the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. SPECTER:

S. 435. A bill to provide children with improved access to health care; to the Committee on Labor and Human Resources.

By Mr. ROTH (for himself, Mr. MOYNIHAN, Mr. LAUTENBERG, Mr. WYDEN, Mr. JEFFORDS, Mr. BIDEN, Mr. KERRY, Mr. DEWINE, Mr. LEAHY, and Mr. SPECTER):

S. 436. A bill to amend the Internal Revenue Code of 1986 to provide for the establishment of an intercity passenger rail trust fund, and for other purposes; to the Committee on Finance.

By Mr. DOMENICI (for himself, Mr. INOUYE, Mr. CAMPBELL, Mr. JOHNSON, Mr. MURKOWSKI, Mr. STEVENS, and Mr. BINGAMAN):

S. 437. A bill to improve Indian reservation roads and related transportation services, and for other purposes; to the Committee on Indian Affairs.

By Mr. GRASSLEY:

S. 438. A bill to provide for implementation of prohibitions against payment of social security benefits to prisoners, and for other purposes; to the Committee on Finance.

By Mr. MURKOWSKI (for himself, Mr. AKAKA, Mr. DOMENICI, and Mr. KYL):

S. 439. A bill to provide for Alaska State jurisdiction over small hydroelectric projects, to address voluntary licensing of hydroelectric projects on fresh waters in the State of Hawaii, to provide an exemption for portion of a hydroelectric project located in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 440. A bill to deauthorize the Animas-La Plata Federal reclamation project and to direct the Secretary of the Interior to enter into negotiations to satisfy, in a manner consistent with all Federal laws, the water rights interests of the Ute Mountain Ute Indian Tribe and the Southern Ute Indian Tribe; to the Committee on Energy and Natural Resources.

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

S. 441. A bill to improve health care quality and reduce health care costs by establishing a National Fund for Health Research that would significantly expand the nation's investment in medical research; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. KERRY):

S. 442. A bill to establish a national policy against State and local government interference with interstate commerce on the Internet or interactive computer services, and to exercise Congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DOMENICI (for himself, Mr. DODD, Mr. COCHRAN, Ms. MIKULSKI, Mr. BENNETT, Mr. LIEBERMAN, Mr. KEMPTHORNE, Mr. DORGAN, Mr. FRIST, Mr. CLELAND, Mr. ROBERTS, and Mr. SPECTER):

S. Res. 63. A resolution proclaiming the week of October 19 through October 25, 1997, as ''National Character Counts Week''; to the Committee on the Judiciary.

By Mr. SARBANES (for himself, Ms. MIKULSKI, Mr. WARNER, and Mr. AKAKA):

S. Con. Res. 7. A concurrent resolution expressing the sense of Congress that Federal retirement cost-of-living adjustments should not be delayed; to the Committee on Governmental Affairs.

By Mr. ROBB:

S. Con. Res. 8. A concurrent resolution expressing the sense of Congress that Federal retirement cost-of-living adjustments should be effective on the same date as other cost-of-living adjustments given to federal retirement programs; to the Committee on Governmental Affairs.

By Mrs. HUTCHISON (for herself, Mr. DOMENICI, Mr. DODD, Mr. MCCAIN, Mr. BIDEN, and Mr. LUGAR):

S. Con. Res. 9. A concurrent resolution expressing the sense of Congress regarding cooperation between the United States and Mexico on counter-drug activities; to the Committee on Foreign Relations.

By Mr. GRASSLEY:

S. Con. Res. 10. A concurrent resolution expressing the sense of the Congress regarding certification of Mexico pursuant to section 490 of the Foreign Assistance Act of 1961; to the Committee on Foreign Relations.

By Mr. GREGG (for himself, Ms. MIKULSKI, Mr. JEFFORDS, and Mr. KENNEDY):

S. Con. Res. 11. A concurrent resolution recognizing the 25th anniversary of the establishment of the first nutrition program for the elderly under the Older Americans Act of 1965; to the Committee on Labor and Human Resources.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROTH (for himself, Mr. MOYNIHAN, Mr. LAUTENBERG, Mr. WYDEN, Mr. JEFFORDS, Mr. BIDEN, Mr. KERRY, Mr. DEWINE, Mr. LEAHY, and Mr. SPECTER):

S. 436. A bill to amend the Internal Revenue Code of 1986 to provide for the establishment of an intercity passenger rail trust fund, and for other purposes; to the Committee on Finance.

AMTRAK TRUST FUND LEGISLATION

Mr. ROTH. Mr. President, I rise to introduce legislation that would create a dedicated source of capital funding for Amtrak. Joining me as cosponsors are Senators MOYNIHAN, LAUTENBERG, WYDEN, JEFFORDS, BIDEN, KERRY, DEWINE, LEAHY, and SPECTER.

Mr. President, all major modes of transportation have a dedicated source of capital funding, except for intercity passenger rail.

My legislation would correct this inequity and create a secure and reliable capital trust fund for Amtrak, no different than what other major modes of transportation now have.

My legislation would transfer one-half cent of the 4.3 cent per gallon motor fuels tax currently going to the general fund, to a new intercity passenger rail trust fund.

This rail trust fund would total approximately $3.9 billion dollars over 5 years to be used for capital improvement projects. After the fifth year, the revenues from the half cent would revert back to the general fund. My bill would create contract authority to allow Amtrak to enter into contracts necessary for long-term capital projects. For States that do not have Amtrak service, it would provide funding for qualified transportation expenses.

This capital funding proposal is critical to Amtrak's future.

Amtrak needs capital funding to bring it's equipment, facilities, and tracks into a state of good repair. Much of Amtrak's equipment and infrastructure has exceeded its projected useful life. The costs of maintaining this aging fleet and the need to modernize and overhaul facilities through capital improvements to the system are serious financial challenges for Amtrak. My proposal would help reverse these problems and give Amtrak the resources necessary to meet its capital investment needs.

Mr. President, Amtrak, and the National Commission on Intermodal Transportation have called for a secure source of capital funding for Amtrak. I believe that now is the time for this Congress to reverse our current policy that favors building more highways at the expense of alternative means of transportation such as intercity passenger rail. Despite rail's proven safety, efficiency, and reliability in Europe, Japan, and elsewhere, inter-city passenger rail remains severely underfunded in the United States. In fact, over half of the Department of Transportation's spending authority is devoted to highways and another quarter to aviation; rail still ranks last with roughly 3 percent of total spending authority.

Last year we spent $20 billion for highways while capital investment for Amtrak was less than $450 million.

In relative terms, between fiscal year 1980 and fiscal year 1994, transportation outlays for highways increased 73 percent, aviation increased 170 percent, and transportation outlays for rail went down by 62 percent. In terms of growth, between 1982 and 1992 highway spending grew by 5 percent, aviation by 10 percent, while rail decreased by 9 percent.

A problem that is going to increase is the congestion on our roads. Between 1983 and 1990, Vehicle Miles Traveled increased nationwide by 41 percent. If current trends continue, delays due to congestion will increase by more than 400 percent on our highways and by more than 1000 percent on urban roads. Highway congestion costs the United States $100 billion annually, and this figure does not include the economic and societal costs of increased pollution and wasted energy resources.

Air travel is equally congested. Commercial airlines in the U.S. presently

transport over 450 million passengers each year. A recent transportation safety board study revealed that 21 of the 26 major airports experienced serious delays and it is projected to get worse. Again, the costs are enormous. A 1990 DOT study estimated the financial cost of air congestion at $5 billion each year, and it expects this number to reach $8 billion by 2000.

Congestion is a problem and it must be addressed. However, the current path we are on directs more money for highways and airports. For us in the Northeast, building more roads is simply not an option. We do not have the land nor the financial resources to build more highways or more airports. For these reasons, we must provide more than just good roads but a good passenger rail system as well.

Adequately funded passenger rail can successfully address highway gridlock and ease airport congestion. Passenger rail ridership between New York and Washington is equal to 7,500 fully booked 757's or 10,000 DC–9's. Between New York and Washington, Amtrak has over 40 percent of the air-rail market.

