

the Committee on Commerce, Science, and Transportation.

EC-8210. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Marine Mammals; Incidental Take During Specified Activities" (RIN1018-AF54), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8211. A communication from the Attorney-Adviser, Department of Transportation transmitting, pursuant to law, the report of a rule entitled "Third Extension of Computer Reservations Systems (CRS) Regulations" (RIN2105-AC75), received March 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8212. A communication from the Legal Advisor, Cable Services Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Satellite Home Viewer Improvement Act of 1999; Retransmission Consent Issues; Good Faith Negotiation and Exclusivity" (CS Docket No. 99-363, FCC 00-99), received March 22, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8213. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Lufkin and Corrigan, TX" (MM Docket No. 98-135; RM-9300, 9383), received March 22, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8214. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Refugio and Taft, TX" (MM Docket No. 98-256), received March 22, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8215. A communication from the Chief, Legal Branch, Accounting Safeguards Division, Common Carrier Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Comprehensive Review of the Accounting Requirements and ARMIS Reporting Requirements for Incumbent Local Exchange Carriers: Phase 1" (FCC 00-78; CC Doc. 99-253), received March 22, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8216. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Appliance Labeling Rule, 16 CFR Part 305" (RIN3084-AA74), received March 24, 2000; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

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

POM-447. A resolution adopted by the Senate of the General Assembly of the State of Missouri relative to the Individuals with Disabilities Education Act; to the Committee on Appropriations.

SENATE RESOLUTION NO. 1034

Whereas, the Congress of the United States enacted the Education for All Handicapped Children Act of 1975 (P.L. 94-142), now known as the Individuals with Disabilities Education Act (IDEA), to ensure that all chil-

dren with disabilities in the United States have available to them a free and appropriate public education that emphasizes special education and related services designed to meet their unique needs, to assure that the rights of children with disabilities and their parents or guardians are protected, to assist states and localities to provide for the education of all children with disabilities, and to assess and assure the effectiveness of efforts to educate children with disabilities; and

Whereas, since 1975, federal law has authorized appropriation levels for grants to states under the IDEA at forty percent of the average per-pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, Congress continued the forty-percent funding authority in Public Law 105-17, the Individuals with Disabilities Education Act Amendments of 1997; and

Whereas, Congress has never appropriated funds equivalent to the authorized level, has never exceeded the fifteen-percent level, and has usually only appropriated funding at about the eight-percent level; and

Whereas, the Missouri State Plan for Special Education was approved for statewide implementation on the basis of the anticipated federal commitment to fund special education programs at the federally authorized level; and

Whereas, Missouri appropriated approximately \$240 million for the 2000 fiscal year in support for the state share of funding for special education programs; and

Whereas, the State of Missouri received approximately \$105 million in federal special education funds under IDEA for the 1999-2000 school year, even though the federally authorized level of funding would provide over \$313 million annually to Missouri; and

Whereas, local educational agencies in Missouri are required to pay for the underfunded federal mandates for special education programs, at a statewide total cost approaching \$208 million annually, from regular education program money, thereby reducing the funding that is available for other education programs; and

Whereas, the decision of the Supreme Court of the United States in the case of Cedar Rapids Community School District v. Garret F. ((1999) 143 L.Ed 2d 154), has had the effect of creating an additional mandate for providing specialized health care, and will significantly increase the costs associated with providing special education services; and

Whereas, whether or not Missouri participates in the IDEA grant program, the state has to meet the requirements of Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701) and its implementing regulations (34 C.F.R. 104), which prohibit recipients of federal financial assistance, including educational institutions, from discriminating on the basis of disability, yet no federal funds are available under that act for state grants; and

Whereas, Missouri is committed to providing a free and appropriate public education to children and youth with disabilities, in order to meet their unique needs; and

Whereas, the Missouri General Assembly is extremely concerned that, since 1978, Congress has not provided states with the full amount of financial assistance necessary to achieve its goal of ensuring children and youth with disabilities equal protection of the laws: Now, therefore, be it

Resolved by the Missouri Senate, Second Regular Session, Ninetieth General Assembly, That the President and Congress of the United States are respectfully requested to provide the full forty-percent federal share of funding for special education program so that

Missouri and other states participating in these critical programs will not be required to take funding from other vital state and local programs in order to fund this underfunded federal mandate; and be it further

Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to the Chair of the Senate Committee on Budget, to the Chair of the House Committee on the Budget, to the Chair of the Senate Committee on Appropriations, to the Chair of the House Committee on Appropriations, to each member of the Missouri Congressional delegation, and to the United States Secretary of Education.

