S. 751. A bill to combat nursing home fraud and abuse, increase protections for victims of telemarketing fraud, enhance safeguards for pension plans and health care benefit programs, and enhance penalties for crimes against older persons; to the Committee on the Judiciary.

By Mr. MOYNIHAN (for himself and Mr. BINGMAN):  
S. 760. A bill to include the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands in the 50 States Commemorative Coin Program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ABRAHAM (for himself, Mr. MCCAIN, Mr. WYDIN, and Mr. BURNS):  
S. 761. A bill 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; to the Committee on Commerce, Science, and Transportation.

By Mr. GRAHAM:  
S. 762. A bill to direct the Secretary of the Interior to conduct a feasibility study on the inclusion of the Miami Circle in Biscayne National Park; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. NICKLES, Mr. THURMOND, Mr. BIDEN, Mr. KENNEDY, Mr. SESSIONS, Mr. ABRAHAM, Mr. KORI, Mr. LIEBERMAN, Mr. HELMS, Mr. SCHUMER, and Mr. DIWINE):  
S. 763. A bill to extend the period for compliance with certain ethical standards for Federal prosecutors; read the first time.

By Mrs. LINCOLN (for herself, Mr. BINGMAN, Ms. LANDRIEU, Mr. COCHRAN, Mr. LOTT, Mrs. HUTCHISON, Mr. BOND, Mr. GRAMM, Mr. HUTCHISON, and Mr. ASHCROFT):  
S. 752. A bill to provide adversely affected crop producers with additional time with which to make fully informed risk management decisions for the 1999 crop year; passed the Senate and House of Representatives.
(a) In General.—Today the Internal Revenue Code of 1986 (relating to charitable contributions) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

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and birdwatching—and adds greatly to the quality of life and economy of the area.

Back in 1994, only the locals in and around the Tri-Cities had heard about the last-free flowing stretch of the mighty Columbia River. Several residents had been working more than thirty years to save the Reach and they got me involved to do the same. They showed me what a precious resource the Hanford Reach is, and I promised to do everything in my power to protect it.

I convened a Hanford Reach Advisory Panel to develop a consensus plan to protect the river corridor. Their work has been the basis of the bills I have introduced in the past and that I am introducing today, and builds on the foundation begun by Senators Dan Evans and Brock Adams, and Congressmen Sid Morrison who enacted legislation imposing a moratorium on development within the river corridor in 1987.

I am confident this is the year we will finally achieve our goals and create a new Wild and Scenic River. We cannot wait any longer to save the Reach. Since the recent listing of the Puget Sound chinook, everyone across the Northwest is focused on what we all must do to save our wild salmon.

Designating the Hanford Reach as a Wild and Scenic River is the simplest and most effective way to provide real, permanent protection for our wild salmon stocks. Only under the Wild and Scenic Rivers Act will we get the expertise, resources and permanency that federal management agencies, like the U.S. Fish and Wildlife Service, provide. The Wild and Scenic Rivers Act is recognized as the best way to protect endangered rivers across the nation. The Reach deserves no less than the best.

And this designation will not cost a penny. The land surrounding the river is already publicly held. The Department of Energy owns land on both sides of the river, so no private lands will be acquired or taken out of production to save this special place.

In addition to public ownership, this section of the river is in superb ecological condition. It offers the best salmon spawning ground on the mainstem of the Columbia. It will not require the millions of dollars for remediation that we've spent on other rivers and streams across the country. All the Hanford Reach requires is our protection, and it will continue to produce salmon runs unsurpassed anywhere in the region.

Creating a Wild and Scenic River will help us avoid drastic measures like breaching the dams along the Columbia and Snake systems to restore salmon. The recent Endangered Species Act listing of nine more northwest salmon runs as threatened, is another indication that we must take immediate action. Protecting the Reach is an insurance policy against the future possibility of expensive clean-up efforts and lawsuits that could ruin this investment now to demonstrate we're serious about protecting not only wild salmon, but also the economic and social structure in the Inland West.

This bill differs from my previous legislation in some important ways. Not only does it create a federally-designated recreational Wild and Scenic River, it also establishes an innovative management approach through the creation of a multi-party commission. The management commission will develop a plan to guide the US Fish and Wildlife Service and will be comprised of three federal representatives from the Departments of Energy, Interior, and Commerce (National Marine Fisheries Service); two state representatives from the Departments of Fish and Wildlife, Ecology, and Community, Trade and Economic Development; three representatives of local government from the counties of Benton, Grant, and Franklin; three Washington state representatives from the Yakama, Umatilla, and Nez Perce peoples; and three local citizen representatives from conservation, recreation, and business interests.

This bill also takes us a step closer to consolidating lands on the Hanford reservation itself in order to facilitate economic development, preservation of sacred tribal sites, and protection of important biological resources. It requires the Bureau of Land Management (BLM) and the Department of Energy to examine the best ways to consolidate BLM lands on the south side of the river on the Hanford site. It establishes the objectives of the study to clear title to lands along the railroad right-of-way; to develop irrigated agricultural development; to protect wildlife and native plants; and to preserve cultural sites important to Native Americans.

This bill does not address the critical and sensitive lands of the North Slope (also known as the Wahluke Slope) because the land is still needed by the Department of Energy for safety reasons. However, I hope to work through the administrative process to ensure these lands are not disturbed in any way that would impact the healthy salmon spawning grounds below the White Bluffs. I remain committed to enlarging the existing Saddle Mountain National Wildlife Refuge because, again, I am convinced we must provide the strongest, surest protection for the North Slope to offer our wild salmon their best hope for survival.

At a time when the Pacific Northwest is spending hundreds of millions of dollars on dam removal and enhancement efforts, and struggling to restore declining salmon runs, protecting the Hanford Reach is the most cost-effective measure we can take. That is why the Northwest Power Planning Council, Trout Unlimited, conservation groups, tribes, and many others from both sides of the salmon controversy all support designation of the Reach under the National Wild and Scenic Rivers Act.

These are some of the many good reasons for this Congress to take up and pass this legislation to ensure the Hanford Reach becomes a part of the National Wild and Scenic Rivers System. I urge the other members of Congress to join us in demanding the permanent protection of this river. It has given us so very much. The least we can do for the Columbia River is to protect the last fifty-one miles of free-flowing waters and the wild salmon that call it home.

By Mr. KOHL—

S. 716. A bill to provide for the prevention of juvenile crime, and for other purposes; to the Committee on the Judiciary.

The 21st Century Safe and Sound Communities Act

Mr. KOHL. Mr. President, I rise to introduce a proposal for reducing juvenile crime—the “21st Century Safe and Sound Communities Act.” In the past few years, we have begun to make real advances in fighting youth violence; in fact, in cities across the country, juvenile crime has started to fall. For example, in three “Weed & Seed” neighborhoods in Milwaukee, violent felonies dropped 47 percent, gun crimes fell 46 percent, and crime overall was down 21 percent. And after Boston implemented a citywide anti-crime plan, the number of juveniles murdered declined 80 percent, and in more than two years not a single child was killed by a gun. This citywide anti-crime program called “Safe and Sound.” I have already worked hard with other public officials and business leaders to expand Milwaukee’s success citywide. Now we need to build on what works, in order to protect our children and to make as many of our communities across the nation “safe and sound.” This measure will be an important step in the right direction.

We do not have to reinvent the wheel to reduce juvenile crime. The lesson from Milwaukee, Boston and other cities is clear. There is no single magic solution, but a number of steps, taken together, can and will make a difference: put dangerous criminals behind bars; keep guns out of the hands of juveniles; and create after-school alternatives to gangs and drugs. That’s what works, and that’s what this proposal is all about. It builds on each of these three basic strategies and expands them to more cities and more rural communities across the nation. Let me explain.

First, we can’t even begin to stop violent kids unless we have police officers on the street to catch them, and...
state and local prosecutors to try them. So this proposal makes it easier to lock up dangerous juveniles by extending and making more effective the successful COPS program, which is due to expire after next year, through the year 2004. That will allow us to hire at least 50,000 new community police officers. And it provides $100 million per year for state and local prosecutors to go after juvenile criminals.

Of course, we can’t keep criminals off the streets unless we have a place to send them. Unfortunately, although we provide states with hundreds of millions of dollars each year to build new prisons, most states use all of these funds for adult prisons only. So this measure requires states to set aside 10 percent of federal prison funding to juvenile facilities or alternative placements for the violent children. This commitment is consistent with dedicated funding for juvenile facilities in the Senate-passed 1994 crime bill, which set the stage for spending billions of dollars on prisons through the 1994 Crime Act.

This proposal also helps rural communities keep dangerous kids behind bars. Now, although the closest juvenile facility may be hundreds of miles away, federal law prohibits rural police from locking up violent juveniles in adult jails for more than 24 hours. This means that state law enforcement officials either have to waste the time and resources to criss-cross the state even for initial court appearances, or simply let dangerous teens go free. In my view, that’s a no-win situation. This measure gives rural police the flexibility they need by letting them detain juveniles in adult jails for up to 72 hours, provided they are separated from adult criminals.

Moreover, this measure will help lock up gun-toting kids—and the people who illegally supply them with weapons. It builds on my 1994 Youth Handgun Safety Act by turning illegal possession of a handgun by a minor into a felony. And the same goes for anyone who illegally sells handguns to kids. Kids and handguns don’t mix, and our Federal law needs to make clear that this is a serious crime.

And this measure makes it easier to identify and treat the kids who need to be dealt with more severely—by strongly encouraging states to share the records of violent juvenile offenders and providing the funding necessary for improved record-keeping. The fact is that law enforcement officials need full disclosure in order to make informed judgments about who should be incarcerated, but current law allows too many records to be concealed or to vanish without a trace when needed the most.

Second, this proposal will help keep firearms out of the hands of young people. It promotes gun safety by requiring the sale of child safety locks with every new handgun. Child safety locks can help save many of the 500 children and teenagers killed each year in firearm accidents, and the 1,500 kids each year who use guns to commit suicide. Just as importantly, they can help prevent some of the 7,000 violent juvenile crimes committed every year with guns children took from their own homes.

It also helps identify who is supplying kids with guns, so we can put them out of business and beyond bars. The Bureau of Alcohol, Tobacco and Firearms has been working closely with cities like Milwaukee and Boston to trace guns used by young people back to the source. Using ATF’s national database, police and prosecutors can target illegal suppliers of firearms and help stop the flow of firearms into our communities. This measure will expand the program to other cities and, with the increased penalties outlined above, help cut down illegal gun trafficking.

In addition, it closes an inexcusable loophole that allows violent young offenders to buy guns legally when they turn 18. Under current law, violent adult offenders can’t buy firearms, but violent juveniles can—even the kids convicted of the schoolyard killings in Jonesboro, Arkansas—at least once they are released at age 18. This has to stop. So this measure declares that all violent felons are disqualified from buying firearms, regardless of whether they were 10, 12, 14 or just a day short of their 18th birthday at the time of their offense.

And not only will this proposal prohibit all violent criminals from owning firearms no matter what their age, it also encourages aggressive enforcement of this federal law by dedicating federal prosecutors and investigators to this task. This builds on a successful program, supported by the NRA, that has helped reduce gun violence in Richmond through increased federal prosecution, public outreach and fewer plea bargains.

Third, a balanced approach also requires a significant investment in crime prevention, so we can stop crime before it’s too late. In fact, no one is more adamant in support of this approach than our nation’s law enforcement officials. For example, last year more than 400 police chiefs of sheriffs and prosecutors nationwide endorsed a call for after-school programs for all children. And in my home state of Wisconsin, 90 percent of police chiefs and sheriffs I surveyed agreed that we need to increase federal prevention spending.

This proposal promotes prevention by concentrating funding in programs that already have a record of success, like Weed & Seed, and those that rely on proven strategies, like the ones that give children a safe place to go in the after-school hours between 3 and 8 p.m., when juvenile crime peaks.