Improved Northeast rail service will also have the same positive impact on road congestion—5.9 billion passenger miles were taken on Amtrak in 1994. These are trips that were not taken on crowded highways and airways. Improved rail service in the Northeast is projected to eliminate over 300,000 auto trips each year from highways as well as reduce auto congestion around the airports.

Improved rail service will also have a positive affect on rural areas. Twenty-two of Amtrak's 55 million passengers depend on Amtrak for travel between urban centers and rural locations which have no alternative modes of transportation.

Mr. President, now is the time to invest in our rail system.

Opponents of my legislation have said that we should not use revenues from our motor fuels tax to pay for Amtrak. I disagree. States are currently using revenues collected from our motor fuels tax for many non-highway uses. For example, Virginia uses its motor fuels tax receipts on mass transit and ports; New Hampshire uses its motor fuels receipts to bolster their Fish and Game Department; Wyoming uses its portion of the motor fuels tax for snowmobile trails and boating facilities; Florida and Arkansas use the motor fuels tax for environmental protection. Like these States have already done, I believe Congress should spend the revenues raised by the motor fuels tax on those programs it feels best serve our transportation needs. I think passenger rail should be one of those programs.

Another argument I often hear is that we should stop subsidizing Amtrak. Amtrak needs to be self-sufficient.

I would like to see that happen, but to date, I am not aware of any transportation system that supports itself without Federal assistance. Further, I am not aware of any transportation system that supports itself through user fees. According to the Department of Transportation, in fiscal year 1994 nearly $6 billion more was spent on highways than was collected in user fees.

In fiscal year 1995 nearly $8 billion more was spent on highways than was collected in user fees. Transit which is exempt from the motor fuels tax, received $3 billion in revenues in motor fuels revenues last year. I repeat, no mode is self-financed.

In closing, our national passenger rail system is important.

My legislation would provide capital funding to help improve and maintain the corporation's infrastructure. Amtrak will not be able to make it to zero operating subsidies by the year 2002 without it. If we are to adequately fund our passenger rail system like we fund our highways and other major modes of transportation, Amtrak will need this trust fund.

By Mr. DOMENICI (for himself, Mr. INOUYE, Mr. CAMPBELL, Mr. JOHNSON, Mr. MURKOWSKI, Mr. STEVENS, and Mr. BINGAMAN):

S. 437. A bill to improve Indian reservation roads and related transportation services, and for other purposes; to the Committee on Indian Affairs.

THE AMERICAN INDIAN TRANSPORTATION IMPROVEMENT ACT OF 1997

Mr. DOMENICI. Mr. President, I rise to introduce a bill on behalf of myself, Senator INOUYE, Senator CAMPBELL, Senator JOHNSON, Senator MURKOWSKI, Senator STEVENS, and Senator BINGAMAN.

Our bill, the American Indian Transportation Improvement Act of 1997, says that the U.S. Congress desires to treat the Indian people of the United States fairly when we pass a new ISTEA; that is, a new highway and transportation and transit bill. As everybody who knows anything about our Indian reservations and Indian pueblos knows, the Indian people buy gasoline just like average Americans. They have cars and pickup trucks. But they have a road system that is maintained for the most part by the Bureau of Indian Affairs. Now, if there is not a dedicated source of revenue, then obviously you have to take money out of the Bureau of Indian Affairs general funding to build roads.

For a number of years we have decided—and I am pleased that I took the leadership—to set aside some significant portion of money out of the highway trust fund that should go to Indian roads.

Today, I am introducing a bill that says to our 557 Indian tribes and the Alaskan Native villages, which are served by about 50,000 miles of road—about 42 percent of these roads are Bureau of Indian Affairs roads, as I indicated—we are going to try to begin a program that will not only build some more roads but will maintain them and will give the Indian people their share of each category of ISTEA money for their road needs, be it construction of bridges, transit programs, highway safety, scenic byways, or the like.

Mr. President, our Nation's 557 Indian tribes and Alaska Native villages are served by over 50,000 miles of roads. About 42 percent of these roads are Bureau of Indian Affairs [BIA] system roads. Beginning in the 1982 Surface Transportation Assistance Act, these BIA system roads were included in the national highway trust fund for the first time in history. The gasoline tax, paid by every Indian who buys gasoline, was invested on Indian reservations through the Indian Reservation Roads [IRR] Program. Indian tribes were included in subsequent major highway legislation, most recently in the Intermodal Surface Transportation Efficiency Act [ISTEA], where annual funding has been $191 million for the past 5 years. Prior to ISTEA, annual IRR funding was $80 million per year.

Our best estimates indicate that at least $300 million is needed annually to begin to bring the IRR system up to par with the rest of American roads and highways. Today, I am proud to be joined by Senators INOUYE, CAMPBELL, and JOHNSON in introducing the American Indian Transportation Improvement Act of 1997. Our legislation increases the Indian Reservation Roads Program from $191 million per year to $250 million in fiscal year 1998; $275 million in fiscal year 1999; and $300 million each year for fiscal years 2000 through 2002. These funds are primarily used for the design and construction of the BIA road system in Indian country. It is significant to most tribes that our bill also includes road maintenance as an eligible activity.

In addition to increasing the planning, design, construction, and maintenance money in our bill, we make other significant changes in the IRR Program and related ISTEA Programs to improve the transportation system on our Nation's Indian reservations. These changes will improve the bridge construction program; provide a set-aside for transit systems; allow DOT certification to directly operate DOT programs; provide a set-aside for highway enhancements like lighting and transfer points to buses; create a competitive grant process for scenic byways; exclude State roads on tribal lands from the apportionment adjustment provisions of ISTEA; and increase funding for Indian Technical Centers from $200,000 each to one million dollars each for the six existing centers.

In the ISTEA Bridge Program, which now requires each State to set aside 1 percent of its ISTEA Bridge Program funds for Indian tribes, our bill would consolidate the 50 separate State set-asides into one national pool. This national set-aside is then distributed to all tribes using to the BIA National Bridge Inventory Standards Program. This BIA Bridge Program rates each Indian bridge and gives it a national

ranking by deficiency. Funding priorities for all tribes would be set through the BIA bridge ranking system.

To encourage and expand transit systems on Indian reservations, The American Indian Transportation Improvement Act of 1997 [TAITIA] would also establish a 1 percent set-aside from ISTEA—and its successor—transit programs. While a national formula to allocate transit funds is developed in consultation with tribes, the Federal Transit Administration of the U.S. Department of Transportation [DOT] would allocate the funds. Without the new set-aside, tribes would have to continue to compete within each State for transit moneys. Our bill also allows the conversion of up to 3 percent of IRR construction and design funds for local transit purposes.

Under current law, tribes are not included as eligible entities for direct certification by DOT. This situation is clearly detrimental to tribes hoping to directly operate DOT highway programs other than those operated by the BIA. While only a handful of tribes, like the Navajo Nation, are potentially capable of meeting the DOT certification standards, none are allowed to be certified under the terms of current law. Without changing any of DOT's certification standards, this bill would allow tribes that qualify to become certified by DOT to directly operate Federal highway programs.

In a related certification issue, any tribe certified by DOT, as States are now certified, would be allowed direct access to DOT highway safety program funds. Other tribes—most tribes—would continue to fund their highway safety programs through the BIA–DOT program.

Indian tribes need better access to the Highway Enhancements Program for such improvements as lighting, bike trails, transfer points to buses, and other enhancements. States are allowed to use up to 10 percent of their ISTEA funds for these types of enhancements. Our bill creates a national Indian set-aside of 1 percent and would be administered through the Federal Highway Administration competitive grant process. Each tribe would be eligible to compete for these funds.

The Scenic Byways Program of ISTEA is essential to many tribes for enhanced access to scenic areas for improved economic development activities and other purposes. The Jicarilla Apache Tribe in New Mexico, for example, has committed $3 million of its IRR funds—about 2 years of its total allocations—to complete its portion of the narrow gauge scenic highway to Colorado. To improve critical roads like this one without detracting from the more basic highway needs, our bill would create a 1 percent set-aside for Indian scenic byways. The Federal Highway Administration would allocate these funds through a competitive process with priority consideration given to tribes with the greatest potential for tourism and other economic development activities for tribal members.

