of any other person if the requirements of paragraph (1) are met.

(4) If a law requires a record to be provided or retained in its original form, or provides consequences if the record is not provided or presented or retained in its original form, that law is satisfied by an electronic record provided or retained in accordance with paragraph (1).

(5) If a law requires retention of a check, that requirement is satisfied by retention of an electronic record of the information on the front and back of the check in accordance with paragraph (1).

(6) A record retained as an electronic record in accordance with paragraph (1) satisfies a law requiring a person to retain records for evidentiary, audit, or like purposes, unless a law enacted after the effective date of this subsection specifically prohibits the use of an electronic record for a specified purpose.

(7) This subsection does not preclude a governmental agency of the United States or any State from specifying additional requirements for the retention of records, written or electronic, subject to the agency’s jurisdiction.

(f) **TRANSFERABLE RECORDS.**—

(1) In this section, ‘‘transferable record’’ means an electronic record that—

(A) would be a note under Article 3 of the Uniform Commercial Code or a document under Article 7 of the Uniform Commercial Code if the electronic record were in writing;

(B) the issuer of the electronic record expressly has agreed is a transferable record; and

(C) relates to a transaction involving real or personal property.

(2) A person has control of a transferable record if a system employed for evidencing the transfer of interests in the transferable record reliably establishes that person as the person to which the transferable record was issued or transferred.

(3) A system satisfies paragraph (2), and a person is deemed to have control of a transferable record, if the transferable record is created, stored, and assigned in such a manner that—

(A) a single authoritative copy of the transferable record exists which is unique, identifiable, and, except as otherwise provided in paragraphs (4), (5), and (6), unalterable;

(B) the authoritative copy identifies the person asserting control as—

(i) the person to which the transferable record was issued; or

(ii) if the authoritative copy indicates that the transferable record has been transferred, the person to which the transferable record was most recently transferred;

(iii) the authoritative copy is communicated to and maintained by the person asserting control or its designated custodian;

(iv) copies or revisions that add or change an identified assignee of the authoritative copy can be made only with the consent of the person asserting control;

(v) each copy of the authoritative copy and any copy of a copy is readily identifiable as a copy that is not the authoritative copy; and

(vi) any revision of the authoritative copy is readily identifiable as authorized or unauthorized.

(4) Except as otherwise agreed, a person having control of a transferable record is the holder, as defined in section 1-201(20) of the Uniform Commercial Code, of the transferable record and has the same rights and defenses as a holder of an equivalent record or writing under the Uniform Commercial Code, including, if the applicable statutory requirements under section 3-302(a), 7-501, or 9-308 of the Uniform Commercial Code are satisfied, the rights and defenses of a holder in due course, a holder to which a negotiable document of title has been duly negotiated, or a purchaser, respectively. Delivery, possession, and endorsement are not required to obtain or exercise any of the rights under this subsection.

(5) Except as otherwise agreed, an obligor under a transferable record has the same rights and defenses as an equivalent obligor under equivalent records or writings under the Uniform Commercial Code.

(6) If requested by a person against which enforcement is sought, the person seeking to enforce the transferable record shall provide reasonable proof that the person is in control of the transferable record. Proof may include access to the authoritative copy of the transferable record and related business records sufficient to review the terms of the transferable record and to establish the identity of the person having control of the transferable record.

(g) **ELECTRONIC AGENTS.**—A contract relating to a commercial transaction affecting interstate commerce may not be denied legal effect solely because its formation involved—

(1) the interaction of electronic agents of the parties; or

(2) the interaction of an electronic agent of a party and an individual who acts on that individual’s own behalf or for another person.

(h) **SPECIFIC EXCLUSIONS.**—The provisions of this section shall not apply to a statute, regulation, or other rule of law governing any of the following:

(1) The Uniform Commercial Code, as in effect in a state, other than sections 1-107 and 1-206, Article 2, and Article 2A.

(2) The creation or execution of wills, codicils, or testamentary trusts.

(3) Premarital agreements, marriage, adoption, divorce or other matters of family law.

(4) Court orders or notices, or documents used in court proceedings.

(5) Documents of title which are filed of record with a governmental unit until such time that a state or subdivision thereof chooses to accept filings electronically.

(6) Residential landlord-tenant relationships.

(7) The Uniform Health-Care Decisions Act.

(i) INSURANCE.—It is the specific intent of the Congress that the benefits of this title apply to the business of insurance. This section applies to any Federal and State law and regulation governing the business of insurance that requires manual signatures or communications to be printed or in writing, document delivery, and retention.