For example, it expands the Weed & Seed program, a Republican program which combines aggressive enforcement and public safety initiatives by anti-tobacco-minded liberal kids. The measure also gives more schools the resources necessary to stay open after school, through expansion of the 21st Century Learning Center program. It promotes innovative prevention initiatives by authorizing funding for the Title V At-Risk Children Challenge Grant program, which I authored, which encourages investment, collaboration, and long-range prevention planning by local communities, which must establish locally tailored prevention programs and contribute at least 50 cents for every federal dollar. It builds on our support for the valuable work of Boys & Girls Clubs, by continuing to dedicate funding to the Clubs and expanding funding to other community organizations, like the YMCA.

Mr. President, the question about how to reduce juvenile crime is no longer a mystery. We have a good idea about what works. The real question is: Will we act to make our communities safer and sounder places to live and to prevent teen crime before it happens? I have faith that we will, and I believe this measure moves us forward.

I ask unanimous consent that a summary of this proposal be printed for the RECORD, as follows:

**SUMMARY OF THE 21ST CENTURY SAFE AND SOUND COMMUNITIES ACT**

**Title I: Increased Placement of Juveniles in Appropriate Correctional Facilities**

States must dedicate 10 percent of all prison funding from the 1994 Crime Act to juvenile facilities or alternative placements for delinquent juveniles. Expands ability to detain juveniles temporarily in rural adult jails by permitting detention for up to 72 hours and ending requirement of separate staff to oversee juveniles and adults.
Title II: Reducing Youth Access to Firearms

Limits access of juveniles and juvenile offenders to firearms. Requires the sale of child safety locks with all handguns. Expands Department of the Treasury’s youth crime gun trafficking program to identify more illegal gun traffickers who are supplying guns to children. Increases jail time for individuals who transfer handguns to juveniles and for juveniles who illegally possess handguns. Prohibits the sale of firearms to violent juvenile offenders after they become 18 years of age.

Title III: Consolidation of Prevention Programs

Repeals nearly $1 billion in authorized prevention programs from the 1994 Crime Act. Expands Weed & Seed to $200 million per year (from $33.5 million in 1999), the Title V At-Risk Children Challenge Grants to $200 million per year (from $55 million), and the 21st Century Centers to $200 million per year (from $200 million), and extends Boys & Girls Club funding for five more years, increasing funding to $100 million per year (from $50 million). Extends the Violent Crime Reduction Act and expands the Violent Crime Reduction Act to support other successful community organizations like the YMCA. Consolidates several gun prevention programs into one $25 million program. Rewards cities that adopt a comprehensive anti-juvenile crime strategy based on the Boston model. Sets aside 5 to 10 percent of prevention funding for evaluation, implementing the proposal of the DOJ-sponsored University of Maryland report.

Title IV: Juvenile Crime Control and Accountability Block Grant

Promotes funding for prosecutors, improved-record keeping, juvenile prisons, and prevention through $500 million block grant. Qualifying states must trace all firearms recovered from individuals under age 21 to identify illegal firearm traffickers, and must share criminal records of all juvenile violent offenders in other jurisdictions. $100 million of this grant program must be dedicated to both prevention and to hiring more juvenile prosecutors. This policy only applies to government workers, not private sector workers. Let me give you an example of two women, Helen and her sister Phyllis.

Helen is a retired Social Security benefits counselor who lives in Woodlawn, Maryland. Helen currently earns $600 a month from her federal government pension. She’s also entitled to a $645 a month spousal benefit from Social Security based on her deceased husband’s hard work as an auto mechanic. That’s a combined monthly benefit of $1,245. Phyllis is a retired bank teller also in Woodlawn, Maryland. She currently earns a pension of $600 a month from the bank. Like Helen, Phyllis is also entitled to a $645 a month spousal benefit from Social Security based on her husband’s employment record. He was an auto-mechanic, too. In fact, he worked at the same shop as Helen’s husband. So, Phyllis is entitled to a total of $1,245 a month, the same as Helen. But, because of the Pension Offset law, Helen’s spousal benefit is reduced by 2/3 of her government pension, or $400. So instead of $1,245 per month, she will only receive $845 per month.

This reduction in benefits only happens to Helen because she worked for the government. Phyllis will receive her full benefits because her pension is a private sector pension. I don’t think that’s right, and that’s why I’m introducing this legislation.

The crucial thing about the MIKULSKI Modification guarantees a minimum benefit of $1,200. So, with the MIKULSKI Modification to the Pension Offset, Helen is guaranteed at least $1,200 per month.
I want to urge my Senate colleagues to join me in this effort and support my legislation to modify the Government Pension Offset.

By Ms. MIKULSKI (for herself and Mr. INOUYE):
S. 719. A bill to amend chapters 83 and 84 of title 5, United States Code, to extend the civil service retirement provisions of such chapter which are applicable to law enforcement officers, to inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the United States Customs Service, and revenue officers of the Internal Revenue Service; to the Committee on Governmental Affairs.

HAZARDOUS OCCUPATIONS RETIREMENT BENEFITS ACT OF 1999

Ms. MIKULSKI. Mr. President, today I introduce the Hazardous Occupations Retirement Benefits Act of 1999. This legislation will grant an early retirement package for revenue officers of the Internal Revenue Service, customs inspectors of the U.S. Customs Service, and immigration inspectors of the Immigration and Naturalization Service.

Under current law, most Federal law enforcement officers and firefighters are eligible to retire at age 50 with 20 years of Federal service. Most people would be surprised to learn that current law does not treat revenue officers, customs inspectors and immigration inspectors as federal law enforcement personnel.

This legislation will amend the current law and finally grant the same 20-year retirement to these members of the Internal Revenue Service, Customs Service, and Immigration and Naturalization Service. The employees under this bill have very hazardous, physically taxing occupations, and it is in the public's interest to have a young and competent work force in these jobs.

The need for a 20-year retirement benefit for inspectors of the Customs Service is very clear. These employees are the country's first line of defense against terrorism and the smuggling of illegal drugs at our borders. They have the authority to apprehend those engaged in these crimes. These officers carry a firearm on the job. They are responsible for the most arrests performed by Customs Service employees. The Customs Service interdicts more narcotics than any other law enforcement agency—over a million pounds a year. In 1996, they seized 180,946 pounds of cocaine, the equivalent of heroin, and 775,225 pounds of marijuana. They are required to have the same law enforcement training as all other law enforcement personnel. These employees face so many challenges. They confront criminals in the drug war, organized crime figures, and increasingly sophisticated white-collar criminals.

Revenue officers struggle with heavy workloads and a high rate of job stress. Some IRS employees must even employ pseudonyms to hide their identity because of the great threat to their personal safety. The Internal Revenue Service currently provides its employees with a manual entitled: 'Assaults and Threats: A Guide to Your Personal Safety' to help employees respond to hostile situations. The document advises IRS employees how to handle on-the-job assaults, abuse, threatening telephone calls, and other menacing situations.

Mr. President, this legislation is cost effective. Any cost that is created by this act is more than offset by savings in training costs and increased revenue collection. A 20-year retirement bill for these critical employees will reduce turnover, increase productivity, decrease employee recruitment and development costs, and enhance the retention of a well-trained and experienced work force.

I urge my colleagues to join me again in this Congress in expressing support for this bill and finally getting it enacted. This bill will improve the effectiveness of inspectors and revenue officers and ensure the integrity of our borders and proper collection of the taxes and duties owed to the Federal Government.

By Mr. REID:
S. 719. A bill to provide for the orderly disposal of certain Federal land in the State of Nevada and for the acquisition of environmentally sensitive land in the State, and for other purposes; to the Committee on Energy and Natural Resources.

THE NEVADA PUBLIC LAND MANAGEMENT ACT OF 1999

Mr. REID. Mr. President, I am proud to introduce today, the Nevada Public Land Management Act of 1999. This Act provides a process for the sale of public lands to support the expansion and economic development of rural communities in Nevada.

Many of Nevada's rural counties are actively planning for economic growth and expansion. However, they are hampered, because more than 87 percent of Nevada is owned by the Federal Government and some Nevada counties are more than 90 percent owned by the federal government. As these counties seek to expand economic diversification, they find themselves land-locked by Federal lands.

But a lack of land is not the only problem these counties face. Many lack an adequate tax base, due to their lack of private lands. As the tax roles shrink and they experience some growth, officials are unable to adequately provide the basic public services expected of them. Adequate police and fire protection, education, road maintenance, and basic health care are suffering.

The legislation we introduce today will allow for the coordinated disposal of Federal lands that have already been identified by the Federal government and the Bureau of Land Management as suitable for disposal. Simply put, we are setting up a willing seller-willing buyer scenario. Sale of these lands will allow for economic diversification while implementing smart growth practices. Local governments will benefit from an infusion of revenue and a stable tax base to fund basic public services.

Senator BRYAN's and my bill requires that disposal of Nevada's lands be accomplished by competitive bidding, a process which will ensure that the sale of these public lands yield the highest return for the public. It is crucial to rural Nevada that we provide revenues for the basic services so many Americans take for granted, while giving the Federal government the revenues they need to acquire truly special lands for future generations to enjoy.

Mr. President, this bill was drafted with conscious regard for the land ownership and management status of public lands. In particular, the bill meets the intent of the Federal Land Policy and Management Act in three ways. First, it only involves lands determined to be suitable for disposal by the Bureau of Land Management's own land use planning process. Secondly, the bill assures that state and local governments are provided meaningful public involvement in land use decisions for public lands. And finally, the bill would allow for expansion of communities and economic development.

Two years ago I convened a Presidential Summit on the shores of Lake Tahoe to save the Lake. This Summit created a model of federal, state, local, public and private partnership. It is a model that the President said can apply across the nation and across the world. We learned there that we can all work together to preserve the nation's special places and promote economic growth. The legislation we introduce today is crafted with the Lake Tahoe Model in mind. It encourages cooperation between all levels of government and the private sector. It is supported by Nevada state and local officials on a bi-partisan basis and our Republican colleague, Representative Jim Gibbons, has introduced similar legislation today in the House.

This kind of bill shows truly how government can work for the people in partnership. I urge its swift passage.

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

There being no objection, the bill was ordered to be printed in the RECORD, as fo...
ed governing body of each city and county in Nevada except the cities of Las Vegas, Henderson, and North Las Vegas.

SEC. 4. DISPOSAL AND EXCHANGE.

(a) DISPOSAL.—In accordance with this Act, the Secretary of the Interior shall sell to the highest bidder land proposed for sale in accordance with subsection (d)(1) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713(d)).

(b) EXCEPTIONS.—The exceptions to the provisions of this section shall be applicable to sales under this Act in cases in which the Secretary determines that application of an exception is necessary and proper.

(C) NOTICE OF COMPETITIVE BIDDING PROCEDURES.—The Secretary shall also ensure adequate notice of competitive bidding procedures to—

(i) owners of land adjoining the land proposed for sale;

(ii) local governments in the vicinity of the land proposed for sale; and

(iii) the State.

(D) PROHIBITIONS.—A sale by the Secretary of land proposed for sale in subsection (d)(1) is prohibited unless the Federal Government has been reimbursed for the costs of preparing and processing the competitive bidding requirements under section 407 of the Federal Land Policy and Management Act of 1976.

SEC. 5. ACQUISITION OF ENVIRONMENTALLY SENSITIVE LAND.

(a) IN GENERAL.—After consultation in accordance with subsection (c), the Secretary may use funds in the Special Account to acquire environmentally sensitive land for use as supports of health care delivery, law enforcement, education, and schools.

(b) TREATMENT OF PAYMENTS AS COST INCURRED.—If any agreement to initiate the exchange so provides, a payment under subsection (a)(1) may be considered to be a cost incurred by the Federal Government in the jurisdiction of which the land is located in an amount equal to 15 percent of the fair market value of the Federal land conveyed in the exchange.