Many States commit ISTEA resources to public lands highways on Indian reservations. Under current law, there are apportionment adjustment hold harmless provisions between donor and donee States. If a donee State like New Mexico decides to allocate funds for a public land highway through an Indian reservation, that donee State's allocation for the following year is reduced by the amount of money committed to the public land highway through the Indian reservation—as well as public land highways elsewhere in the State. To encourage States to commit their ISTEA resources to these critical highways on Indian land, like New Mexico highway 537 on the Jicarilla Apache Tribe's reservation, our bill exempts State commitments to public lands highways that are built on Indian land.

If The American Indian Transportation Improvement Act of 1997 were law today, the State of New Mexico and similar donee States would not be penalized for committing their resources to State roads like New Mexico highway 537. Our bill does not address the more general issue of the apportionment adjustment hold harmless provisions in ISTEA, we simply exempt Indian land highways from those provisions.

Finally, The American Indian Transportation Improvement Act of 1997 increases the allocation of IRR funds to the Indian technical centers from $200,000 per center for six centers to $1 million per center for the same six centers. These centers provide training to Indian tribes in all phases of highway planning, design, construction, maintenance, procurement, and related bridge programs. Increasing the ability of these centers to train Indian highway administrators, engineers, and others involved in the IRR Program will significantly enhance the ability of tribes to operate their own programs and improve their transportation systems.

Mr. President, The American Indian Transportation Improvement Act of 1997, was developed in close consultation with Indian leaders. I would like to give special recognition to Paulson Chaco and Sam Johns of the Navajo Nation Transportation Department and Arnold Cassador of the Jicarilla Apache Tribe and Mark Wright, their tribal roads engineer. Their assistance in developing this bill has been essential and their knowledge of these highway programs is impressive.

The American Indian Transportation Improvement Act of 1997 will be a considerable improvement in the current way we do business for the BIA roads system. This system serves over a million American Indians who live on or near a reservation. In my home State of New Mexico, IRR funds have made a large difference in the past decade. It is time to accelerate this effort for the direct benefit of Indian people in America.

Under the current relative needs formula for distributing the IRR money, the Navajo Nation—in New Mexico and Arizona—is now scheduled to receive about $55 million annually in IRR funds. New Mexico Pueblos receive about $12 million and the Apache Tribes receive about $3 million in New Mexico. I know from personal observation, that these funds are generally well spent and much needed throughout Indian country. I believe they are critical funds for improving the poor employment opportunities on most Indian reservations. I urge my colleagues to study the importance of Indian roads for economic development opportunities, and support our effort to greatly improve the Indian Reservation Road Program as described in our bill. Our bill will go a long way toward helping American Indians make the best use of our Nation's highway programs to improve their daily lives.

We have not heretofore broadly applied this degree of Indian participation in the trust fund we set up for highways and mass transit. We have, in the past, principally put money in to build roads. This year, the new bill that we introduced with the cosponsors that I have spoken of, will increase the ISTEA Indian Reservation Road Program to $250 million in 1998, to $275 million in 1999, then $300 million in each of the years 2000, 2001 and 2002. The ISTEA Indian Reservation [IRR] Roads program is currently funded at $191 million per year.

I want to have a list printed in the RECORD at this point to show the current distribution of IRR funds by the BIA regional offices. Mr. President, I ask unanimous consent that this be printed in the RECORD, and I ask that a program activity allocation, showing how this IRR money is currently allocated among the participating Federal agencies, be printed in the RECORD at this point.

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

INDIAN RESERVATION ROADS PROGRAM, DESIGN AND CONSTRUCTION

[Dollars in millions]

	RNF (percent) [1]	Amount
Bureau of Indian Affairs, Central Office, $191 million:		
Aberdeen	9.109	$15.2
Anadarko	2.987	5.0
Billings	6.052	10.1
Juneau	9.460	15.8
Minneapolis	5.045	8.4
Muskogee	7.705	12.9
Phoenix	9.327	15.6
Sacramento	2.863	4.8
Albuquerque	7.026	11.8
Navajo	32.752	54.8
Portland	5.700	9.5
Eastern	1.974	3.3
Total	100	[2] 167.25

[1] RNF=Relative Needs Formula (Allocation distribution).

[2] Approximate amount available for design and construction after deductions for different categories.

INDIAN RESERVATION ROADS [IRR] PROGRAM ALLOCATION PLAN

IRR Program Activity	Allocation (percent)	Million
Yearly Authorization	.....	$191.0
Less FHWA Administration	~3.00	5.7
Less BIA Administration	~5.00	9.0
Less IRR Transportation Planning	~2.00	3.8
Less 2 percent Tribal Transportation Planning *	2.00	3.8
Less Mapping	~.13	.25
Less LTAP	~.63	1.2
Available for design and construction	.....	167.25

* 23 U.S.C., Section 204(j)(b)-Up to 2% of funds made available for Indian Reservation Roads for each fiscal year shall be allocated to those Indian tribal governments applying for transportation planning pursuant to the provisions of the Indian Self-Determination and Education Assistance Act. The Indian tribal government, in cooperation with the Secretary of the Interior, and, as may be appropriate, with a State, local government, or metropolitan planning organization, shall develop a transportation improvement program, that includes all Indian reservation road projects proposed for funding. Projects shall be selected by the Indian tribal government from the transportation improvement program and shall be subject to the approval of the Secretary of the Interior and the Secretary (of Transportation).

Mr. DOMENICI. Mr. President, I send the bill to the desk and ask it be referred to the appropriate committee or committees.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

Mr. DOMENICI. Mr. President, I send a summary of the provisions, the purpose and various provisions. This document will show that Indian reservation bridges, for example, will be handled in a better way. Our bill continues the basic design and construction of Indian roads. We also add road maintenance as an eligible activity. We also provide transit, scenic byways, highway enhancements, and other Indian set-asides in our bill.

We include scenic byways, especially those that will help to develop reservation economies. We think if there are byways that are scenic in Indian country and can add to the reservation economy, they ought to get their share of these highway trust funds. We allow DOT certification for tribes who can qualify to directly operate DOT programs without going through the Bureau of Indian Affairs. We increase funding for Indian technical centers to enhance tribal capabilities in the entire range of highway planning, design, construction, and maintenance.

I ask that this bill summary be printed in the RECORD.

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

THE AMERICAN INDIAN TRANSPORTATION IMPROVEMENT ACT OF 1997

PURPOSE

To increase the Indian Reservation Roads (IRR) Program of the Intermodal Surface Transportation Improvement Act (ISTEA) from $191,000,000 per year to $300,000,000 per year, and to include Indian tribes in other relevant programs of ISTEA as described below.

IRR FUNDING AMOUNTS AND ROAD MAINTENANCE

IRR Program funding will be increased from $191 million in fiscal year 1997 to $250 million in fiscal year 1998; $275 million in FY 1999; and $300 million in fiscal years 2000 through 2002. Road maintenance is made an eligible activity.

INDIAN RESERVATION BRIDGES

The current Indian reservation bridge program in ISTEA is operated through the states. Each state has a set-aside of one percent for Indian bridges. The American Indian Transportation Improvement Act of 1997 (TAITIA) creates a single national bridge program from amounts previously allocated to the states. TAITIA allocates one percent to the Secretary of Transportation for Indian bridges. Priorities for distribution among tribes will be determined by the Bureau of Indian Affairs' (BIA) National Bridge Inspection Standards Program which determines deficiency levels for Indian reservation bridges. Priority for TAITIA funds will be given to bridges with the highest level of deficiency.

INDIAN TRANSIT SET-ASIDE

In The American Indian Transportation Improvement Act of 1997, one percent of the ISTEA Mass Transit funds will be set aside for transportation services to Indian tribes. The Secretary of Transportation will develop an allocation formula in consultation with tribes. Until the allocation formula is formally developed, the Administrator of the Federal Transit Administration of DOT will establish a temporary allocation formula. the funds through a temporary formula.

SCENIC BYWAYS PROGRAM

One percent of the funds for scenic byways are set-aside for Indian tribes in a competitive grant process for the planning, design, and development of Indian tribe scenic byway programs. These scenic byways are important for tribal economic development programs.