(j) APPLICATION IN UETA STATES.—This section does not preempt the Uniform Electronic Transactions Act as in effect in a State, if that Act, as in effect in that State, is not inconsistent, in any significant manner, with the provisions of this Act.

**SECTION 6. PRINCIPLES GOVERNING THE USE OF ELECTRONIC SIGNATURES IN INTERNATIONAL TRANSACTIONS.**

To the extent practicable, the Federal Government shall observe the following principles in an international context to enable commercial electronic transaction:

(1) Remove paper-based obstacles to electronic transactions by adopting relevant principles from the Model Law on Electronic Commerce adopted in 1996 by the United Nations Commission on International Trade Law.

(2) Permit parties to a transaction to determine the appropriate authentication technologies and implementation models for their transactions, with assurance that those technologies and implementation models will be recognized and enforced.

(3) Permit parties to a transaction to have the opportunity to prove in court or other proceedings that their authentication approaches and their transactions are valid.

(4) Take a non-discriminatory approach to electronic signatures and authentication methods from other jurisdictions.

**SECTION 7. STUDY OF LEGAL AND REGULATORY BARRIERS TO ELECTRONIC COMMERCE.**

(a) BARRIERS.—Each Federal agency shall, not later than 6 months after the date of enactment of this Act, provide a report to the Director of the Office of Management and Budget and the Secretary of Commerce identifying any provision of law administered by such agency, or any regulations issued by such agency and in effect on the date of enactment of this Act, that may impose a barrier to electronic transactions, or otherwise to the conduct of commerce online or by electronic means. Such barriers include, but are not limited to, barriers imposed by a law or regulation directly or indirectly requiring that signatures, or records of transactions, be accomplished or retained in other than electronic form. In its report, each agency that shall identify the barriers among those identified whose removal would require legislative action, and shall indicate agency plans to undertake regulatory action to remove such barriers among those identified as are caused by regulations issued by the agency.

(b) REPORT TO CONGRESS.—The Secretary of Commerce, in consultation with the Director of the Office of Management and Budget, shall, within 18 months after the date of enactment of this Act, and after the consultation required by subsection (c) of this section, report to the Congress concerning—

(1) legislation needed to remove barriers to electronic transactions or otherwise to the

conduct of commerce online or by electronic means; and

(2) actions being taken by the Executive Branch and individual Federal agencies to remove such barriers as are caused by agency regulations or policies.

(c) CONSULTATION.—In preparing the report required by this section, the Secretary of Commerce shall consult with the General Services Administration, the National Archives and Records Administration, and the Attorney General concerning matters involving the authenticity of records, their storage and retention, and their usability for law enforcement purposes.

(d) INCLUDE FINDINGS IF NO RECOMMENDATIONS.—If the report required by this section omits recommendations for actions needed to fully remove identified barriers to electronic transactions or to online or electronic commerce, it shall include a finding or findings, including substantial reasons therefor, that such removal is impracticable or would be inconsistent with the implementation or enforcement of applicable laws.

**NOTICE OF HEARING**

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce that a full committee oversight hearing has been scheduled before the Committee on Energy and Natural Resources. The oversight hearing will take place Tuesday, October 26, 1999, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on the interpretation and implementation plans of Subsistence Management Regulations for Public Lands in Alaska, Subparts A, B, C, and D, Redefinition to Include Waters Subject to Subsistence Priority; Final Rule. Only the administration will present testimony.

Those who wish to submit written testimony should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. Presentation of oral testimony is by committee invitation only. For information, please contact Jo Meuse or Brian Malnak at (202) 224-6730.

**AUTHORITY FOR COMMITTEE TO MEET**

COMMITTEE ON SMALL BUSINESS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing entitled "Internet Cramming: The Latest High-Tech Fraud on Small Businesses." The hearing will be held on Monday, October 25, 1999, beginning at 1 p.m. in room 652 of the Dirksen Senate Office Building.

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

**ADDITIONAL STATEMENTS**

**TRIBUTE TO THOMAS BUREAU MCDONALD**

• Mr. BINGAMAN. Mr. President, I rise today to pay tribute to the life of

Thomas Bureau McDonald who died as a result of a tragic car accident on October 9, 1999 in Albuquerque, New Mexico at the age of 35. His parents, family, and friends have lost a very special person. New Mexico has lost a young and dedicated public servant whose passion was working with college students, strengthening and expanding higher education, and stressing the importance of attending college.