(c) ADDITIONAL DISPOSAL LAND.—Public land identified for disposal in the State under a replacement of or amendment to a current land use plan shall be subject to this Act.

SEC. 6. DEFINITIONS.

A. (a) CURRENT LAND USE PLAN.—The term "current land use plan" means the land use plan or the project plan applicable to the unit of government in the jurisdiction of which the land is located in an amount equal to 15 percent of the fair market value of the Federal land conveyed in the exchange.

(b) OFFERING.—The Secretary shall make the first offering of land as soon as practicable after land has been selected under subsection (a) of this section.

(c) SALE PRICE.—(1) IN GENERAL.—The Secretary shall make all sales of land under this Act in a manner that is not less than the fair market value of the land as determined by the Secretary.

(d) AFFORDABLE HOUSING.—Subparagraph (A) does not affect the authority of the Secretary to make land available at less than the fair market value for affordable housing purposes under section 7(b) of the Southern Nevada Public Land Management Act of 1996 (43 U.S.C. 1709(c)).

(e) COMPETITIVE BIDDING.—(1) IN GENERAL.—The Secretary shall make all sales of land under this Act in a manner that is not less than the fair market value of the land as determined by the Secretary.

SEC. 7. ACQUISITION OF ENVIRONMENTALLY SENSITIVE LAND.

(a) IN GENERAL.—The Secretary may acquire environmentally sensitive land under this section only from willing sellers.

(b) CONSENT.—The Secretary may acquire environmentally sensitive land under this section only from willing sellers.

(c) CONSULTATION.—(1) IN GENERAL.—Before initiating efforts to acquire environmentally sensitive land under this section, the Secretary shall consult with the State and units of local government under...
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the jurisdiction of which the environmental sensitivity is located (including appropriate land planning and regulatory agencies) and with other interested persons concerning—
(A) the necessity of making the acquisition;
(b) the potential impact of the acquisition on State and local government; and
(c) other appropriate aspects of the acquisition;
(2) ADDITIONAL CONSULTATION.—Consultation under this paragraph shall be in addition to any other consultation that is required by law.
(d) ADMINISTRATION.—On acceptance of title by the United States, any environmental sensitivity located under this section that is not otherwise environmentally sensitive land acquired under this section that is within the boundaries of a unit of the National Forest System, the National Park System, the National Wildlife Refuge System, the National Wild and Scenic Rivers System, the National Trails System, the National Wilderness Preservation System, any other system established by law, or any national conservation or recreation area established by law.
(1) Acquisition.—Not more than 50 percent of the area of the unit or area shall be managed in accordance with all laws for the unit or area.
(e) FAIR MARKET VALUE.—The fair market value of environmentally sensitive land or an interest in environmentally sensitive land to be acquired by the Secretary or the Secretary of Agriculture shall be determined:
(A) subject to paragraph (2), costs incurred by the Secretary to acquire land or land use plans applicable to the unit or area, and
(B) ACQUISITION.—Not more than 50 percent of the amounts deposited in the Special Account in any fiscal year may be used in that fiscal year or any subsequent fiscal year for the purposes described in paragraph (1).
(3) PLAN REVISIONS AND AMENDMENTS.—The process of revising or amending a land use plan shall not cause delay or postponement in the implementation of this Act.
(f) INTEREST.—All funds deposited in the Special Account shall earn interest in the amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities. Such interest shall be added to the principal of the account and expended in accordance with subsection (c).
(g) COORDINATION.—The Secretary shall coordinate the use of the Special Account with the Secretary of Agriculture, the Secretary of the Interior, or the Secretary of Agriculture under section 5 of the Nevada Public Land Management Act of 1999 that is not otherwise environmentally sensitive land or interest in such such land in the State;
(b) the cost of acquisition of environmentally sensitive land or interest in such such land in the State;
(c) the cost of carrying out any necessary revision or amendment of a current land use plan of the Bureau of Land Management that relates to land sold, exchanged, or acquired under this Act;
(d) the cost of projects or programs to restore or maintain riparian areas, or cultural, historic, prehistoric, or paleontological resources, including petroglyphs;
(e) the cost of projects, programs, or land acquisitions to restore water quality and lake levels in Walker Lake; and
(f) related costs determined by the Secretary.
(2) LIMITATIONS.—(A) COSTS IN ARRANGING SALES OR EXCHANGES.—Costs charged against the Special Account for the purposes described in paragraph (1)(A) shall not exceed the minimum amount practicable in view of the fair market value of the Federal land to be sold or exchanged.
(B) ACQUISITION.—Not more than 50 percent of the amounts deposited in the Special Account in any fiscal year may be used in that fiscal year or any subsequent fiscal year for the purposes described in paragraph (1)(B).
(C) other appropriate aspects of the acquisition.

SMITH, LUGAR, LIEBERMAN, LATENBERG, DEWINE, McCaIN, AND OHRIN H. HATCH.

More than a year ago, Yugoslav President Slobodan Milosevic sent Serbian troops into Kosovo to launch a brutal assault on the ethnic Albanian population there. This action was the beginning of a merciless and unjustified Serbian offensive against ethnic Albanians in Kosovo. Two thousand victims of Milosevic’s cruelty lie dead—many of them innocent civilians. And hundreds of thousands of people have been driven from their homes.

Mr. President, this tragedy in Kosovo has emphasized the obvious: that if the United States continues to foolishly hope for good will on the part of Milosevic, the United States will be dragged into the crises this cruel man manufactures time and again. Instead of pursuing a strategy that leads to NATO strikes or the deployment of thousands of United States troops in peacekeeping operations, I believe it is the course of wisdom to examine the root cause of instability in that region—the bloody regime of Slobodan Milosevic.

President Milosevic has imposed rigid controls on, or launched outright attacks against, the media, universities, and the judicial system in Serbia to prevent the possibility that a democracy and an independent civil society can be developed. The massacres of innocent women and children in Kosovo demonstrate Milosevic’s disregard for basic human rights. This man, in a word, forbids the very thought of a democratic system in Serbia.

For too long this Administration has claimed that no viable democratic opposition exists in Serbia or that the United States has no choice but to work with Milosevic. Mr. President, I refuse to accept this argument. There are individuals and organizations in Serbia that can be a force for democratic change in that country.

By Mr. HELMS:
S. 720. A bill to promote the development of a government in the Federal Republic of Yugoslavia (Serbia and Montenegro) based on democratic principles and the rule of law, and that respects internationally recognized human rights, to assist the victims of Serbian oppression, to apply measures against the Federal Republic of Yugoslavia, and for other purposes; to the Committee on Energy and Natural Resources.

S. 720. A bill to promote the development of a government in the Federal Republic of Yugoslavia (Serbia and Montenegro) based on democratic principles and the rule of law, and that respects internationally recognized human rights, to assist the victims of Serbian oppression, to apply measures against the Federal Republic of Yugoslavia, and for other purposes; to the Committee on Foreign Relations.

SERBIA DEMOCRATIZATION ACT OF 1999

Mr. HELMS. Mr. President, this is a significant offshoot of legislation. I believe, the Serbia Democratization Act of 1999, on which I am honored by the cosponsorship of a number of distinguished colleagues—Senators GORDON
It calls for humanitarian and other assistance to the victims of oppression in Kosovo.

It adds new sanctions or strengthens those that exist against Serbia until the President certifies that the government is democratic. For example, it codifies the so-called “outer wall” of sanctions that the United States has informally in place. It blocks Yugoslav assets in the United States. It prevents senior Yugoslav and Serbian government officials, and their families, from receiving visas to travel to the U.S. And it requires a democratic government to be in place in Serbia before extending MFN status to Yugoslavia.

It states that the U.S. should send to the International Criminal Tribunal for the former Yugoslavia all information we have on the involvement of Milosevic in war crimes.

Now, as for Mr. Milosevic’s future, I do not care one way or the other if he lives out his days in sunny Cyprus if he will agree to step aside and make way for democracy in Serbia. The important things is that he be removed from power, whether voluntarily or not.

Once the Milosevic regime has been replaced by a democratic government in Yugoslavia, this legislation calls for immediate and substantial U.S. assistance to support the transition to democracy. When that day comes, I will lead the way in encouraging Yugoslavia to take its place among the democratic nations of the West. Until that time, I will work to implement a policy that will undermine the autocratic regime of Slobodan Milosevic in every way possible.

Mr. LAUTENBERG. Mr. President, I rise today as one of a bipartisan group of Senators introducing the Serbia Democracy Act of 1999.

We’ve been developing this legislation for some time, to address our long-term interest in fostering democracy and human rights in what remains of the former Yugoslavia. But this legislation sends an important message at a time when our Armed Forces are conducting air operations and missile strikes against the so-called Federal Republic of Yugoslavia, comprising Serbia and Montenegro.

The message this legislation sends to the people of Serbia and Montenegro is this: We are determined to punish those leaders responsible for such horrific violence throughout the former Yugoslavia. But we are also ready to support the development of democracy and civil society to help the people of Serbia and Montenegro overcome the repression which they, too, have suffered under the Milosevic regime.

The measures outlined in this act will help free thought and free speech to survive in Serbia-Montenegro. This legislation will also give victims of Serbian attacks, particularly in Kosovo, a degree of comfort knowing the American people stand with them in their hour of need even as our aircraft fly overhead.

This legislation also puts Slobodan Milosevic on notice that the reign of terror he has unleashed against the people of the Balkans—including Serbs and others within Serbia—will soon be over. Along with democratization measures for Serbia-Montenegro, this act contains narrow sanctions to make it more difficult for Milosevic to sustain his corrupt regime and carry on his bloody war.

The years Milosevic has been in power have left the region devastated. Americans remember all too well his brutal handiwork in the war in Bosnia. The images of destroyed homes, ethnically cleansed villages, of decaying corpses in mass graves, are indelibly etched in all our minds.

Now, less than two years after the signing of the Dayton peace agreement which brought about the end of that war, Milosevic has unleashed a similarly brutal campaign against people within Serbia. Yugoslav tanks and soldiers, as well as paramilitary thugs, are attempting to crush the Kosovar Albanians’ resistance. Belgrade’s brutal crackdown has left thousands dead, tens of thousands homeless, and hundreds of thousands displaced from their towns and villages.

The man known in the Balkans as the Butcher of Belgrade, does not reserve his repression for Croats, Bosniaks, or Albanians. In his quest to gain and hold power, he has not spared his capital of Belgrade.

For years now, Slobodan Milosevic has carried out a sustained campaign to destroy his country’s democratic institutions and its people’s freedoms. He is a communist thug, a relic of the bad old days of Central Europe. For years, he has run the so-called Federal Republic of Yugoslavia from his position as head of the constituent Republic of Serbia, leaving the constitution of the former Yugoslavia in tatters.

The Milosevic regime has tried for years to prevent the development of independent media outlets to provide accurate news and other information to the people of Serbia and Montenegro. Journalists who have pursued stories unflattering to the regime have been threatened and beaten by police. Independent television stations and newspapers are being shut down through litigation under a draconian press law passed last fall. As the State Department’s 1998 Human Rights Report notes, that law allows private citizens and organizations to bring suit against media outlets for publishing information not deemed patriotic enough or considered to be “against the territorial integrity, sovereignty and independence of the country.”

The effects of this policy are chilling. The people of Serbia-Montenegro are getting a filtered message about the events in their country and around the world. They see and hear and read only the news their Government chooses to drown in.

Since NATO announced the approval of air operations and missile strikes, Belgrade has cracked down further on the independent media. Radio B92, operated courageously by Veran Matic, was shut down at gunpoint. Instead of hearing what is really happening, in stead of hearing our reasons for conducting air strikes, people in Belgrade hear the regime’s propaganda on Government radio.

The university in Belgrade—one of the great institutes of higher learning in Central Europe—has been purged of professors who refuse to tow the party line. Students who have protested this action have been harassed. As a result, there are virtually no progressive professors or students left in several programs.