CERTIFICATION ACCEPTANCE AND HIGHWAY SAFETY

The American Indian Transportation Improvement Act of 1997 allows tribes with advanced transportation planning and construction capabilities to be certified by DOT for direct participation in DOT programs in a manner that is now allowed for qualified states. Under current law, even a qualified tribe is not allowed to be certified by DOT. This certification acceptance provision will allow tribes that are able to meet the national standards to be accepted by DOT. TAITIA makes no changes in the certification standards.

Tribes that are able to achieve certification acceptance by DOT will also be eligible for direct access to DOT highway safety funds, Section 402 of ISTEA. These activities include traffic safety, traffic law education, seatbelt law enforcement, and free infant restraints.

INDIAN TECHNICAL CENTERS

The six Indian Technical Centers are now funded at a level of $200,000 each. To improve tribal capacity to plan, design, construct, maintain, and otherwise operate their own Indian Reservation Roads Programs, TAITIA will increase each center's amount to one million dollars, adding $4.8 million for this vital function.

TRANSPORTATION ENHANCEMENT ACTIVITIES

ISTEA allows each state to use up to ten percent of its allocation for transportation enhancements such as bike trails, transfer points to buses, and lighting. Tribes are allowed to compete for these funds in each state. TAITIA sets aside one percent of the national transportation enhancement pool to be used by the Secretary of Transportation to make competitive grants to Indian tribes.

PUBLIC LANDS HIGHWAYS

TAITIA exempts states from the apportionment adjustment provisions of ISTEA for Public Lands Highways built on Indian reservations. Although these are not IRR funds, states are currently discouraged from committing their resources to Public Lands Highways in Indian Country due to the hold harmless provisions of the apportionment adjustment requirements. This exemption is intended to encourage states to make commitments of state ISTEA resources to Public Lands Highways on Indian reservations.

Mr. DOMENICI. Mr. President, I would like to indicate the distinguished former chairman of the Indian Affairs Committee, Senator MCCAIN, is very interested in the bill, and has indicated his support when it reaches his committee.

● Mr. CAMPBELL. Mr. President, as Chairman of the Committee on Indian Affairs, I am pleased to join Senator DOMENICI and Vice Chairman INOUYE in introducing the American Indian Transportation Improvement Act of 1997, to amend the Intermodal Surface Transportation Efficiency Act. [ISTEA].

More than any other communities in the United States, Indian tribes and Alaska Native villages suffer from a lack of adequate infrastructure, and the necessary tools to build and maintain that infrastructure. The United States has a special responsibility to Indian tribal governments to help them achieve economic self-sufficiency and political self-determination.

Economies today, whether State, tribal, or national, are increasingly dependent on interstate and international commerce for their livelihoods. Solid physical infrastructure is the foundation for those economies.

Federal ISTEA funding to tribal governments has lagged behind spending for States and local governments over the years, despite acute and unmet needs in Indian country. Poor and unsafe roads and highways, crumbling bridges, and nonexistent transit and transportation systems all contribute to and result in tribal economies that are third world in nature.

In addition to facilitating the delivery of basic social services such as health, education, and nutrition to tribal members, solid physical infrastructures act as an incentive to outside investors to invest in tribal economies and to locate their businesses on tribal lands.

The legislation I am cosponsoring today recognizes the special Federal obligations, and will assist in the development and maintenance of Indian transportation infrastructures and in the process pave the way for higher levels of economic growth and job creation.

By increasing the funds available for the Indian reservation roads program, this bill will provide immediate relief to those tribes that have a backlog of road development and maintenance. By strengthening the capacity of tribes through transportation enhancement activities, the reservation bridges programs, and technical centers, this legislation will ensure that Indian tribes are not precluded from building stronger, more vibrant communities.

I urge my colleagues to join in enacting this legislation so critical to tribal governments and economies across the Nation.●

Mr. INOUYE. Mr. President, I rise today to join my esteemed colleague, Senator PETE V. DOMENICI of New Mexico, as a cosponsor of legislation that he has authored which proposes an increase in the funding for the Indian Reservation Roads Program and which would improve the quality of Indian roads by directly including Indian tribes in Federal transportation service programs.

Indian reservation roads are the lifeline of tribal economic and social wellbeing, with about 50,000 miles of roads serving Indian tribes and Alaska Native villages nationwide. Over 90 percent of these roads are comprised of State and county roads and roads constructed and maintained by the Bureau of Indian Affairs.

The Bureau of Indian Affairs' road system includes approximately 21,000 miles of roads which comprise about 42 percent of all roads serving Indian country. The overwhelming majority of these Bureau of Indian Affairs' roads—about 89 percent—are rated as being in poor condition. This is an alarming statistic which this legislation is designed to remedy.

Historically, funding for the construction and maintenance of Bureau of Indian Affairs' roads has failed to keep pace with tribal transportation needs and the result has been inferior Indian road conditions. In the 1950's, BIA funding reached a high of $10 million per fiscal year. By 1979, funding levels rose to $80 million per year. Thereafter, BIA funding significantly declined.

The Surface Transportation Assistance Act of 1982 made the Indian Reservation Roads Program eligible for support from the Highway Trust Fund at $100 million for fiscal years 1984 to 1986. Between 1987 and 1991, funding from the Highway Trust Fund decreased to $80 million. In 1992, funding rose to $159 million and from 1993 to 1997, funding for Indian roads increased to $191 million.

Although funding for Indian reservation road construction and maintenance improved, the increases were nonetheless woefully inadequate to meet tribal construction needs and to improve Indian roads so that they might be able to meet national standards. Furthermore, the current funding level of $191 million falls well short of the estimated national tribal transportation need of $300 million annually. Unless funding is increased, tribal roads will continue to fall behind national standards to the economic and social detriment of Indian tribes.

The American Indian Transportation Improvement Act of 1997 includes necessary funding increases and significant changes to the Indian Reservation Roads Program and to relevant Federal transportation programs that will provide Indian tribes with greater opportunities to meet their transportation needs. The improvements to Indian transportation include the following:

One, funding for the Indian Reservation Roads Program would be increased from $191 million annually to $250 million for fiscal year 1998, $275 million for fiscal year 1999, and $300 million for fiscal years 2000 through 2002. Funds are primarily to be used for the design and construction of roads in the BIA system.

Two, identified as high priority by tribes, the bill includes Indian reservation road maintenance as an eligible activity for funding under the Indian Reservation Roads Program. For BIA roads, Indian Reservation Roads Program funds would be used to supplement the nominal funding provided for road maintenance.

Three, to encourage donee States to fund public land highway projects that serve Indian country, the bill exempts funds expended on a public land highway constructed on an Indian reservation from the apportionment adjustment hold harmless requirement which has in the past had the effect of decreasing a State's surface transportation program allocation by the amount a State expended on a public land highway located on or running through an Indian reservation.

Four, this bill would establish a 1-percent set-aside of funds allocated for the National Scenic Byway Program for the development of an Indian scenic byway program to enhance access to scenic areas for economic development and other purposes with funding to be distributed through competitive grants.

Five, currently, tribes qualified to meet the requirements of direct certification in order to operate their own Federal highway programs are not eligible to do so. The bill overcomes this impediment by authorizing the eligibility of Indian tribes for certification by the State or tribal highway department to directly operate Federal highway programs. For example, certified tribal governments will have direct access to Federal highway safety funds and be able to manage the highway safety programs.

Six, to promote tribal highway enhancement activities on Indian roads, including bus transfer points and highway lighting, the bill authorizes the transfer of 1 percent of the funds available to States for transportation enhancement for competitive grants to Indian tribes.

Seven, in order to remedy the inefficient distribution of Indian bridge funds, the bill would establish a national Indian bridge program by consolidating the 1 percent of funds the States set aside for Indian bridges. The Secretary of Transportation would distribute the funding with priority given to bridges with the highest level of deficiency as determined by the BIA National Bridge Inspection Standards. This process efficiently allocates Indian bridge funds based on demonstrable need.

Eight, to enhance the capability of Indian tribes to improve their transportation systems and qualify for direct certification, $1 million per fiscal year is authorized for each of six Indian technical centers where tribal members receive training in areas including highway planning, construction, and maintenance.