POM-448. A resolution adopted by the Council of the City of Cincinnati, Ohio relative to the Physical Education for Progress Act; to the Committee on Health, Education, Labor, and Pensions.

POM-449. A resolution adopted by the Senate of the General Assembly of the State of Illinois relative to taxation mandated by U.S. Courts; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 216

Whereas, Unfunded mandates by the United States Congress and the executive branch of the federal government increasingly strain already tight state government budgets if the states are to comply; and

Whereas, To further compound this assault on state revenues, federal district courts, with the blessing of the United States Supreme Court, continue to order states to levy or increase taxes to supplement their budgets to comply with federal mandates; and

Whereas, The court's actions are an intrusion into a legitimate legislative debate over state spending priorities and not a response to a constitutional directive; and

Whereas, The Constitution of the United States of America does not allow, nor do the states need, judicial intervention requiring tax levies or increases as solutions to potentially serious problems; and

Whereas, This usurpation of legislative authority begins a process that over time could threaten the fundamental concept of separation of powers that is precious to the preservation of the form of our government embodied by the Constitution of the United States of America; and

Whereas, Fifteen states, including Alabama, Alaska, Arizona, Colorado, Delaware, Louisiana, Massachusetts, Michigan, Missouri, Nevada, New York, Oklahoma, South Dakota, Tennessee and Utah, have petitioned the United States Congress to propose an amendment to the Constitution of the United States of America that reads as follows:

"Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision thereof, or an official of such state or political subdivision, to levy or increase taxes."; therefore, be it

Resolved, by the Senate of the Ninety-First General Assembly of the State of Illinois, That this legislative body respectfully requests and petitions the Congress of the United States to propose submission to the states for their ratification an amendment to the Constitution of the United States of America to restrict the ability of the United States Supreme Court or any inferior court of the United States to mandate any state or political subdivision of the state to levy or increase taxes; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United

States, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, and the members of the Illinois Congressional delegation.

Adopted by the Senate, November 18, 1999.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 1487. A bill to provide for public participation in the declaration of national monuments under the Act popularly known as the Antiquities Act of 1906 (Rept. No. 106-250).

INTRODUCTION OF BILLS AND JOINT RESOLUTION

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

By Mr. THOMAS:

S. 2300. A bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State; to the Committee on Energy and Natural Resources.

By Mr. GORTON (for himself and Mrs. MURRAY):

S. 2301. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Lakehaven water reclamation project for the reclamation and reuse of water; to the Committee on Energy and Natural Resources.

By Mr. CLELAND:

S. 2302. A bill to amend the Internal Revenue Code of 1986 to expand the enhanced deduction for corporate donations of computer technology to public libraries and community centers; to the Committee on Finance.

By Mr. GRAHAM:

S. 2303. A bill to designate the facility of the United States Postal Service located at 14900 Southwest 30th Street in Miramar City, Florida, as the "Vicki Coceano Post Office Building"; to the Committee on Governmental Affairs.

By Mr. SHELBY:

S. 2304. A bill to amend the Internal Revenue Code of 1986 to phase out the taxation of social security benefits; to the Committee on Finance.

By Mr. BAYH:

S. 2305. A bill to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing a nonrefundable marriage credit and adjustment to the earned income credit; to the Committee on Finance.

By Mr. THOMPSON (for himself, Mr. LIEBERMAN, Mr. VOINOVICH, Mr. BROWNBACK, and Mr. ROTH):

S. 2306. A bill to increase the efficiency and effectiveness of the Federal Government, and for other purposes; to the Committee on Governmental Affairs.

By Mr. DORGAN (for himself, Mr. DASCHLE, Mr. BAUCUS, Mr. JOHNSON, and Mr. HARKIN):

S. 2307. A bill to amend the Communications Act of 1934 to encourage broadband deployment to rural America, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MOYNIHAN (for himself, Mr. GRAHAM, and Mrs. FEINSTEIN):

S. 2308. A bill to amend title XIX of the Social Security Act to assure preservation of safety net hospitals through maintenance of the Medicaid disproportionate share hospital program; to the Committee on Finance.