The economy, too, is in tatters. Unemployment and underemployment hovers at 60 percent, primarily because the government has been unwilling to implement needed economic reforms. Privatization, the cornerstone of a market economy, remains at a standstill, allowing cronyism and corruption to flourish.

I would like to draw particular attention to a section of this law concerning the International Criminal Tribunal for the former Yugoslavia.

As many of you know, for the past two years I have introduced legislation that bans U.S. aid to communities in the former Yugoslavia harboring war criminals. I introduced that legislation because it is my firm belief that democracy cannot come to a country, that a nation cannot begin to face the sins of its past, and that people cannot find freedom in their own communities, until individuals who persecuted others are brought to justice.

Milosevic has a deplorable record in cooperating with the Tribunal. He has continually scorned his obligations to the United Nations to turn over war criminals to the Tribunal for prosecution, citing constitutional constraints. Consequently, indicted war criminals—including Ratko Mladic, who is responsible for the massacre of hundreds of people during the Bosnian war, and the so-called Vukovar three who were indicted for the murder of 260 unarmed men during the 1991 attack on that Croatian city—reportedly live freely in Serbia.

He denied officials from the Tribunal access to Kosovo to investigate alleged crimes in the village of Racak, after 40 people were found dead, their mutilated bodies dumped in a ravine. Milosevic tried to claim that the victims—children, women and old men—were combatants and shot in a confrontation with Serbian police. To lend his story credence, Milosevic instead allowed a so-called independent forensic team from Belarus—itself caught in
the Stalinist past—and a group of Finns to analyze the corpses.

Milosevic’s tactic backfired. The forensic team found that the victims were unarmed civilians, executed in an organized massacre. Some of these Kosovars “were forced to kneel before being sprayed with bullets,” as the Washington Post reported it.

Those who master-minded and perpetrated the massacres in Racak must face justice. Our Congress has already made very clear our view that Slobodan Milosevic is a war criminal and should be indicted and tried by the International Tribunal.

Mr. President, United States policy toward Belgrade is and must be much more than the use of air strikes. The legislation before us today will help Secretary Albright’s efforts to bring lasting peace, democracy and prosperity to Serbia and Montenegro, as well as to Kosovo and the rest of the Balkans, by helping democracy and freedom prevail over a brutal dictator.

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. FEINGOLD, and Mr. MOYNIHAN):

S. 721. A bill to allow media coverage of court proceedings.

LEGISLATION TO ALLOW MEDIA COVERAGE OF COURT PROCEEDINGS

Mr. GRASSLEY. Mr. President, along with Senator SCHUMER and others, today I am introducing legislation that would make it easier for every American taxpayer to see what goes on in the federal courts that they fund. The bill, which would allow the photographing, electronic recording, broadcasting, and televising of Federal court proceedings, is needed to address the growing public cynicism over this branch of government.

Fostering a public that is well-informed about the law, including penalties and offenses, will, in turn, foster a healthy judiciary. As Thomas Jefferson said, “[t]he execution of the laws is more important than the making of them.” Because federal court decisions are far-reaching and often final, it is critical that judges operate in a manner that invites broad observation.

In addition, allowing cameras in the federal courtrooms is consistent with the Fourth Amendment concept that trials be held as many people as choose to attend. Also, the First Amendment requires that court proceedings be open to the public, and by extension, the news media. The public’s right to observe them first-hand is hardly less important. Put differently, the Supreme Court has said, “what transpires in the courtroom is public property.

In 1994 the Federal Judicial Center conducted a pilot program that studied the effect of cameras in a select number of federal courts. Their findings supported the use of electronic media coverage and found, “small or no effects of camera presence on participants in the proceedings, courtroom decorum, or the administration of justice.” In the most recent year study in the federal courts, we are fortunate to be able to draw upon the experience of state courts. A committee in New York established to study the effect of cameras in courtrooms concluded, “Audio-visual coverage of court proceedings serves an important educational function, and promotes public scrutiny of the judicial system. The program had minimal, if any, adverse effects. 15 states specifically studied the educational benefits deriving from camera access and all of them determined that camera coverage contributed to greater public understanding of the judicial system.

The use of state courts as a testing ground for this legislation as well as the Federal pilot program make this very well trod ground. We can be extremely confident that this is the next logical step and the well documented benefits far outweigh the “minimal or detrimental effects”. Notwithstanding the strong evidence of the successful use of cameras in state courtrooms, we are going the extra mile to make sure this works in federal courtrooms by adding a 3 year sunset provision to our bill. This will give us a reasonable amount of time to determine how the process is working and whether it should be permanent.

The two leading arguments against cameras in federal courtrooms are easily countered. First, there is a fear that courtrooms will deteriorate into the carnival-like atmosphere of the O.J. Simpson trial. However, the O.J. Simpson case is obviously an exceptional and isolated instance. Not every court case is or need be like the Simpson case. It is this image of court proceedings that this bill is designed to dispel. Furthermore, even the minimal effects of a camera in a trial setting do not apply to an appellate hearing that has no jury and rarely requires witnesses.

The second argument against greater public access to court proceedings is the legitimate concern for the witnesses’ safety when they are required to testify. This concern has merit and is the subject of this bill. Technological advances make it possible to disguise the face and voice of witnesses upon request, thus not compromising their safety.

Allowing greater public access to federal court proceedings will help Americans fulfill their duty as citizens of a democratic nation to educate themselves on the workings of their government, and their right to observe and oversee the fundamental and critical role of our courts. The evidence compiled by 48 states and a federal study clearly supports this bill, the Constitution demands this bill, and the American people deserve this bill.

For all these reasons, I urge others to join me and my colleagues in supporting our attempt to provide greater public understanding and accountability of our federal courts.

Mr. LEAHY. Mr. President, I am pleased to join Senators GRASSLEY and SCHUMER in sponsoring the “Sunshine in the Courtroom Act.”

Our democracy works best when our citizens are fully informed. That is why I have supported efforts during my time in the Senate to promote the goal of opening the proceedings of all three branches of our government. We continue to make progress in this area. Except for rare closed sessions, the proceedings of Congress and its Committees are open to the public, and carried live on cable networks. In addition, more Members and Committees are using the Internet and Web sites to make their work available to broader audiences.

The work of Executive Branch agencies is also open for public scrutiny through the Freedom of Information Act. The FOIA has served the country well in maintaining the right of Americans to know what their government is doing—or not doing. As President Johnson said in 1966, when he signed the Freedom of Information Act into law: “This legislation springs from one of our most essential principles: A democracy works best when the people have all the information that the security of the Nation permits.”

The work of the third, Judicial Branch, of government is also open to the public. Proceedings in federal courtrooms around this country are open to the public, and our distinguished jurists publish extensive opinions explaining the reasons for their judgments and decisions.

Forty-eight states, including Vermont, permit cameras in the courts. This legislation simply continues this tradition of openness on the federal level.

This bill permits presiding appellate and district court judges to allow cameras in the courtroom; they are not required to do so. At the same time, it protects non-party witnesses by giving them the right to have their voices and images screened or redacted in testimony. Finally, the bill authorizes the Judicial Conference of the United States to promulgate advisory guidelines for use by presiding judges in determining the management and administration of photographing, recording, broadcasting or televising the proceedings. The authority for cameras in federal district courts sunsets in three years.

In 1994, the Judicial Conference concluded that the time was not ripe to permit cameras in the federal courts, and rejected a recommendation of the Court Administration and Case Management Committee to authorize the
photographing, recording, and broadcasting of civil proceedings in federal, trial, and appellate courts. A majority of the members were concerned about the intimidating effect of cameras on some witnesses and jurors. The New York Times opined at that time, on September 22, 1994, that “the court system needs to reconsider its total ban on cameras, and Congress should consider making its own rules for cameras in the Federal courts.”

I am sensitive to the concerns of the Conference, but believe this legislation grants to the presiding judge the authority to evaluate the effect of a camera on particular proceedings and witnesses, and decide accordingly on whether to permit the camera into the courtroom. A blanket prohibition on cameras is an unnecessary limitation on the discretion of the presiding judge.

Allowing a wider public than just those who are able to make time to visit a courtroom to see and hear judicial proceedings will allow Americans to evaluate for themselves the quality of justice in this country, and deepen their understanding of the work that goes on in our courtrooms. This legislation is a step in making our courtrooms and the justice meted out there more widely available for public scrutiny. The time is long overdue for federal courts to allow cameras on their proceedings.

By Mr. INHOFE (for himself, Mr. MURKOWSKI, Mr. BURNS, Mr. GRASSLEY, Mr. BREAUX, Mr. CRAPO, Mr. STEVENS and Mr. FRIST):

S. 722. A bill to provide for the immediate publication of certain orders relating to the amendment, modification, suspension, or revocation of certificates under chapter 447 of title 49, United States Code; to the Committee on Commerce, Science, and Transportation.

EMERGENCY REVOCATION ACT

Mr. INHOFE. Mr. President, I have been involved in the aviation industry for over forty years. In that time, I have logged roughly 8,000 flight hours and have had my share of flight challenges in all sorts of weather and conditions. For instance, in 1989 during a humanitarian mission to Dominica, I led ten airplanes through hurricane David to deliver medical supplies to the island. As recently as 1991 I piloted a Cesna 414 around the world re-enacting the same flight of Wiley Post sixty years earlier. I mention this to establish my credentials as someone who is an experienced pilot. As such, I have a great respect for the important job that the Federal Aviation Administration (FAA) does to make our air system the safest and best in the world. Notwithstanding my admiration for the job that the FAA does, I believe there are areas of FAA enforcement that need to be examined. One such area is the FAA’s use of “emergency revocation”.

After talking with certificate holders and based on my own observations, I believe the FAA unfairly uses this necessary power to prematurely revoke certificates when the circumstances do not support such drastic action. In a revocation action, brought on an emergency basis, the certificate holder loses use of his certificate immediately, without an intermediary review by an impartial third party. The result is that the certificate holder is grounded and in most cases out of work until the issue is adjudicated.

Simply put, I believe the FAA unfairly uses this necessary power to prematurely revoke certificates when the circumstances do not support such a drastic approach when safety is not an issue, would be to adjudicate the revocation on a non-emergency basis allowing the certificate holder continued use of the certificate.

In no way do I want to suggest that the FAA should not have emergency revocation powers. I believe it is critical to safety that FAA have the ability to ground unsafe airmen or other certificate holders; however, I also believe that the FAA must be judicious in its use of this extraordinary power. A review of recent emergency cases clearly demonstrates a pattern by which the FAA uses their emergency powers as standard procedure rather than an extraordinary measure. Perhaps the most visible case has been Bob Hoover.

Bob is a highly regarded and accomplished aerobatic pilot. In 1992, his medical certificate was revoked based on alleged problems with his cognitive abilities. After getting a clean bill of health from four separate sets of doctors (just one of the many tests cost Bob $1,700) and over the continuing objections of the federal air surgeon (who never examined Bob personally) his medical certificate was reinstated only after the then Administrator David Henson intervened. Unfortunately, Bob is not out of the woods yet. His medical certificate expires each year. Unlike most airmen who can renew their medical certificates with a routine application and exam, Bob has to furnish the FAA with a report of a neurological evaluation every twelve months.

Bob Hoover’s experience is just one of many. I have visited with other pilots who have had their licenses revoked on an emergency basis. Pilots such as Ted Stewart who has been an American Airlines pilot for more than 12 years and is presently a Boeing 767 Captain. Until January 1995, Ted had no complaints registered against him or his flying. In January 1995 the FAA suspended his examining authority as part of a larger FAA effort to respond to a problem of falsified ratings. The full National Transportation Safety Board (NTSB) exonerated Ted in July 1995. In June 1996, the FAA revoked Ted’s flight instructor certificate. One of the charges in this second revocation involved falsification of records for a Flight Instructor Certificate with Multiengine rating and his Air Transport Pilot (ATP) certificate dating back to 1979. Remember, an emergency revocation means you lose your certificate immediately, so in most cases this means the certificate holder loses his source of income.