Tom was a rising star among those interested in public service in New Mexico. He will be missed for his cheerful personality, his keen sense of humor, his political savvy, and his devotion to empowering students at the university and state level when it came to their education. Tom was never concerned with how much he could accomplish or who he could influence but, rather how he could live his life so when he was no longer serving in his appointed or elected capacities his ideas, dreams, and goals would be a reality. That reality was for children and their families living throughout New Mexico to have the opportunities in place to attend college to better themselves and to better their community. In life there are individuals who are concerned about being remembered for what they have done or still can do; Tom's only concern was being remembered for who he was—an outspoken leader on higher education and its students, a good son to his parents, a loving grandson to his grandmothers, and a trustworthy and loyal individual to his friends.

Tom attended the University of New Mexico and graduated from Western New Mexico University in Silver City, New Mexico where I grew up as a child. During his years at Western, Tom was elected by his peers not just once but twice to serve as their student body president (1990-1992). It was during this time that he eloquently presented a plan to the Board of Regents to build a new \$3.5 million Student Union Building utilizing only student fees. Tom was fortunate to go back a few years ago to the dedication of this new building. While at the dedication ceremony he realized that what started as a vision, a risk, a challenge, turned into structure of unity where students, administrators, and community members could learn, work and just be together.

Mr. President, from 1990 to 1992 Tom was appointed to two one year terms as the student member on the Governor's Commission on Higher Education by former Governor Bruce King. During his tenure, Tom transformed the way members of the Commission viewed student participation and input on higher education. Through his optimism, determination, and presence he created an identity for students around the state who were concerned about the quality of their education. That identity which Tom helped form not only exists before the Commission today, but before the State Legislature and Office of the Governor.

From 1992 to 1993 Tom was elected by student representatives from New

Mexico's two-year and four-year institutions as executive director of the Associated Students of New Mexico (ASNМ). ASNМ is a non-profit student organization that represents the interests of 100,000 students members enrolled in two-year and four-year institutions of higher learning before the New Mexico Commission on Higher Education, State Legislature and Office of the Governor. This organization has brought forth some of New Mexico's current and former state legislators, county commissioners, and public servants. Two of my current Washington DC staffers and one of my state staffers are former executive directors of this association. While serving as executive director, Tom always encouraged those he met to reach for their goals, pursue their dreams, and turn any rejection into motivation. He believed that what one does now to enhance their life will impact others in the future. He lived what he preached and what he did to enhance his life has left a lasting impact for students and their education throughout New Mexico.

Tom received his Masters of Criminal Justice from New Mexico State University in 1996. He was also appointed by Governor Gary Johnson to serve a two-year term from 1994-1996 as the first voting student regent in the history of New Mexico State University. One year later in 1997, he was appointed by Governor Johnson to serve a full six-year term on the New Mexico Commission on Higher Education where he served until the time of his death.

Mr. President, I would like to extend my condolences to his parents Clyde and Eileen and the entire McDonald family. I ask that my colleagues in the Senate join me in honoring the achievements and contributions in the life of this young and outstanding New Mexican.●

#### MENTOR A CHILD WEEK

● Mr. NICKLES. Mr. President, today I rise to recognize the efforts of those working to make a difference in the lives of today's youth. The last week in October is "Mentor a Child Week" in my home State of Oklahoma. I encourage all of us to participate.

Big Brothers, Big Sisters is an organization whose mission is to make a positive difference in the lives of children and youth. Focusing on the challenges single parents face, this organization provides professionally supportive one-to-one relationships with a positive and caring adult volunteer, and assists these children in achieving their greatest potential as they grow to become responsible citizens in the community.

Children with mentors are 46 percent less likely to use illegal drugs, 27 percent less likely to use alcohol, and 52 percent less likely to skip school. Youth with mentors have better relationships with their peers and family members.

I encourage all citizens, parents, governmental agencies, public and private institutions, businesses and schools to support efforts that will promote the mentoring of children and youth throughout our community.●

#### WOMEN'S BUSINESS DEVELOPMENT CENTER

● Mr. DURBIN. Mr. President, I rise today to recognize the Women's Business Development Center in their efforts to help female entrepreneurs establish their niche in the corporate world. The WBDC helps train and provide technical assistance to entrepreneurial women. These are the same women who own your neighborhood dry cleaner, run your child care center, and assist with your taxes.