Nine, finally, to address the inability of Indian tribes to apply directly for mass transportation funds and to meet increasing transit needs, the bill provides authority for a 1-percent set-aside of mass transportation funding for tribes with the allocation formula to be established by the Secretary of Transportation following negotiations with the tribes. In addition, the bill authorizes the conversion of up to 3 percent of Indian reservation road funds to provide mass transportation services to Indian tribes.

The American Indian Transportation Improvement Act of 1997 will significantly improve surface transportation service on or near Indian Reservations—improvements that will provide greater mobility for tribal members, increase economic opportunities for the tribe, including much-needed employment, and improve the overall quality of life.

Mr. President, I want to recognize the outstanding leadership demonstrated by Senator PETE DOMENICI in developing this important legislation. I urge my colleagues to join the chairman of the Indian Affairs Committee, the Honorable Senator BEN NIGHTHORSE CAMPBELL, Senator PETE DOMENICI, and me in acting favorably on this bill when it comes before the Senate for consideration.

Mr. BINGAMAN. Mr. President, I rise to speak briefly about the American Indian Transportation Improvement Act of 1997. This is an act that is long overdue. It would ensure that the native American communities in our country received the necessary funding to keep up with their growing infrastructure needs, in this case, roads. This bill would also ensure that we continue the Federal responsibility and commitment to native Americans. In addition, Mr. President, the American Indian Transportation Improvement Act would go a long way toward providing native American communities the necessary means toward economic and rural development to attract more business enterprises, tourism and thereby, job creation.

As my distinguished colleague from New Mexico, Senator DOMENICI, has aptly described today, Indian tribes and Alaskan communities must maintain over 50,000 miles of roadways. Many of our Nation's bridges and roadways are in great need of repair and upgrade, and tribal roads and bridges are by no means an exception. This year as we work toward ISTEA reauthorization, we must address many complicated issues. For example, we must determine whether and to what extent distribution formulas should be adjusted, whether to provide States added flexibility in administering programs, and whether and to what extent current environmental protections should be enhanced.

But as we toil to address these issues, we must realize that tribal communities are facing and must address transportation issues just as challenging as those we address on a State and national Level. Tribes have the same needs and are just as interested as our Nation's urban dwellers in improving roads and bridges. Tribal communities are interested in establishing and maintaining mass transit systems especially to assist their elderly, disabled, and youth get to and from places for goods, services, health care, and after-school activities.

Mr. President, our investment in city, State, county, and tribal transportation systems is an investment from which we will certainly reap larger economic benefits and a much greater quality of life for communities greatly in need of help.

By Mr. GRASSLEY:

S. 438. A bill to provide for implementation of prohibitions against payment of Social Security benefits to prisoners, and for other purposes; to the Committee on Finance.

THE NO CASH FOR CONVICTS ACT

● Mr. GRASSLEY. Mr. President, today I am introducing legislation to prohibit the payment of Social Security benefits to convicted criminals who are incarcerated at the expense of hard-working taxpayers.

The fate of the Social Security program has become a major topic of debate in Washington and in the homes of the American people. In the news, on Capitol Hill, and in the conversations of people all across this country the question of how to address the pending financial problems of Social Security has caused considerable anxiety. Congress must face one of its stiffest challenges in the next couple of years to enact legislation that will rescue the Social Security program for the long term.

However, there are other flaws in the Social Security program that we must not overlook. Because Social Security provides a lifelong entitlement to cash and health care, it is often a target of fraud and abuse. In the last couple of years, we have taken action to suspend benefits paid to drug addicts and alcoholics and have increased funding so the Social Security Administration can perform continuing disability reviews which ensure that beneficiaries who may have recovered are no longer receiving benefits.

Just last year, Congress enacted legislation to help SSA identify prisoners who received benefits from the Supplemental Security Income Program. Unfortunately, Congress was unable to provide similar help to the Social Security Disability Insurance Program.

No one incarcerated for a crime should continue to collect Social Security Disability Insurance. Criminals should not be allowed to double dip and receive Federal money earmarked for the purchase of food and clothing while they are part of a prison system which provides these necessities already. The average SSDI payment in January of 1996 was $682. When an individual's shelter, food, and clothing needs are already being paid for at government expense—at least $13,000 a year in some States—paying out additional Federal funds is inexcusable.

Under current law, criminals are prohibited from collecting disability insurance benefits if they are incarcerated and if that incarceration arises from a conviction punishable by imprisonment of more than one year. However, this narrow standard applies to a limited number of criminals.

In order to fully confront this problem we must enact legislation that accomplishes two goals. First, the law needs to be expanded to close the existing loophole that allows criminals who are serving time for misdemeanors or who receive a sentence of less than one year to continue to collect benefits. Second, we must amend the law to facilitate the flow of information between Federal, State, county and local officials.

Right now, SSA is able to identify only a few of the individuals who have been imprisoned to stop their benefits. The Social Security Act already requires that any Federal, State, county or local agency send the SSA the names and social security numbers of anyone who is confined to a penal institution or correctional facility in writing.

What's needed is an incentive for State and local law enforcement authorities to report to the SSA any inmate illegally collecting DI benefits. In testimony to the House Ways and Means Oversight Committee on March 4, 1996, the General Accounting Office testified that SSA lacks timely and accurate information to stop benefit payments to prisoners.

My bill provides State and local law enforcement agencies with a financial incentive to report convicted criminals who are receiving benefits while serving time in jail. The bill awards $400 for each criminal reported to SSA within the first 30 days of confinement, and $200 if the required information is reported to SSA after the 30 day period ends. If the local authorities do not notify SSA within 90 days after confinement begins, no award will be made.

Last year, as part of welfare reform we took steps to stop the flagrant abuse of the Social Security system with respect to SSI payments. Now we must finish the job by extending the law to include the illegal collection of DI benefits.

By passing this legislation we will protect the financial soundness of Social Security disability insurance and preserve the program for the people it is meant to assist. The only way to protect the hard-earned money of the American taxpayer is to insure that every penny is being spent properly. This legislation is projected to save $35 million over the next 7 years. In this day of hundreds of billions of dollars in deficit this may not seem overwhelming, but it will ease the administrative burden on SSA and most importantly, help restore confidence in this vital program.●

By Mr. MURKOWSKI (for himself, Mr. AKAKA, Mr. DOMENICI, and Mr. KYL):

S. 439. A bill to provide for Alaska State jurisdiction over small hydroelectric projects, to address voluntary licensing of hydroelectric projects on fresh waters in the State of Hawaii, to provide an exemption for portion of a hydroelectric project located in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

THE FEDERAL POWER ACT AMENDMENT ACT OF 1997

● Mr. MURKOWSKI. Mr. President, along with Senators AKAKA, DOMENICI, and KYL, I am today introducing legislation to address several issues associated with hydroelectric projects.

Section 1 gives the State of Alaska jurisdiction over small hydroelectric projects 5 megawatts or smaller. Section 2 precludes the voluntary licensing of hydroelectric projects on fresh waters in the State of Hawaii. Section 3 provides an exemption from licensing for the transmission line portion of a hydroelectric project located in the State of New Mexico. Section 4 gives the FERC the authority to extend for up to 10 years the deadline for commencement of construction of hydroelectric projects.

Sections 1, 2, and 3 of this bill are virtually identical to sections 7, 8, and 9 of S. 737 as reported in the 104th Congress. By unanimous vote, S. 737 was ordered reported by the Committee on Energy and Natural Resources (Report No. 104–77). On September 27, 1996, the Senate unanimously passed S. 737 (Senate Calendar No. 100). Unfortunately, just a few days later, on October 6, the House of Representatives went out of session not having acted on the Senate-passed bill.

Sections 2 and 3 are of direct interest to Senators AKAKA and DOMENICI, and they will speak separately on their merits. I will discuss sections 1 and 4, which are of direct interest to me.

Section 1 gives the State of Alaska jurisdiction over hydroelectric projects 5 megawatts or smaller. It goes into effect when the Governor of Alaska notifies the Secretary of Energy that the State has in place a comprehensive process for regulating these facilities. The required process is modeled on the one contained in the Federal Power Act for the FERC. The authority granted to the State of Alaska would apply only to projects that are located entirely within the State. Moreover, these projects may not be located on an Indian reservation, a unit of the National Park System, a component of the Wild and Scenic Rivers System, or a segment of a river designated for study for potential addition to such system. In the case of a project that is

already licensed by the FERC, the project sponsor may elect to make it subject to State authority. Projects located on Federal lands are subject to the approval of the Secretary of the Federal agency having jurisdiction, and that Secretary may include such terms and conditions as may be necessary for the protection of the public interest. The provisions specifically provide that nothing preempts the application of Federal environmental, natural, or cultural resources protection laws according to their terms.