Like most, I have questioned how an alleged 17 1⁄2 year old violation in the Stewart case could constitute an emergency; especially, since Ted had not been cited for any cause in the interim. The FAA vigorously pursued this case.

Another example is Raymond A. Williamson who was a pilot for Coca-Cola Bottling Company. Like Ted Stewart, he was accused of being part of a “ring” of pilots who falsified type records for “vintage” aircraft.

As in all of the cases I have reviewed, Mr. Williamson biggest concern is that the FAA has a vendetta against him. He was fired. In June 1995, he received an Emergency Order of Revocation. In over 30 years as an active pilot, he had never had an accident, incident, or violation. Nor had he ever been “counseled” by the FAA for any action or irregularities as a pilot, flight instructor, FAA designated pilot examiner.

In May 1996, FAA proposed to return all his certificates and ratings, except his flight instructor certificate. As in
the Ted Stewart case, it would appear that FAA found no real reason to pursue an ‘emergency’ revocation. I obviously cannot read the collective minds of the NTSB, but I believe a reasonable person would conclude that in the Ted Stewart case the Board, believes as I do, that there is an abuse of emergency revocation powers by the FAA.

This is borne out further by the fact that since 1989, emergency cases as a total of all enforcement actions heard by the NTSB has more than doubled. In 1989 the NTSB heard 1,107 enforcement cases. Of those, 66 were emergency revocation cases or 5.96 percent. In 1995, the NTSB heard 509 total enforcement cases, of those 160 were emergency revocation cases or 31.40 percent. I believe it is clear that the FAA has begun to use an exceptional power as a standard practice.

At my request, the General Accounting Office (GAO) did a study of emergency revocation actions taken by the FAA between 1990 and 1997. The most troubling result of the GAO study is that during time frame studied, 50 percent of the emergency revocations were issued four months to two years after the violation occurred. In only 4% of the cases was the emergency revocation issued within ten days or less of the actual violation. In fact, the median time lapse between the violation and the emergency order was a little over four months (32 days).

Clearly, at issue is ‘what constitutes an emergency?’ After working with industry representatives, I believe we have come up with a balanced and prudent approach to answer that question. Today I along with Senators MUKOWSKI, BURNS, GRASSLEY, BREAX, STEVENS, CRAP and FRIST am introducing a bill which will provide a certificate holder the option of requesting a hearing for the NTSB within 48 hours of receiving an emergency revocation to determine whether or not a true emergency exists. The board have to decide within five days of the request if an emergency exists. During the board’s deliberation, the certificate will be suspended. Should the board decide an emergency does not exist, the certificate holder will be able to use his certificate while the issue is adjudicated. Should the board decide an emergency does exist, the certificate will continue to be suspended while the issue is adjudicated.

Not surprisingly, Mr. President the FAA opposes this language. They also opposed changes to the civil penalties program and opposition to truant officers and the judge and jury in civil penalty actions against airmen. Fortunately, we were able to change that so that airmen can now appeal a civil penalty case to the NTSB. This has worked very well because the NTSB has a clear understanding of the issues.

This bill is supported by the Air Line Pilots Association, International; the Air Transport Association; the Allied Pilots Association, Aircraft Owners and Pilots Association; the Experimental Aircraft Association; the National Air Carrier Association; National Air Transportation Association; National Business Aircraft Association; the NTSB Bar Association; and the Regional Airline Association.

In closing, this bill will provide due process to certificate holders where now none exists, without compromising aviation safety. This is a reasonable and prudent response to an increasing problem for certificate holders. I hope our colleagues will support our efforts in this regard.●

By Mr. INHOFE:
S. 723. A bill to provide regulatory amnesty for defendants who are unable to comply with federal enforceable requirements because of factors related to a Y2K system failure; to the Committee on Governmental Affairs.


Mr. INHOFE. Mr. President, I am pleased to introduce S. 723, the Year 2000 Regulatory Amnesty Act of 1999. I believe this is a timely piece of legislation considering the current debate over the Year 2000 issue. Senators BENNETT, DODD, HATCH, FEINSTEIN, and McCAIN have been working diligently on Year 2000 issues for quite some time. I applaud them for their efforts in dealing with such a unique and complex issue.

However, as I have watched their progress and listened to their reports, I have noticed one significant omission in their discussions. Virtually nothing has been said about the potential regulatory nightmare that regulated entities could face as a result of a Y2K disruption. A recent debate has been centered on getting government and businesses ready for the date change, very little has been said about how the government will actually deal with the private sector’s problems associated with the year 2000. The last thing we need is for Regulatory Agencies to view a Y2K problem as an opportunity for a fine.

As a result, I began to ask several regulated communities about their concerns over regulatory penalties as a result of a Y2K disruption. Surprisingly, many had not yet begun to think about the potential for regulatory problems. Instead, they have been focusing on becoming Y2K complaint, which is what they should be doing. However, the question remains: how will the federal government react to regulatory noncompliance due to a Y2K systems disruption?

In response to that unanswered question, I am introducing the Y2K Regulatory Amnesty Act. My legislation will create a ‘Y2K upset’, which is defined as an exception in which there is unintentional and temporary noncompliance beyond the reasonable control of the party. It will provide regulated communities with an affirmative defense from punitive actions from the federal government should they encounter a Y2K systems disruption.

My legislation does not create a ‘free pass’ for entities to violate federal regulations. A ‘Y2K upset’ is strictly defined and can only be invoked if the entity has made all possible efforts to become Y2K complaint and meets other stringent requirements. Additionally, if the noncompliance would result in an immediate or imminent threat to public health, the defense is not applicable. For those individuals who do attempt to use this defense frivolously or fraudulently, there will be severe criminal penalties.

Let me give you an example of how this legislation will work. Assume that a small, local flower shop is run by a simple 3-computer network. The flower shop uses its computer network to manage payroll, accounts payable/receivable, and to track orders from customers. In an effort to become Y2K complaint, the flower shop hires an outside consultant to examine his network for signs of the Y2K bug and solve any problems that exist. This process costs the flower shop just over $1,000 but is well worth the investment considering the shop wants to be in business in January 2000.

On January 1, 2000, flower shop finds that its payroll software is failing to operate. The shop owner contacts the software manufacturer, the computer manufacturer, and his consultant in order to find a solution. From the outset, the shop owner knows this delay means that he will be unable to calculate how much he owes the IRS in payroll taxes—not to mention, they will be late. For that small business owner that means a hefty penalty on top of the hassle and lost business the failure caused in the first place.

Under my legislation, this small business owner would not be facing IRS penalties. The flower shop will still have to pay the taxes, but they won’t be hit with a fine for a computer problem outside of their control.

This is just one example of how this legislation would assist businesses as they attempt to become compliant. However, this legislation would also help many others. I have heard from several schools in my state that the software manufacturer, the computer manufacturer, and his consultant in order to find a solution. From the outset, the shop owner knows this delay means that he will be unable to calculate how much he owes the IRS in payroll taxes—not to mention, they will be late. For that small business owner that means a hefty penalty on top of the hassle and lost business the failure caused in the first place.

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This is just one example of how this legislation would assist businesses as they attempt to become compliant. However, this legislation would also help many others. I have heard from several schools in my state. I fear that if they lose federally required reporting information, they may face losses in federal funding. I have also heard from small, rural telephone cooperatives who fear that even a short-term Y2K-related disruption could result in significant FCC fines and penalties. The list is exhaustive. Virtually, anyone regulated by the federal government faces the unanswered question as to how the federal government will handle a Y2K systems disruption.

There is also an added benefit to this legislation. Because this defense would
only apply to those who have made good faith efforts to become compliant, it will serve as an added incentive for everyone to fix their Y2K problems up front.

Some people will say this legislation is unnecessary. However, I believe it is prudent to define how the federal government will approach Y2K systems disruptions in a regulatory context. But, more importantly, I believe we need to establish the rules of the game in advance so that everyone is operating from the same page. I would urge each of my colleagues to become a cosponsor of the Y2K Regulatory Amnesty Act and join with me in working to remediate the potential regulatory problems associated with the coming date change.

Mr. President, I seek that the full text of the bill be inserted in the Record.

The bill follows:

S. 723

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 “Y2K Regulatory Amnesty Act of 1999”.

SEC. 2. DEFINITIONS.

In this Act:

(1) Y2K failure.—The term “Y2K failure” means any failure by any device or system (including any computer system and any microchip or integrated circuit embedded in another device or product), or any software, firmware, or other set or collection of processing instructions, however constructed, in processing, calculating, comparing, sequencing, displaying, storing, transmitting, or receiving date-related data, including—

(A) the failure to accurately administer or account for transitions or comparisons from, into, and between 20th and 21st centuries, and between 1999 and 2000; or

(B) failure to recognize or accurately process any specific date, and the failure accurately to account for the status of the year 2000 as a leap year.

(2) Y2K upset.—The term “Y2K upset” —

(A) means an exceptional incident involving temporary noncompliance with applicable federally enforceable requirements because of factors related to a Y2K failure that are beyond the reasonable control of the defendant charged with compliance; and

(B) does not include—

(i) noncompliance with applicable federally enforceable requirements that constitutes or would create an imminent threat to public health or safety;

(ii) noncompliance to the extent caused by operational error or negligence;

(iii) lack of reasonable preventative maintenance; or

(iv) lack of preparedness for Y2K.

SEC. 3. CONDITIONS NECESSARY FOR A DEMONSTRATION OF A Y2K UPSET.

A defendant who wishes to establish the affirmation of any Y2K upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that—

(1) the defendant previously made a good faith effort to effectively remediate Y2K problems;

(2) a Y2K upset occurred as a result of a Y2K system failure or other Y2K emergency;

(3) noncompliance with the applicable federally enforceable requirement was unavoidable in the face of a Y2K emergency or was intended to prevent the disruption of critical functions or activities that could result in the harm of life or property;

(4) upon identification of noncompliance the defendant invoking the defense began immediatley to correct or remediate any violation of federally enforceable requirements; and

(5) the defendant submitted notice to the appropriate Federal regulatory authority of a Y2K upset within 72 hours from the time that it became aware of the upset.

SEC. 4. GRANT OF A Y2K UPSET.

Subject to the provisions of this Act, the Y2K upset defense shall be a complete defense to any action brought as a result of noncompliance with federally enforceable requirements for any defendant who establishes by a preponderance of the evidence that the conditions set forth in section 3 are met.

SEC. 5. LENGTH OF Y2K UPSET.

The maximum allowable length of the Y2K upset shall be not more than 30 days beginning on the date of the upset unless granted specific relief by the appropriate regulatory authority.

SEC. 6. VIOLATION OF A Y2K UPSET.

Fraudulent use of the Y2K upset defense provided for in this Act shall be subject to penalties prescribed by section 1901 of title 18, United States Code.

By Mr. INHOFE (for himself and Mr. SESSIONS):

S. 724. A bill to amend the Safe Drinking Water Act to clarify that underground injection does not include certain activities, and for other purposes; to the Committee on Environment and Public Works.

HYDRAULIC FRACTURING LEGISLATION

Mr. INHOFE. Mr. President, I rise today to introduce a bill with my colleagues from Alabama, Senator Sessions, that will help our domestic oil and gas industry by reducing one of the many regulatory burdens that they must comply with.

Last year, I was informed of a case in Alabama in which the EPA was sued over their policy regarding underground injection and specifically, “hydraulic fracturing”. This procedure is used in cases where product, such as gas is located in a tight geological formation such as a coalbed. A hole is drilled into that area and a fluid consisting of water, gel and sand is pumped down the wellbore into the formation creating a fracture zone. The gel and water are extracted during the initial production stage of the well while the sand is left to prop open the cracks in the formation.