By Mr. DASCHLE:

S. 2309. A bill to establish a commission to assess the performance of the performance of the civil works function of the Secretary of the Army; to the Committee on Environment and Public Works.

By Mr. COVERDELL (for himself, Mr. LEAHY, Mr. HELMS, and Mr. DEWINE):

S.J. Res. 43. A joint resolution expressing the sense of Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. KERREY:

S. Res. 278. A resolution commending Ernest Burgess, M.D. for his service to the Nation and international community; to the Committee on the Judiciary.

By Mr. LOTT:

S. Con. Res. 99. A concurrent resolution congratulating the people of Taiwan for the successful conclusion of presidential elections on March 18, 2000, and reaffirming United States policy toward Taiwan and the People's Republic of China; considered and agreed to.

STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THOMAS:

S. 2300. A bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any one State; to the Committee on Energy and Natural Resources.

COAL MARKET COMPETITION ACT OF 2000

Mr. THOMAS. Mr. President, I rise today to introduce the Coal Market Competition Act of 2000. The legislation would amend the Mineral Leasing Act to increase the acreage of coal leases. Companies need this assurance as they plan and finance their operations into the future. Now, more than ever, we need to diversify our Nation's resources. The current oil prices are a daily reminder of what occurs when we allow this country to be too dependent on foreign resources. It is time to focus on domestic energy production and this legislation will facilitate development of one of our Nation's abundant natural resources, coal.

Most of the coal produced in our Nation comes from mines west of the Mississippi River and the vast majority of that coal is mined in western states with significant federal ownership of both the surface and mineral estates. In fact, my state of Wyoming is home to 11 of the top 12 coal mines based on tonnage. We produced approximately one third of the total U.S. coal in 1999, with production exceeding 330 million tons last year. Not surprisingly Wyoming is also the leader in federal coal lease acreage with approximately

145,000 federal acres under lease to 20 companies.

The current federal coal lease limitation under the Mineral Leasing Act of 1920 is 46,080 acres per state. An amendment of the Mineral Leasing Act in 1976 maintained the per-state limit and added a 100,000-acre nationwide limit for any one company. The state coal lease limit has not been changed for 36 years. Coal, sodium, phosphate and oil and gas were all assigned identical or similar per state lease acreage limitations in the 1926 amendments to the MLA (2,560 acres per state for sodium, coal and phosphate, 2,560 acres per geologic structure and 7,680 acres per state for oil and gas). The acreage limitation for each of these minerals was increased in the 1946 and 1948 MLA amendments (coal, sodium and phosphate to 5,120 per state in 1948; oil and gas to 15,360 acres per state in 1946). The per state acreage limitation for oil and gas leases was increased twice more (to 46,080 acres in 1957 and 246,080 acres in 1960) and the per state acreage ceiling for coal (and phosphate) leases was increased once more to 46,080 acres (and 20,480 acres for phosphate) in 1964. In my view, it is time to address the coal acreage limitations both on a state and national level.

The cap on coal needs to be raised to allow producers to remain competitive in the world-wide market. In Wyoming, the coal mine sizes will need to increase in order to maintain economic competitiveness. Our coal industry has grown and prospered because its economic competitiveness allowed Wyoming to be the location of choice for new low-sulfur coal capacity to serve much of the world. The scale of mining operations is much larger now.

In order for this competitiveness to continue, we must raise the acreage cap to alleviate concern from several companies in both Wyoming and Utah about the effect of the limitation on their planning and production abilities. Larger lease acreage areas are required to justify the significant capital investment necessary for mine expansion. Under current leasing operations, the penalty for violation of the acreage limitation is lease cancellation. It is essential during a time like now—when oil prices are soaring—that we diversify and develop our Nation's energy sources rather than be dependent on foreign sources. Expanding lease acreage will allow coal to be competitive and it is essential we have choices for energy here at home.

By Mr. GORTON (for himself and Mrs. MURRAY):

S. 2301. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Lakehaven water reclamation project for the reclamation and reuse of water; to the Committee on Energy and Natural Resources.