Section 4 amends section 13 of the Federal Power Act to give the FERC authority to extend for up to 10 years the deadline for the commencement of a hydroelectric project. Under existing law, a project must commence construction within 2 years of the date of the issuance of the license. That deadline can be extended by the FERC one time for as much as 2 additional years, for a total of 4 years. If construction has not commenced at the end of the statutory time period, the license must be terminated by the FERC. Termination not only results in the licensee losing its investment of time and many tens of thousands of dollars to obtain the license, it also delays the construction of the project by requiring a new licensee to start the licensing process all over.

In the past, 4 years was adequate time to commence construction. However, with growing uncertainty in the electric power market, it is proving increasingly difficult for licensees to obtain the power purchase contract necessary to secure financing so as to permit commencement of construction. This has resulted in a number of individual requests to Congress to legislatively extend on a case-by-case basis the commencement of construction deadline. During the 104th Congress, for example, 28 bills were introduced in the House and Senate to extend the deadline for individual projects. Acting on these individual requests proved to be very time consuming for the committee and for the Congress. Had this provision been enacted, all of these requests could have been accommodated administratively by the FERC. Hence, I am introducing this bill to give the FERC the generic authority to extend the deadline for the commencement of construction for up to 10 years.

Mr. President, it is for these reasons that I am introducing this legislation along with Senators AKAKA, DOMENICI, and KYL.●

● Mr. AKAKA. Mr. President, the State of Hawaii, its delegation in Congress, and conservation organizations throughout the State are deeply concerned about Federal efforts to regulate hydroelectric power projects on State waters. The question of who should have authority for hydropower regulation—the State or the Federal Government—is very contentious.

Those who care for Hawaii's rivers and streams recognize that continued Federal intervention may have serious repercussions for our fresh water resources and the ecosystems that depend upon them. Whenever a hydroelectric power project is proposed, a number of environmental considerations must be weighed before approval is granted. Important issues must be evaluated, such as whether the proposed dam or diversion will impair the stream's essential flow characteristics, or what effect the hydropower project will have on the physical nature of the stream bed or the chemical makeup of the water. Will a dam or diversion diminish flow rates and reduce the scenic value of one of Hawaii's waterfalls? Will it harm recreational opportunities? These, and other questions must be answered.

The effect of a new dam or diversion on the State's disappearing wetlands must be weighed. Wetlands provide vital sanctuary for migratory birds, as well as habitat for endangered Hawaiian waterfowl. They serve as reservoirs for storm water, filtering water-borne pollutants before they reach the fragile coastal habitat, and provide a recharge area for groundwater.

Historic resources may be at risk on streams when hydropower projects are proposed. When Polynesians first settled our islands, Hawaiian culture was linked to streams as much as it was linked to the sea. The remnants of ancient Hawaiian settlements can be found along many State rivers. Will the Federal Government give adequate attention to stream resources that have unique natural or cultural significance when it issues a hydroelectric license or permit?

Most important of all, hydropower development must be compatible with preserving native aquatic resources. Hawaiian streams support many species that depend on undisturbed habitat. Perhaps the most remarkable of these species is the gobie, which can climb waterfalls and colonize stream sections that are inaccessible to other fish. These are some of the complex factors that must be considered during Federal hydropower decisionmaking.

Federal agencies that have responsibility for fish, wildlife, and natural resource protection have raised questions about the State of Hawaii's commitment to protecting stream resources. They assert that the Federal Energy Regulatory Commission is better equipped than the State to protect environmental values.

Nothing could be further from truth. The State of Hawaii has demonstrated its commitment to protect stream resources by instituting a new water code, adopting instream flow standards, launching a comprehensive Hawaii stream assessment, and organizing a stream protection and management task force.

Meanwhile, FERC has shown little regard for stream protection and has granted a preliminary permit to a hydropower developer on the Hanalei River. This is the same river that the Fish and Wildlife Service is fighting to preserve. The Hanalei National Wildlife Refuge is the largest refuge on the island of Kauai, and is home to four endangered water birds. Sixty percent of the State's taro crop is grown in the wetlands adjacent to the river. When it comes to protecting environmental values, FERC is off to a very poor start.

The experience with the proposed Hanalei hydropower project raises serious questions about appropriateness of the Federal efforts to regulate hydropower in Hawaii. Our rivers and streams bear no resemblance to the wide, deep, long, and relatively flat rivers of the continental United States. Hawaiian streams generally comprise groups of short riffles, runs, falls, and deep pools. There are only five streams with a length of 40 miles or more. Only two streams have a median flow rate greater than 100 cubic feet per second. By comparison, the mean discharge of the Mississippi River is nearly 40,000 times the annual flow of Hawaii's longest river, the Kiikii River.

The Federal interest in protecting the vast interconnected river systems of North America is misplaced in our isolated mid-Pacific location. When it comes to regulating hydropower in Hawaii, FERC is a fish out of water.

Chairman MURKOWSKI has agreed to include the text of my legislation to exempt Hawaii from the FERC hydropower jurisdiction in section 2 of the hydropower legislation he introduced today. Section 2 would terminate FERC's jurisdiction over hydropower projects on the fresh water of the State of Hawaii. Section 2 is identical to the legislation passed by the Senate during the 103d Congress as part of an omnibus hydropower bill, but the House and Senate could not resolve their differences on the bill. In the 104th Congress, the Senate Energy and Natural Resources Committee again approved the bill. I will continue to fight for the passage of this legislation during the 105th Congress.●

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

S. 440. A bill to deauthorize the Animas-La Plata Federal reclamation project and to direct the Secretary of the Interior to enter into negotiations to satisfy, in a manner consistent with all Federal laws, the water rights interests of the Ute Mountain Ute Indian Tribe and the Southern Ute Indian Tribe; to the Committee on Energy and Natural Resources.

ANIMAS-LA PLATA PROJECT LEGISLATION

● Mr. FEINGOLD. Mr. President, today I am introducing legislation to deauthorize the construction of the Animas-La Plata water project in Colorado. I am very pleased to be joined in this effort by the Senator from Kansas [Mr. BROWNBACK]. This measure is identical to a bipartisan effort in the other body introduced on February 13, 1997, by my colleague from Wisconsin [Mr. PETRI] and my colleague from Oregon [Mr. DEFAZIO].

The Animas-La Plata project is a $744 million water development project planned for southwest Colorado and northwest New Mexico that is largely taxpayer funded. Designed to supply 191,230 feet of water, it will consist of 2 major reservoirs, 7 pumping plants, and 200 miles of canals and pipes. The project will pump water over 1,000 feet uphill, consuming enough power to run a city of 60,000, to supply municipal, industrial, and irrigation interests.

The legislation I am introducing today deauthorizes the Animas-La Plata Federal reclamation project and directs the Secretary of the Interior to work with the Southern Ute and Ute Mountain Ute Tribes to find an alternative to satisfy their water rights needs. It is supported by a broad coalition of taxpayer and environmental groups that includes: Taxpayers for Common Sense, Americans for Tax Reform, Citizens Against Government Waste, Citizens for a Sound Economy, and National Taxpayers Union. This legislation was also profiled in the 1997 Green Scissors Report, and the Animas project has shown up on a number of deficit reduction target lists, including one recently proposed by the Chairman of the Budget Committee of the other body [Mr. KASICH].

I believe that Federal legislation to terminate the Animas-La Plata project is needed for four reasons. First, as a Senator who is extremely concerned about the Federal deficit and debt, this project has an extremely high price tag—a projected total cost of $744 million in fiscal year 1998. That total projected cost estimate has increased $30 million over the fiscal year 1997 estimate of $714 million. The Federal share of that cost now exceeds half a billion dollars, $503 million to be exact, which is nearly 68 percent of the total cost. I believe, especially in these times of tight budgets, that commencement of significant Federal discretionary spending should be critically evaluated.