When Congress originally passed the Safe Drinking Water Act (SDWA) in 1974, they intentionally left the underground protection control (UIC) program to the states. That act stated: “the Administrator . . . may not prescribe requirements which interfere with or impede (injection activities associated with oil and gas production) unless such requirements are essential to assure that underground sources of drinking water will not be endangered by such injection.” That concept was reaffirmed in 1980 when a provision allowing the states to recognize the adequacy of state programs in lieu of federal requirements was enacted.

So, when the lawsuit was filed in Alabama, and the court ruled in favor of the environmental organization that filed the suit, I was shocked. It seemed clear to me that the intent of the law was not accomplished and we needed to rectify the procedure to the states. I have neither heard nor seen anything that would lead me to the conclusion that there is any contamination of drinking water because of hydraulic fracturing. In fact, I believe the EPA agrees with me.

Let me read a letter from Carol Browner, the Administrator of the EPA, to Mr. David A. Ludder, General Council for the Legal Environmental Assistance Foundation, Inc (LEAF), the group that sued EPA over this procedure.

There is no evidence that the hydraulic fracturing at issue has resulted in any contamination or endangerment of underground sources of drinking water. Repeated testing, conducted between May of 1989 and March of 1993, of the drinking water well which was the subject of this petition failed to show any chemicals that would indicate the presence of fracturing fluids.

That statement seems pretty straightforward and implies to me that EPA would be willing to work with us to solve this problem. Unfortunately, that is not the case. Senator Sessions and I, with assistance from Senator Chafee, have received nothing but stalling tactics. In late January, we drafted this language and brought it over to EPA hoping that we could resolve this issue quickly to provide relief to our producers. Unfortunately, they were not willing to work with us. It is my hope that EPA will work with us as this bill moves through committee and come up with a solution that will allow our oil and gas guys to get back to work and get EPA to focus on issues which may pose a more imminent threat.

Mr. SESSIONS. Mr. President, I rise today to introduce a bill along with my colleague Senator INHOFE, which makes a technical correction to the Safe Drinking Water Act. This bill will end a frivolous lawsuit, clarify the intent of Congress and allow our State regulators and the Environmental Protection Agency to focus on protecting underground drinking water.

March 25, 1999

CONGRESSIONAL RECORD—SENATE 5927
This bill clarifies the Safe Drinking Water Act by exempting hydraulic fracturing from the definition of underground injection control (UIC). Hydraulic fracturing is a process used in the production of coalbed methane. This process uses high pressure water, carbon dioxide, and sand to create microscopic fractures in coal seams to release and extract methane, oil, and gas. Most states in which hydraulic fracturing is used, including my own state of Alabama, have in place regulations to ensure hydraulic fracturing continues to be a technique used in a safe manner. This technique has been used safely by coalbed methane, oil, and gas producers for over fifteen years and has never been attributed to causing even a single case of contamination to an underground drinking water source.

On March 21, 1994, the Legal Environmental Assistance Foundation (LEAF) submitted a Petition for Prohibition of a Rule to withdraw the EPA’s approval for the state of Alabama’s Underground Injection Control (UIC) program. LEAF cited a case in Alabama of alleged drilling well contamination to justify its lawsuit. The EPA carefully reviewed this petition and on May 5th of 1995 the Administrator of the EPA, Carol Browner wrote to LEAF and stated “based on that review, I have determined that Alabama’s implementation of the UIC program is consistent with the requirements of the Safe Drinking Water Act”.

There is no evidence that the hydraulic fracturing at issue has resulted in any contamination or endangerment of underground sources of drinking water”. I ask unanimous consent that a complete copy of the text of that letter be inserted into the RECORD.

Mr. SESSIONS: This single case in Alabama which initiated the LEAF lawsuit was investigated by three regulatory agencies; the State Oil and Gas Board of Alabama, the Alabama Department of Environmental Management, and the U.S. Environmental Protection Agency. None of the three regulatory agencies could find any contamination attributable to hydraulic fracturing activities or levels of any contaminant exceeding Safe Drinking Water Act standards. In fact, a nationwide search for cases of contamination attributed to hydraulic fracturing was conducted by the Environmental Protection Agency and the Ground Water Protection Council. Not a single case of contamination was discovered.

As a result of the baseless lawsuit brought by the Legal Environmental Assistance Foundation, the EPA has begun the process of stripping away the authority of the State of Alabama to implement its Underground Injection Control program. Both the EPA and the state of Alabama must now spend precious resources, which could otherwise be used to address real drinking water problems, to establish federal regulations for a technique which poses no environmental threat. The impact of this action will undoubtedly be felt by the people in Alabama and across the nation who are threatened by and in many cases, experiencing the effects of ground water contamination as regulation agencies waste their resources to address this non-problem.

I urge my colleagues to join us in passing this technical fix to the Safe Drinking Water Act.

Mr. MCCAIN: The Environmental Protection Agency (EPA) has received and carefully reviewed your May 3, 1994, Petition for Prohibition of a Rule Withdrawing Approval of Alabama’s Underground Injection Control (UIC) Program. Based on that review, I have determined that Alabama’s implementation of its UIC Program is consistent with the requirements of the Safe Drinking Water Act (42 U.S.C. §300h, et seq.) and EPA’s UIC regulations (40 CFR Part 146). EPA does not regulate—and does not believe it is legally required to regulate—the hydraulic fracturing of methane gas production wells under its jurisdiction.

There is no evidence that the hydraulic fracturing in question has resulted in any contamination or endangerment of underground sources of drinking water. The well was also sampled for drinking water quality and no constituents exceeding drinking water standards were found. Moreover, given the horizontal and vertical distance between the drinking water well and the closest methane gas production well, the possibility of hydraulic fracturing of USDWs in the area is extremely remote. Hydraulic fracturing is closely regulated by the Alabama State Oil and Gas Board, which requires that operators obtain authorization prior to all fracturing activities.

Accordingly, I have decided to deny your petition. Enclosed you will find a detailed response to each contention in your petition, which further explains the basis for this denial.

Sincerely, Carol M. Browner, Administrator.

By Ms. SNOWE (for herself and Mr. MCCAIN):

S. 725. A bill to preserve and protect coral reefs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE CORAL REEF CONSERVATION ACT OF 1999

Ms. SNOWE. Mr. President, I rise today to introduce the Coral Reef Conservation Act of 1999. I am pleased that Senator McCAIN, Chairman of the Commerce, Science, and Transportation Committee, is joining me as a cosponsor in this effort to protect, sustain, and restore the health of coral reef ecosystems.

Coral reefs are among the world’s most biologically diverse and productive ecosystems. Reefs serve as essential habitat for many marine organisms enhancing commercial fisheries and stimulating tourism. They provide protection to coastal areas from storm surges and erosion, and offer many untold potential benefits such as new pharmaceuticals, some of which are presently being identified, developed, and tested. Unfortunately, coral reef ecosystems are in decline.

In 1998, coral reefs around the world appear to have suffered the most extensive and severe bleaching damage and subsequent mortality in modern times. Reefs in at least 60 countries were affected, and in some areas, more than 70 percent of the corals died off. These impacts have been attributed to the warming of the world’s oceans over the past 60 years. In addition to these impacts, however, it is estimated that 58 percent of the world’s reefs are threatened by human activity such as inappropriate coastal development, destructive fishing practices, and other forms of over-exploitation.

As a result of these stresses, coral reef habitat has been damaged and destroyed. Diseases of coral and reef-building organisms are spreading rapidly. Most of the diseases being tracked have only recently been discovered and are not widely understood. These serious problems highlight the need for more research to unravel the complex inter- active effects between natural and human-induced stressors on coral reefs, and for more conservation and management activities.

The United States is not immune to these problems. Large coral reef systems exist in Florida, Hawaii, Texas, and various U.S. territories in the Caribbean and the Pacific. These reefs produce significant economic benefits for surrounding communities. In Florida, for example, the reefs contribute approximately 1.6 billion dollars annually to the state economy. But despite these clear benefits, U.S. reefs suffer from some of the same problems that affect reefs in other parts of the world. By Mr. President, this bill authorizes $3,800,000 in each of fiscal years 2000, 2001, and 2002 for a Coral Reef Conservation Program in the National Oceanic and Atmospheric Administration to provide conservation and research grants to states, U.S. territories, and various U.S. territories in the Caribbean and the Pacific. These projects will address use conflicts and provide conservation and research grants to states, U.S. territories, and various U.S. territories in the Caribbean and the Pacific.
The bill also authorizes NOAA to enter into an agreement with a qualified non-governmental organization to create a trust fund that will match private contributions to federal contributions and provide additional funding for worthy conservation and research projects. Through this mechanism, federal dollars can be used to leverage more dollars from the private sector for grants.

In addition, this bill authorizes $200,000 for each of fiscal years 2000, 2001, and 2002 for emergency assistance, which would be provided through grants to address unforeseen or disaster-related problems pertaining to coral reefs.

Based on early reports, the repercussions of the 1998 mass bleaching and mortality events will be far-reaching in terms of economic impact. This development, along with the continuing pressures from other sources, demonstrates the need for an increase in the effort to protect our coral reefs. The legislation I am introducing today demonstrates the need for an increase in the effort to protect our coral reefs.

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

S. 725

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 'Coral Reef Conservation Act of 1999'.

SEC. 2. PURPOSES.

The purposes of this title are:

(1) to preserve, sustain, and restore the health of coral reef ecosystems;

(2) to assist in the conservation and protection of coral reefs by supporting conservation programs;

(3) to provide financial resources for those programs; and

(4) to establish a formal mechanism for collecting and allocating monetary donations from the private sector to be used for coral reef conservation projects.

SEC. 3. DEFINITIONS.

In this title:

(A) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the National Oceanic and Atmospheric Administration.

(B) CORAL.—The term 'coral' means any species of the phylum Cnidaria, including:

(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Gorgonacea (horny corals), Stolonifera (organpipe corals and others), Alcyonacea (soft corals), and Coenothecalia (blue coral), of the class Anthozoa; and

(B) all species of the order Hydrocorallina (fire corals and hydrocorals), of the class Hydrozoa.

(C) LEAFY REEF.—The term 'leafy reef' means those species (including reef plants, habitats, and other natural resources associated with any reefs or shoals composed primarily of corals), species associated with all maritime areas and zones subject to the jurisdiction or control of the United States (e.g., Federal, State, territorial, or commonwealth waters), including the Atlantic, Caribbean, Gulf of Mexico, and Pacific Ocean.

(D) CORALS AND CORAL PRODUCTS.—The term 'corals and coral products' means any living or dead portions of corals or any product containing specimens, parts, or derivatives, of any species referred to in paragraph (2).

(E) CONSERVATION.—The term 'conservation' means the use of methods and procedures necessary to preserve or sustain corals and species associated with coral reefs as described in this section, including the monitoring of coral reefs, including all activities associated with resource management, such as assessment, conservation, protection, restoration, sustainable use, and management of habitat; habitat monitoring; assistance in the development of management strategies for marine protected areas and marine resources consistent with the National Marine Sanctuary Act (16 U.S.C. 1431 et seq.) and the Magnuon-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); law enforcement; education programs; and community outreach and education.

(F) ORGANIZATION.—The term 'organization' means any qualified non-profit organization that promotes coral reef conservation.

(G) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

(H) PROJECT.—The term 'project' means any program or activity that results from a grant made under this title.

(I) PROJECT PROPOSAL.—The term 'project proposal' means a proposal submitted under this title and approved by the Administrator.

(J) REEF.—The term 'reef' means any structure consisting of clumps or strips, or a series of such structures, built by coral polyps and standing above the surface of the sea.

(K) REVIEW; APPROVAL OR DISAPPROVAL.—The term 'review; approval or disapproval' means the determination of the Administrator concerning the merits of a project proposal, including the probable benefit derived from such project and the extent to which such project is consistent with locally-established priorities.

(L) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

(M) TURF.—The term 'turf' means any portion of a reef or coral habitat.

SEC. 4. CORAL REEF CONSERVATION PROGRAM.