Mr. President, I would like to call special attention to the women who have dedicated their time expanding child-care availability in Illinois. The WBDC sponsors the Child Care Business Initiative (CCBI) in cooperation with the Hull House Association that will provide information, resources, and guidance to women seeking entry into this important and growing industry. Over 250 women have utilized CCBI to gain critical business skills and key industry information about child care.

The Illinois Department of Commerce and Community Affairs estimates that over 1,000 child care centers would need to be created to meet the projected demand for child care in Illinois alone. In light of the fact that only 20% of the 162,000 children who are in working families receive full-day, licensed child care, the role that the CCBI plays in helping women establish day care centers may have a significant impact on the availability and accessibility of child care in Illinois.

Again, I would like to take this time to commend the WBDC for creating and expanding opportunities for ambitious, women entrepreneurs.●

#### SENATOR LEAHY'S 10,000TH VOTE

● Mr. LUGAR. Mr. President, I rise to recognize one of my colleagues, Senator PAT LEAHY, who has cast his 10,000th vote. I congratulate him on his tenure in the Senate.

Senator LEAHY and I have worked together in the past on many agricultural issues and legislation as members of the Senate Committee on Agriculture, Nutrition, and Forestry. Most notably we worked closely together on two farm bills, both in 1990 when Senator LEAHY served as chairman of the committee and in 1996 when I served as chairman. Senator LEAHY joined with me in reviewing the organization of the U.S. Department of Agriculture and developing legislation to streamline its operations. We both share an interest in conservation issues and have worked together to provide opportunities for farmers to preserve and protect their natural resources.

We have both recognized the importance of a bipartisan approach on

major legislation originating in the committee. I value the partnership that we formed to move important agricultural legislation through the committee and through the Senate.

My colleague, Senator PAT LEAHY, deserves commendation for his service and tenure in the Senate. I am proud to serve with him and look forward to working together in the future on issues of mutual interest.●

#### IN RECOGNITION OF TPL, INC.

● Mr. BINGAMAN. Mr. President, I am pleased today to recognize TPL, Inc. in Albuquerque, NM who is a 1999 Tibbetts Award recipient and will be honored by the U.S. Small Business Administration at a congressional reception on Tuesday, October 26, 1999 here in Washington DC.

The Fourth Annual Tibbetts Award is presented by the Small Business Administration to firms that have attained high levels of success in research and development under the Small Business Innovation Research (SBIR) program and to organizations and individuals who have supported technological innovation. Moreover, those groups are judged on the economic impact of their technological innovations and overall business achievements.

I feel that it is fitting that I recognize the 1999 Tibbetts Award recipient TPL, Inc. and its CEO Mr. H.M. (Hap) Stoller for their hard work that has led them to receive this prestigious national award. TPL, Inc. is a leading contractor for the Army and Navy in the demilitarization of conventional munitions as well as the development of economically viable processes for the commercial reuse of recovered energetic materials. TPL, under sponsorship of the Defense Threat Reduction Agency in the Military Capacitor Program, has developed the state-of-the-art in high energy density dielectric materials for capacitive devices and has begun their manufacture for advance weapons system programs. The technologies underlying these accomplishments were initiated under the SBIR Program.

TPL was recently awarded a \$38.4 million sub-contract from General Dynamics Ordnance Systems as part of their five-year, \$145 million operational demilitarization contract from the U.S. Army's Industrial Operations Command. TPL will be totally responsible for three out of nine families of conventional munitions contained in the largest demilitarization program ever funded by the Army. Concurrently, through the Tri-Services Demilitarization Technology Office, the Navy is supporting three Phase III efforts to transition energetic materials resource recovery and reuse processes to pilot plant facilities, such processes designed to lower the cost of demilitarization activities as well as protect the environment by allowing demilitarization material reuse. These contracts reinforce TPL's position as an

innovator in demilitarization processes, an activity that is essential in the rapidly changing international system. Additionally, the work associated with these contracts will be performed at Fort Wingate, New Mexico, bringing critically needed jobs to one of the more disadvantaged parts of the State.