By no measure or metric is this project cost effective, Mr. President. A July 1995 economic analysis by the Bureau of Reclamation, the only analysis that used economic procedures approved for Bureau analyses and a current discount rate, reported that the project's benefit-cost ratio is 0.36:1. In other words, Mr. President, the project will return only 36 cents for every taxpayer dollar invested. I am additionally concerned, Mr. President, because recent GAO reports have highlighted that Federal water projects, once built, do not recoup the costs of the projects from the users, who are supposed to be paying the government back for its investment. Municipal and industrial users are required under the Water Supply Act of 1958 to fully repay all the construction costs and operation and maintenance costs attributable to the supply of municipal and industrial water. Those repayment contracts are to be in place before construction begins. Currently, the Bureau has signed a repayment contract with two non-Indian project beneficiaries. Those that have been signed do not cover the construction costs of the full project, due to cost increases. It is questionable if the project will ever comply with the law and obtain full reimbursement of municipal and industrial costs from the project beneficiaries.

Second, I am introducing this legislation because I believe that the Congress should support the State of Colorado's ongoing dialog over lower cost alternatives rather than proceed to initiate construction. The Animas-La Plata project has been the focus of controversy and litigation for many years. In response to legislative activities last Congress, which I will describe in further detail, Colorado Gov. Roy Romer and Lt. Gov. Gail Schoettler convened a discussion process in October 1996 with the Bureau of Reclamation, the Southern Ute and Ute Mountain Ute Tribes, interested water districts, irrigators, and environmentalists in an attempt to resolve disputes among the parties. To assist in the success of this process, the Bureau and the other parties executed a legal ''stand still'' agreement establishing basic ground rules for the dialog and identifying the activities that could take place outside the process. While the eventual outcome is not known, a recommendation for a different formulation of the project is possible.

Thus far, the Department of the Interior, acting through the Bureau, is committed to finding a solution acceptable to the parties in general, and to the Colorado Ute Tribes specifically, due to the Federal Government's tribal trust responsibility. My legislation will codify that direction by specifically directing the Bureau to continue with these negotiations, rather than proceed with Animas-La Plata.

Third, this legislation has been drafted to acknowledge the importance of demonstrating support for ensuring that the Federal Government's obligations to the Colorado Ute Tribes are fulfilled. During debate over the fiscal year 1997 energy and water appropriations bill, colleagues will remember that I offered an amendment to terminate funding for Animas-La Plata. I believe that amendment was not successful last year due to concerns by colleagues that the project is necessary to fulfill Ute tribal water rights.

As I made clear to colleagues during the appropriations debate, despite the contention that the project will address the Ute claims, Animas-La Plata was not initiated as a way to address these claims. This project was authorized in 1968 to supply irrigation water to farmers growing forage crops in arid areas. Even back then, in the heyday of big water projects, this one was riddled with so many problems it couldn't get going. In 1988, nearly 20 years after it was authorized, the settlement of the Ute Indian water rights claims became an additional justification for pushing this project through.

Construction of this project has not yet begun because of a variety of factors, including concerns raised about the adequacy of the April 1996 Supplemental Environmental Impact Statement, issues surrounding cost-sharing and repayment agreements, and compliance problems with New Mexico's water quality standards.

Both the Ute Mountain Ute and the Southern Ute tribal governments formally support construction of Animas-La Plata. The water that the Utes will be provided from the project, however, is only a fraction of the project's total capacity. Of the 191,230 acre-feet of water the project will supply, two-thirds will go to nontribal interests with only 62,000 acre feet of the total to be supplied to both tribes. There is dissent within the Southern Ute Tribe about the wisdom of this project, and I am pleased that this legislation terminating the project has received the support of the Southern Ute Grassroots Organization.

I am concerned that the Animas-La Plata as currently proposed cannot meet the needs of the tribes because the initial construction phase of the project will neither provide the delivery system nor the quantity of water needed to fully honor the Federal Government's commitments. We should not spend hundreds of million of dollars and still find the tribal needs potentially unmet. Rather, I want to see that the Bureau is engaged in actively solving these problems rather than half-heartedly moving forward with construction and at the negotiating table to examine alternatives. The Ute Tribes' water rights settlement says that if the project isn't built and fully functional by the year 2000, the tribes may void the settlement and go back into negotiations or litigation. Last year, the Bureau indicated that it cannot complete the project before 2003. It is not unreasonable to expect that the Utes may seek to void their settlement, wherein the non-Indian irrigators will get their expensive project and Congress in the year 2005 or so will have to fund a new water rights settlement.

Finally, I believe that there needs to be a proactive legislative solution put forward to address the Animas-La Plata project because the political support for continued appropriations for this project is eroding. Last year, during the 104th Congress, the other body voted 221 to 200 to stop the funding for the Animas-La Plata project as it is currently designed. The chairman of the Budget Committee in the other body has put Animas-La Plata on a target list of corporate welfare cuts. I believe that during the appropriations cycle for fiscal year 1998, the other body will again vote to terminate funding for this project.

Politically, we may go back and forth for a few years with the other body terminating funding and this

body restoring the money. But eventually, both Houses of Congress will resist and we will have wasted millions of dollars.

My bill seeks to put this project back on a positive track. It directs the Bureau of Reclamation to address legitimate water needs and explore all the alternatives to meeting those needs, and terminates this project that we can no longer afford. I ask unanimous consent that this measure be printed in the RECORD.

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

S. 440

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

SECTION 1. DEAUTHORIZATION OF ANIMAS-LA PLATA FEDERAL RECLAMATION PROJECT.

(a) DEAUTHORIZATION.—The Animas-La Plata Project, Colorado and New Mexico (a participating project under the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (70 Stat. 105, chapter 203; 43 U.S.C. 620 et seq.), and the Colorado River Basin Project Act (43 U.S.C. 1501 et seq.)) is not authorized after the date of enactment of this Act.

(b) CONFORMING AMENDMENT.—The first section of the Act of April 11, 1956 (70 Stat. 105, chapter 203; 43 U.S.C. 620), is amended in the proviso by striking ''Animas-La Plata,''.

(c) NEGOTIATIONS.—The Secretary of the Interior shall promptly seek to enter into negotiations with the Ute Mountain Ute Indian Tribe and the Southern Ute Indian Tribe to satisfy, in a manner consistent with all Federal laws, the water rights interests of those tribes that were intended to be satisfied with water supplied from the Animas-La Plata Project.●

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

S. 441. A bill to improve health care quality and reduce health care costs by establishing a national fund for health research that would significantly expand the Nation's investment in medical research; to the Committee on Finance.

THE NATIONAL FUND FOR HEALTH RESEARCH ACT

Mr. HARKIN. Mr. President, I rise today with Senator SPECTER to introduce the National Fund for Health Research Act. This legislation is similar to legislation I introduced with Senator Hatfield during the last Congress which gained broad bipartisan support in both the House and Senate.

Our proposal would establish a national fund for health research to provide additional resources for health research over and above those provided to the National Institutes of Health [NIH] in the annual appropriations process. The fund would greatly enhance the quality of health care by investing more in finding preventive measures, cures, and cost-effective treatments for the major illnesses and conditions that strike Americans.

To finance the fund, health plans would set aside approximately 1 percent of all health premiums and transfer the funds to the Department of the Treasury. The Department of the Treasury would then transfer the money to the national fund for health research.

Each year under our proposal amounts within the national fund for health research would automatically be allocated to each of the NIH Institutes and Centers. Each Institute and Center would receive the same percentage as they received of the total NIH appropriation for that fiscal year. The set aside should generate sufficient funds to provide for a nearly 50-percent increase in funding for the NIH.

In 1994, I argued that any health care reform plan should include additional funding for health research. Health care reform has been taken off the front burner but the need to increase our Nation's commitment to health research has not diminished.

While health care spending devours nearly $1 trillion annually our medical research budget is dying of starvation. The United States devotes less than 2 percent of its total health care budget to health research. The Defense Department spends 15 percent of its budget on research. Does this make sense? The cold war is over but the war against disease and disability continues.