(A) GRANTS.—The Secretary, through the Administrator and subject to the availability of funds, shall provide grants for financial assistance for projects for the conservation of coral reefs, hereafter called coral conservation projects, for proposals approved by the Administrator in accordance with this section.

(B) MATCHING REQUIREMENTS.—

(1) Except as provided in paragraph (2), Federal funds for any coral conservation project under this section may not exceed 50 percent of the total cost of such project. For purposes of this paragraph, the non-Federal share of project costs may be provided by in-kind contributions and other noncash support.

(2) The Administrator may waive all or part of the matching requirement under paragraph (1) if—

(A) the project costs are $25,000 or less; or

(B) the Administrator determines that no reasonable method through which an applicant can meet the matching requirement and the probable benefit of such project outweighs the public interest in such matching requirement.

(C) ELIGIBILITY.—Any relevant natural resource management authority of a State or territory of the United States or other government authority with jurisdiction over coral reefs or whose activities directly or indirectly affect coral reefs, or educational or non-governmental institutions with demonstrated expertise in the conservation of coral reefs, may submit to the Administrator a coral conservation proposal submitted under subsection (e) of this section.

(D) GEOGRAPHIC AND BIOLOGICAL DIVERSITY.—The Administrator shall ensure that funding for grants awarded under subsection (e) of this section is distributed in the following manner:

(1) no less than 40 percent of funds available shall be awarded for coral conservation projects in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea; and

(2) remaining funds shall be awarded for projects that address emerging priorities or threats, including international priorities or those identified by the Administrator in consultation with the Coral Reef Task Force under subsection (i).

(E) PROJECT PROPOSALS.—Each proposal for a grant under this section shall include the following:

(1) The name of the individual or entity responsible for conducting the project.

(2) A succinct statement of the purposes of the project.

(3) A description of the qualifications of the individuals who will conduct the project.

(4) An estimate of the funds and time required to complete the project.

(5) Evidence of support of the project by appropriate representatives of States or territories of the United States or other government jurisdictions in which the project will be conducted.

(6) Information regarding the source and amount of matching funding available to the applicant, as appropriate.

(7) A description of how the project meets one or more of the criteria in subsection (g) of this section.

(8) Any other information the Administrator considers to be necessary for evaluating the eligibility of the project for funding under this title.

(F) PROJECT REVIEW AND APPROVAL.—

(1) IN GENERAL.—The Administrator shall review each final coral conservation project proposal to determine if it meets the criteria set forth in subsection (g).

(2) REVIEW; APPROVAL OR DISAPPROVAL.—Not later than 3 months after receiving a final project proposal under this section, the Administrator shall—

(A) request written comments on the proposal from each State or territorial agency or Government authority with jurisdiction over coral reefs, or coral reef ecosystems, or any non-Federal agency or Government authority with jurisdiction over coral reefs or coral reef ecosystems in the area where the project will be conducted, including the extent to which the project is consistent with locally-established priorities;

(B) review the proposal submitted under subsection (e) for compliance with this title;

(C) consider any written comments and recommendations based on the review under this title;

(D) approve or disapprove the proposal;

(E) make grants to the project for the year in which the proposal was approved and for the following year.

(F) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent to which the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and use; and

(2) the criteria contained in section 207 of the Coral Reef Resources Act of 1990.

(G) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent to which the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and use; and

(2) the criteria contained in section 207 of the Coral Reef Resources Act of 1990.

(H) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent to which the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and use; and

(2) the criteria contained in section 207 of the Coral Reef Resources Act of 1990.

(I) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent to which the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and use; and

(2) the criteria contained in section 207 of the Coral Reef Resources Act of 1990.

(J) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent to which the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and use; and

(2) the criteria contained in section 207 of the Coral Reef Resources Act of 1990.

(K) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent to which the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and use; and

(2) the criteria contained in section 207 of the Coral Reef Resources Act of 1990.

(L) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent to which the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and use; and

(2) the criteria contained in section 207 of the Coral Reef Resources Act of 1990.

(M) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent to which the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and use; and

(2) the criteria contained in section 207 of the Coral Reef Resources Act of 1990.

(N) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent to which the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and use; and

(2) the criteria contained in section 207 of the Coral Reef Resources Act of 1990.

(O) CRITERIA FOR APPROVAL.—The Administrator may approve a final project proposal under this section based on the extent to which the project will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and use; and

(2) the criteria contained in section 207 of the Coral Reef Resources Act of 1990.
(4) developing sound scientific information on the status of coral reef ecosystems or the threats to such ecosystems;

(5) promoting cooperative projects on coral reef conservation that involve affected local communities and governmental organizations, or others in the private sector; or

(6) increasing public knowledge and awareness of coral reef ecosystems and issues regarding coral reef conservation.

(b) Project Reporting.—Each grantee under this section shall provide periodic reports, as specified by the Administrator. Each report shall include all information required by the Secretary for evaluating the progress and success of the project.

(1) Coral Reef Task Force.—The Administrator may consult with the Coral Reef Task Force established under Executive Order 13089 (June 11, 1998), to obtain guidance in establishing coral conservation project priorities under this section.

(2) Implementation Guidelines.—Within 90 days after the date of enactment of this Act, the Administrator shall promulgate necessary guidelines for implementing this section. In developing those guidelines, the Administrator shall consult with local and State entities involved in setting priorities for conservation of coral reefs.


(a) Fund.—The Administrator may enter into an agreement with an organization authorized to receive, hold, and administer funds received pursuant to this section. The organization shall invest, reinvest, and otherwise administer the funds and maintain such funds and any interest or revenues earned in a separate interest bearing account, hereafter referred to as the Fund, established by such organization solely to support partnerships between the public and private sectors that further the purposes of this title.

(b) Authorization of Solicitation Donations.—Consistent with 16 U.S.C. 3703, and pursuant to the agreement entered into under subsection (a) of this section, an organization may accept, receive, solicit, hold administrator and use any gift or donation to further the purposes of this title. Such funds shall be deposited and maintained in the Fund established by an organization under subsection (a) of this section.

(c) Review of Performance.—The Administrator shall conduct a continuing review of the administration by an organization under this section. Each review shall include a written assessment concerning the extent to which that organization has implemented the goals and requirements of this section.

(d) Administration.—Under the agreement entered into pursuant to subsection (a) of this section, the Administrator may transfer funds appropriated to carry out this Act to an organization. Amounts received by an organization under this subsection may be used (in whole or in part) to pay contributions (whether in currency, services, or property) made to the organization by private persons and State and local government agencies.


The Administrator may make grants to any State, local or territorial government agency, or qualified non-profit organization, for emergencies to address unforeseen or disaster related circumstance pertaining to coral reefs or coral reef ecosystems.


(a) Appropriations.—

(1) There are authorized to be appropriated to the Secretary $3,800,000 for each of fiscal years 2000, 2001, and 2002 for grants under section 4, which may remain available until expended.

(2) There are authorized to be appropriated to the Secretary $200,000 for each of fiscal years 2000, 2001, and 2002 for emergency assistance under section 6.

(b) Use of Amounts Appropriated.—Not more than 5 percent of the amounts appropriated under this subsection may be used by the Secretary, through the Administrator, for administration of this title.

(c) Limitation on Amounts Appropriated to Implement Title.—

(1) Mr. McCaIN. Mr. President, I rise today in support of the Coral Reef Conservation Act of 1999. The bill that I have sponsored, along with Senator Snowe, the Chair of the Commerce Committee's Subcommittee on Oceans and Fisheries, represents strong and balanced environmental policy. I wish to thank Senator Snowe for her leadership in this area. This bill is a positive step forward to improve the conditions of our coral reefs and the many types of life that live in and among these reefs.

The bill is designed to build partnerships with local and State entities to facilitate coral reef conservation. It creates a competitive matching-grant program which would provide funding for local and State governments and qualified non-profit organizations which have experience in coral reef monitoring, research, conservation, and public education projects. The bill requires that federal funds provide no more than 50 percent of the cost of the project. However, it also helps local communities that do not have the ability to raise sufficient matching funds.

Therefore, the matching requirement may be waived for qualified proposals under $25,000.

Under the bill that Senator Snowe and I have introduced today, the matching-grant program will maximize funding for important coral reef conservation projects. Our coral reefs are certainly in need of this type of funding. Indeed, coral reefs are the foundation of one of the Earth's most productive and diverse ecosystems, providing food and shelter for at least one million different types of animals, plants and other sea life. Coastal communities realize the benefit of coral reefs through elevated sea temperatures. This results in the loss of an essential food source, so the coral—a living creature—may starve to death. This coral reef bleaching makes the identification of the most injured reefs fairly obvious. The difficult task then becomes what can be done to prevent such a loss in the future and what, if anything, can be done to revive already damaged reefs?

I think this bill is a very good starting point. With this legislation, Senator Snowe and I will put in place a way to provide responsible and effective funding for coral reef conservation, monitoring, research, and public education. One half of our country's population lives and works in a coastal community. This bill is good for the environment and good for the many fishermen who depend on the ocean for their livelihoods. I urge my colleagues to support this bill.

By Mr. CAMPBELL (for himself and Mr. Torricelli):—

A bill to establish a matching grant program to help State and local jurisdictions purchase bullet resistant equipment for use by law enforcement departments; to the Committee on the Judiciary.

Mr. CAMPBELL. Mr. President, today I am introducing legislation to help our nation's state and local law enforcement officers acquire the bullet resistant equipment they need to protect themselves from would-be killers.

I am joined today by my colleague, Senator Torricelli, as an original co-sponsor of this legislation.

This bill, the "Officer Dale Claxton Bullet Resistant Police Protective Equipment Act of 1999," is based on S. 726. A bill to establish a matching grant program to help State and local jurisdictions purchase bullet resistant equipment for use by law enforcement officers; to the Committee on the Judiciary.

Mr. CAMPBELL. Mr. President, I rise today in support of the Coral Reef Conservation Act of 1999. The bill that I have sponsored, along with Senator Snowe, the Chair of the Commerce Committee's Subcommittee on Oceans and Fisheries, represents strong and balanced environmental policy. I wish to thank Senator Snowe for her leadership in this area. This bill is a positive step forward to improve the conditions of our coral reefs and the many types of life that live in and among these reefs.

The bill is designed to build partnerships with local and State entities to facilitate coral reef conservation. It creates a competitive matching-grant program which would provide funding for local and State governments and qualified non-profit organizations which have experience in coral reef monitoring, research, conservation, and public education projects. The bill requires that federal funds provide no more than 50 percent of the cost of the project. However, it also helps local communities that do not have the ability to raise sufficient matching funds.

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I think this bill is a very good starting point. With this legislation, Senator Snowe and I will put in place a way to provide responsible and effective funding for coral reef conservation, monitoring, research, and public education. One half of our country's population lives and works in a coastal community. This bill is good for the environment and good for the many fishermen who depend on the ocean for their livelihoods. I urge my colleagues to support this bill.

By Mr. CAMPBELL (for himself and Mr. Torricelli):

A bill to establish a matching grant program to help State and local jurisdictions purchase bullet resistant equipment for use by law enforcement officers; to the Committee on the Judiciary.

OFFICER DALE CLAXTON BULLET RESISTANT POLICE PROTECTIVE EQUIPMENT ACT OF 1999

Mr. CAMPBELL. Mr. President, today I am introducing legislation to help our nation's state and local law enforcement officers acquire the bullet resistant equipment they need to protect themselves from would-be killers.

I am joined today by my colleague, Senator Torricelli, as an original co-sponsor of this legislation.

This bill, the "Officer Dale Claxton Bullet Resistant Police Protective Equipment Act of 1999," is based on S. 726, which I introduced in the 105th Congress. This bill is named in memory of Dale Claxton, a Cortez, Colorado, police officer who was fatally shot through the windshield of his patrol car last year. A bullet resistant windshield could have saved his life.