Mr. President, as you can see TPL, Inc. reflects the very best in SBIR achievement and has established itself as a strong national leader in technological innovation. In addition, TPL, Inc. was recognized in 1997 as one of the fastest growing technology companies in the State of New Mexico and in 1995, and again in 1996, was recognized as one of the fastest growing, privately held companies in the United States. Again, let me congratulate TPL, Inc. and its staff of their hard work, dedication, and commitment. They are a tremendous asset to their community and New Mexico, and we are extremely proud of their accomplishment.●

#### ORDERS FOR TUESDAY, OCTOBER 26, 1999

Mr. HELMS. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Tuesday, October 26. I further ask unanimous consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin 30 minutes of debate on the motion to proceed to H.R. 434, the African trade bill, to be equally divided in the usual form.

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

Mr. HELMS. I thank the Chair.

I further ask unanimous consent that the cloture vote regarding the motion to proceed to the trade bill occur at 10 a.m. on Tuesday.

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

Mr. HELMS. I further ask unanimous consent that the Senate stand in recess from the hour of 12:30 p.m. until 2:15 p.m. on Tuesday so that the weekly conferences can meet.

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

#### PROGRAM

Mr. HELMS. Mr. President, for the information of all Senators, the Senate will immediately resume debate on the motion to proceed to the African trade

bill at 9:30 a.m. on Tuesday. In accordance with rule XXII, the Senate will proceed to a cloture vote on the motion to proceed at 10 a.m. It is hoped that cloture will be invoked and that a time agreement can be reached so that the Senate may begin debate on the bill and that Senators may begin to offer their amendments. The Senate may also consider any legislative or Executive Calendar items cleared for action, as well as any appropriations conference reports that may become available.

#### PERMISSION FOR FLOWERS IN THE CHAMBER

Mr. HELMS. Mr. President, I ask unanimous consent that the flowers be permitted in the Senate Chamber during the week of October 25 to honor the life of our former colleague, JOHN CHAFEE.

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

#### ORDER FOR ADJOURNMENT

Mr. HELMS. Mr. President, if there be no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the provisions of S. Res. 206 as a further mark of respect to the memory of our former colleague and Senator, JOHN CHAFEE, following the remarks by Senator ROBB from Virginia.

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

Mr. HELMS. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Thank you, Mr. President. I thank the distinguished Senator from North Carolina for permitting me to speak after which this Senate will adjourn in memory of our friend and colleague, JOHN CHAFEE.

#### IN HONOR OF SENATOR JOHN CHAFEE

Mr. ROBB. Mr. President, I just returned. I was down-State when I heard the news of JOHN CHAFEE's passing. I felt compelled to come to the floor for just a very brief minute and say that, in my judgment, JOHN CHAFEE was as decent a human being as any individual I have encountered in public service.

He was a personal friend during the time he was here in Washington. We happened to attend the same church in northern Virginia. We happened to have worn the same uniform of the U.S. Marine Corps in service to our

country. But most of the time I spent with JOHN CHAFEE was right here in the Capitol frequently in his hideaway. I spent more time in that particular hideaway than I did in my own office, or any other Senator's hideaway in the Capitol, meeting with a bipartisan group of Senators from both sides of the aisle trying to make the system work.

JOHN CHAFEE was an extraordinary human being in many ways. But he understood the need for bipartisanship if this institution were to accomplish the goals which the American people expect us to accomplish. And it was always at the call of JOHN CHAFEE that we would gather and try to see if we couldn't find some common ground upon which the Senate could at least offer an alternative to the occasional gridlock into which we have occasionally found ourselves forced by the process or other agendas.

It was never with any rancor that he disagreed with anyone, whether it be someone on his own side of the aisle or someone on this side of the aisle. He was always a voice of reason, always a voice of bipartisanship, always someone wanting to make the system work and committed to the goals for which he was elected to this particular institution by the people of Rhode Island.

Mr. President, I have no prepared remarks. I could not pass up this opportunity to express my own profound sense of loss of someone who was far more special, I suspect, to this institution than many of those who do not or have not had the privilege of serving in it may realize, and whose loss we may feel in ways that many of its Members have not fully come to grips with at this particular point.

JOHN CHAFEE was one of those extraordinary individuals with whom I was very proud to serve and call a friend.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. ROBB. In honor of the memory and with our own sense of loss to the family, friends, and staff of JOHN CHAFEE, I now move, in accordance with the previous order and pursuant to Senate Resolution 206, as a further mark of respect to the memory of the deceased Honorable JOHN H. CHAFEE, late a Senator from the State of Rhode Island, that the Senate stand in adjournment until 9:30 a.m. tomorrow.

The motion was agreed to; and, at 6:01 p.m., the Senate adjourned until Tuesday, October 26, 1999, at 9:30 a.m.