Unfortunately, incidents like this are far from isolated. All across our nation's law enforcement officers, whether in hot pursuit, driving through dangerous neighborhoods, or simply sitting by the side of the road behind an automobile, are at risk of being shot through their windshields. We must do what we can to prevent these kinds of tragedies as better, lighter and more affordable types of bullet resistant glass and other equipment become available. For the purposes of this bill I use the technically more accurate term "bullet resistant" instead of the more commonplace "bullet proof" since, even though we all wish they could be, few things are truly "bullet proof."

While I served as a deputy sheriff in Sacramento County, California, I became personally aware of the inherent
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SEC. 2. FINDINGS; PURPOSE.
(a) FINDINGS.—Congress finds that—
(1) bullet resistant materials in the next few years could be as revolutionary in the next few years as Kevlar was for body armor in the 1970s. Exciting new technologies such as bonded acrylic, polymers, polycarbons, aluminized material and transparent ceramics promise to provide for lighter, more versatile and hopefully less expensive bullet resistant equipment.

The Officer Dale Claxton bill also directs the NIJ to inventory existing technologies in the private sector, in surplus military property, and in use by other countries and to evaluate, develop standards, establish testing guidelines, and promote technology transfer.

Under the bill, the Institute would give priority in testing and feasibility studies to law enforcement partnerships and coordination with existing High Intensity Drug Trafficking Areas (HIDTAs).

Our nation’s state, local, and tribal law enforcement officers regularly put their lives in harm’s way and deserve to have bullet resistant equipment they need. The Officer Dale Claxton bill will both get life saving bullet resistant equipment deployed into the field where it is needed and accelerate the development of new life-saving technologies.

I urge my colleagues to support passage of this bill.

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

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

S. 726

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 “Officer Dale Claxton Bullet Resistant Police Protective Equipment Act of 1999”.

SEC. 2. FINDINGS.
(a) FINDINGS.—Congress finds that—
(1) Officer Dale Claxton of the Cortez, Colorado, Police Department was shot and killed by a suspect who passed through the windshield of his police car after he stopped a stolen truck, and his life may have been saved if his police car had been equipped with bullet resistant equipment;

(2) the number of law enforcement officers who are killed in the line of duty would significantly decrease if every law enforcement officer in the United States had access to additional bullet resistant equipment;

(3) according to studies, between 1985 and 1994, 709 law enforcement officers in the United States were feloniously killed in the line of duty;

(4) the Federal Bureau of Investigation estimates that the resistant fatality to law enforcement officers while not wearing bullet resistant equipment, such as an armor vest, is 14 times higher than for officers wearing an armor vest;

(5) according to studies, between 1985 and 1994, bullet-resistant materials helped save the lives of more than 2,000 law enforcement officers in the United States and;

(6) the Executive Committee for Indian Country Law Enforcement Improvements reported that violent crime in Indian country has risen sharply, despite a decrease in the national crime rate, and concluded that there is a “public safety crisis in Indian country.”

(b) PURPOSE.—The purpose of this Act is to save lives of law enforcement officers by helping State, local, and tribal law enforcement agencies provide officers with bullet resistant equipment and;

(1) by striking the part designation and part heading and inserting the following:
"PART Y—MATCHING GRANT PROGRAMS FOR LAW ENFORCEMENT
"Subpart B—Grant Program For Bullet Resistant Equipment

SEC. 2511. PROGRAM AUTHORIZED.
(a) IN GENERAL.—the Director of the Bureau of Justice Assistance is authorized to make grants to States, units of local government, and Indian tribes to purchase bullet resistant equipment for use by State, local, and tribal law enforcement officers.

(b) USES OF FUNDS.—Grants awarded under this section shall—
(1) be distributed directly to the State, unit of local government, or Indian tribe, and
(2) be used for the purchase of bullet resistant equipment for law enforcement officers in the jurisdiction of the grantee.

(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this subpart, the Director of the Bureau of Justice Assistance may give preferential consideration, if feasible, to an application from a jurisdiction that—
(1) has the greatest need for bullet resistant equipment based on the percentage of law enforcement officers in the department who do not have access to a vest;

(2) has a violent crime rate at or above the national average as determined by the Federal Bureau of Investigation;

(3) has not received a block grant under the Local Law Enforcement Block Grant program described under the heading ‘Violent Crime Reduction Programs, State and Local Law Enforcement Assistance’ of the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119).

(4) MINIMUM AMOUNT.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.50 percent of the total amount appropriated in the fiscal year for grants pursuant to this section, except that the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands shall each be allocated .25 percent.

(5) MAXIMUM AMOUNT.—Unless all eligible applications submitted by any State or unit of local government, or Indian tribe may not receive more than 5 percent of the total amount appropriated in each fiscal year for funds under this section, except that a State, together with the grantees within the State may not receive more than
20 percent of the total amount appropriated in each fiscal year for grants under this section.

"(f) MATCHING FUNDS.—The portion of the costs of a program provided by a grant under subsection (a) may not exceed 50 percent. Any funds authorized to be purchased by Indian tribes for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be, or to purchase the non-Federal share of a matching requirement funded under this subsection.

"(g) ALLOCATION OF FUNDS.—At least half of the funds available under this subpart shall be awarded to units of local government with fewer than 100,000 residents.

**SEC. 2521. APPLICATIONS.**

"(a) IN GENERAL.—To request a grant under this subpart, the chief executive of a State, unit of local government, or Indian tribe shall submit an application to the Director of the Bureau of Justice Assistance in such form and containing such information as the Director may reasonably require.

"(b) REGULATIONS.—Not later than 90 days after the date of enactment of this subpart, the Director of the Bureau of Justice Assistance shall promulgate regulations to implement this section (including the information that must be included and the requirements that the States, units of local government, and Indian tribes must meet) in submitting the applications required under this section.

"(c) ELIGIBILITY.—A unit of local government that receives funding under the Law Enforcement Block Grant program (described under the heading ‘Violent Crime Reduction Programs, State and Local Law Enforcement Assistance’ of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119)) during a fiscal year in which it submits an application under this subpart shall not be eligible for a grant under this subpart unless the chief executive officer of such unit of local government certifies to the Director that the unit of local government considered or will consider using funding received under the block grant program for any of the activities relating to the purchase of video cameras, but did not, or does not expect to use such funds for such purpose.

**SEC. 2522. DEFINITIONS.**

"In this subpart—

"(1) the term ‘equipment’ means windshield glass, car panels, shields, and protective gear;

"(2) the term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands;

"(3) the term ‘unit of local government’ means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level;

"(4) the term ‘Indian tribe’ has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)); and

"(5) the term ‘law enforcement officer’ means any officer, agent, or employee of a State, unit of local government, or Indian tribe authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders.

SEC. 2523. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—The Director of the Bureau of Justice Assistance shall authorize to make grants to States, units of local government, and Indian tribes to purchase video cameras for use by State, local, and tribal law enforcement agencies in law enforcement vehicles.

"(b) USE OF FUNDS.—Grants awarded under this section shall—

"(1) distributed directly to the State, unit of local government, or Indian tribe;

"(2) used for the purchase of video cameras for law enforcement vehicles in the jurisdiction of the grantee;

"(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this subpart, the Director of the Bureau of Justice Assistance shall give preferential consideration, if feasible, to an application from a jurisdiction that—

"(1) has the greatest need for video camera systems authorized by law or by State, local, or tribal law enforcement officers in the department do not have access to a law enforcement vehicle equipped with a video camera;

"(2) has a reported crime rate at or above the national average as determined by the Federal Bureau of Investigation; or

"(3) has not received a block grant under the Local Law Enforcement Block Grant program described under the heading ‘Violent Crime Reduction Programs, State and Local Law Enforcement Assistance’ of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119).

"(d) MINIMUM AMOUNT.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.50 percent of the total amount appropriated in the fiscal year for grants pursuant to this section, except that the United States Virgin Islands, American Samoa, and the Northern Mariana Islands shall each be allocated 0.25 percent.

"(e) MAXIMUM AMOUNT.—A qualifying State, unit of local government, or Indian tribe may not receive more than 5 percent of the total amount appropriated in each fiscal year for grants under this section, except that a State, together with the grantees within the State may not receive more than 20 percent of the total amount appropriated in each fiscal year for grants under this section.

"(f) MATCHING FUNDS.—The portion of the costs of a program provided by a grant under subsection (a) may not exceed 50 percent. Any funds authorized to be purchased by State, local, and tribal law enforcement agencies performing law enforcement functions on any Indian lands may be, or to purchase the non-Federal share of a matching requirement funded under this subsection.

"(g) ALLOCATION OF FUNDS.—At least half of the funds available under this subpart shall be awarded to units of local government with fewer than 100,000 residents.

**SEC. 2524. PROGRAM AUTHORIZED.**

"(a) IN GENERAL.—To request a grant under this subpart, the chief executive of a State, unit of local government, or Indian tribe shall submit an application to the Director of the Bureau of Justice Assistance in such form and containing such information as the Director may reasonably require.

"(b) REGULATIONS.—Not later than 90 days after the date of enactment of this subpart, the Director of the Bureau of Justice Assistance shall promulgate regulations to implement this section (including the information that must be included and the requirements that the States, units of local government, and Indian tribes must meet) in submitting the applications required under this section.

"(c) ELIGIBILITY.—A unit of local government that receives funding under the Local Law Enforcement Block Grant program (described under the heading ‘Violent Crime Reduction Programs, State and Local Law Enforcement Assistance’ of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119)) during a fiscal year in which it submits an application under this subpart shall not be eligible for a grant under this subpart unless the chief executive officer of such unit of local government certifies to the Director that the unit of local government considered or will consider using funding received under the block grant program for any or all of the costs relating to the purchase of video cameras, but did not, or does not expect to use such funds for such purpose.

**SEC. 2525. DEFINITIONS.**

"In this subpart—

"(1) the term ‘Indian tribe’ has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e));

"(2) the term ‘law enforcement officer’ means any officer, agent, or employee of a State, unit of local government, or Indian tribe authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders; and

"(3) the term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands; and

"(4) the term ‘unit of local government’ means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level.

"(5) the term ‘the United States Virgin Islands’ means the United States Virgin Islands; and

"(6) the term ‘the Virgin Islands’ means the United States Virgin Islands.

**SEC. 4. SENSE OF THE CONGRESS.**

"In the case of any equipment or products that may be authorized to be purchased with financial assistance provided using funds appropriated to carry out part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1988 (42 U.S.C. 3781 et seq.) those items shall be purchased only American-made equipment and products.

**SEC. 5. TECHNOLOGY DEVELOPMENT.**

Section 202 of title I of the Omnibus Crime Control and Safe Streets Act of 1988 (42 U.S.C. 3793(a)) is amended by inserting the following:—

"(23) and inserting the following:

"(23) There are authorized to be appropriated for fiscal years 2000 through 2002 for grants under subpart A of part Y—

"(B) $40,000,000 for each of fiscal years 2000 through 2002 for grants under subpart B of that part; and

"(C) $25,000,000 for each of fiscal years 2000 through 2002 for grants under subpart C of that part;
LAW ENFORCEMENT PROTECTION ACT OF 1999

Mr. CAMPBELL. Mr. President, today I introduce a bill to authorize States to recognize each other's concealed weapons laws and exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed firearms and to allow States to enter into compacts to recognize other States' concealed weapons permits; to the Committee on the Judiciary.

S. 727. A bill to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed firearms and to allow States to enter into compacts to recognize other States' concealed weapons permits; to the Committee on the Judiciary.

The second major provision of this bill would allow qualified current and former law enforcement officers who are carrying appropriate written identification of that status to be exempt from State laws that prohibit the carrying of concealed firearms. This provision sets forth a checklist of stringent criteria that law enforcement officers must meet in order to qualify for this exemption status. Exempting qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed weapons, I believe, would add additional forces to our law enforcement community in our unwavering fight against crime.

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

Mr. President, I urge my colleagues to support this bill.

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

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 “Law Enforcement Protection Act of 1999.”