Increased investment in health research is key to reducing health costs in the long run. If we can find the cure for a disease like Alzheimer's the savings would be enormous. Today, federally supported funding for research on Alzheimer's disease totals $300 million yet it is estimated that nearly $100 billion is expended annually on caring for people with Alzheimer's.

Gene therapy and treatments for cystic fibrosis and Parkinson's could eliminate years of chronic care costs, while saving lives and improving patients' quality of life.

Mr. President, Senator SPECTER and I do everything we can to increase funding for NIH through the appropriations process. But, given the current budget situation and freeze in discretionary spending what we can do is limited. Without action, our investment in medical research through the NIH is likely to continue to decline in real terms.

The NIH is not able to fund even 25 percent of competing research projects or grant applications deemed worthy of funding. This is compared to rates of 30 percent or more just a decade ago. Science and cutting edge medical research is being put on hold. We may be giving up possible cures for diabetes, Alzheimer's, Parkinson's, and countless other diseases.

Our lack of investment in research may also be discouraging our young people from pursuing careers in medical research. The number of people under the age of 36 even applying for NIH grants dropped by 54 percent between 1985 and 1993. This is due to a host of factors but I'm afraid that the lower success rates among applicants is making biomedical research less and less attractive to young people. If the perception is that funding for research is impossible to obtain, young people that may have chosen medical research 10 years ago will choose other career paths.

Mr. President, I am pleased that over 130 groups representing patients, hospitals, medical schools, researchers, and millions of Americans have already endorsed our proposal.

Mr. President, health research is an investment in our future—it is an investment in our children and grandchildren. It holds the promise of cure or treatment for millions of Americans.

By Mr. WYDEN (for himself and Mr. KERRY):

S. 442. A bill to establish a national policy against State and local government interference with interstate commerce on the Internet or interactive computer services, and to exercise Congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE INTERNET TAX FREEDOM ACT

● Mr. WYDEN. Mr. President, a few weeks ago, I met with a group of small business folks at an Internet cafe in Portland. We talked about the promise electronic commerce holds for businesses and consumers. The Internet can give a small businessperson in Astoria, OR access to the entire global marketplace. It can give consumers, especially in rural areas, entry to a supernational shopping mall.

For governments, the Internet offers a different type of promise—the chance to be a new cash cow. As Federal funds decrease, States and local governments are looking to the Internet as a new source of revenue. Some have already begun building tollbooths on the information superhighway. For sales taxes alone, there are nearly 6,500 different taxing authorities in this country. One businessman at the Internet cafe told me he is wary of getting into electronic commerce because of the prospect of as many as 30,000 different pairs of hands reaching into his pockets to collect taxes. If current trends continue, State and local levies will transform the Internet from a bright and exciting new frontier for commerce into a dark jungle of foreboding taxes.

Under today's mishmash of State and local Internet taxes, everyone is puzzled. Take a customer at his home computer who purchases an item from a virtual catalogue. With the click of his mouse, the purchase is logged, his account billed and payment made by wire transfer and the order sent. The vendor is in another State, or even another country. His bank is in a third State and the purchase is a gift being sent to a relative in another State. Where did this transaction take place?

Where was there nexus for tax purposes—the vendor State? The customer's State? The bank's location? Or the State where the gift is being sent? Is the answer all of the above, some of the above, or none of the above?

The enormity of the problem is underscored by the fact that the hottest selling software today is software to help entrepreneurs and companies figure out various State tax policies.

When a consumer in Corvallis, OR uses an Internet search engine in California, is that search a taxable service? When a housewife in Houston uses Virginia-based America Online to make a virtual purchase from a furniture company in North Carolina, what gets taxed where? Is an Internet service provider a public utility, as one State has ruled? Even if a State has enacted an online tax law, collection and enforcement are often haphazard. This system rewards ignorance and punishes the boy scout businesses that play by the rules.

The purpose of the bill I am introducing today with Congressman CHRIS COX is to allow everyone to step back and take a deep breath. It says let's suspend this crazy tax quilting bee so that everyone can come together in a rational way to figure out what policy makes the most sense.

The Internet Tax Freedom Act has three parts. First, it would impose an indefinite moratorium on subnational taxes on electronic commerce. Where States and local governments have already imposed taxes on electronic commerce, their taxes would be grand fathered to the extent that they are net income taxes, fairly apportioned business license taxes or where the tax is collected in an identical way for mail or telephone orders. This will assure uniformity and fairness, while targeting inequitable technology taxes. Our intent is that the new tax moratorium apply to all Internet and interactive computer services, regardless of the technology—such as cable systems and wireless networks—being used to deliver those services. It will give us a functionally equivalent and technologically equitable tax policy. It will assure equity and fairness among all business entities and across technologies.

Second, the bill would call upon the administration to bring together State and local governments, businesses and consumers, and any others with a stake in the Internet and online commerce to develop policy recommendations on taxation of the Internet and use of the Internet to deliver products and services. The Executive would have 2 years in which to prepare policy recommendations on taxation of the Internet.

Third, the bill directs the executive branch to seek an international agreement making the Internet a duty-free zone. Just as we seek a rational policy on electronic commerce taxation here in the United States, our businesses cannot be expected to compete overseas if they faced more than 160 different foreign tariff policies covering global electronic commerce. Although about 75 percent of Web users live in North America, most electronic commerce is between companies, rather than companies and consumers. Forrester Research of Massachusetts predicts business-to-business commerce will soon be worth $67 billion a year.

Trying to find out exactly which States and local authorities are imposing taxes on electronic commerce and what types of taxes they are imposing is a daunting—if not outright impossible—task in itself. The Vice President for a good-sized Internet service provider in California said he would need a whole department to untangle the various Internet tax laws around the country, ''It's in my nightmare pile,'' he observed. If this has stumped some of the best accounting firms in the country, how in the world can a small business that wants to sell over the Internet figure out its various tax liabilities? The difference between States in electronic commerce tax policy is mind-numbing.

Twenty States and the District of Columbia impose one or more taxes on electronic commerce. New York levies taxes on gross receipts on the ''furnishing of information,'' but not on personal or individual information. Ohio taxes electronic transmissions and real estate data bases because they provide objective data but exempts news services because they provide analysis. Texas taxes the transmission of electronic information and software in whatever form, but does not tax software sent out of State on a disk. Alabama's Revenue Department ruled last fall that a utility tax applies to Internet service providers, forcing them to pay a 4-percent public utilities tax.

Last year in Florida a small Internet service provider asked the State's Department of Revenue whether he should add a sales tax to his customers' monthly bills. He was certain he wouldn't have to since all net surfers there already pay 10 percent or more in taxes for the telephone service they use to link to the Internet. To his surprise, the Revenue Department said his customers should have been paying a 7-percent service tax under a decade-old telecommunications law. Then, adding shock to surprise, the Department told him his company was subject to an additional 2.5-percent tax on its gross annual receipts. The uproar from users and providers led the Governor to suspend the taxes until a panel could study the implications.

The legislation is constructed in such a way as to set up a dynamic and productive tension. It gives those that seek revenue from electronic commerce—the States and local governments—an incentive to work with the administration in developing policy recommendations on Internet taxation. Indeed, the National Conference of State Legislatures wrote me on February 21 that they have been ''working with a number of other State organizations as well as the impacted private sector industries to find the common ground which will lead to the coordination and uniformity of State tax structures which the draft legislation desires.'' And an official with the Federal of Tax Administrators observed last summer that ''States need to figure out how to tax it [the Internet] and to make it a level playing field with other services.'' I will also continue to work with the Multistate Tax Commission to assure their efforts move forward.

But the question remains: Will the simple imperative for good public policy outweigh the desire of cash-strapped States to tap a new source of revenue? Without a moratorium, as proposed in this legislation, I fear those State and local governments hungry for new sources of revenue have little, if any, incentive to work for a fair and equitable Internet tax policy.

I want to thank a number of groups that have helped us craft this legislation, and which have indicated their support for this bill: the American Electronics Association, the Software Publishers Association, the Association of Online Professionals, the Committee on State Taxation, the Direct Marketing Association, the Business Software Alliance, the Information Technology Association of America, the U.S. Telephone Association, the California State Board of Taxation, the Massachusetts High Tech Council, CommerceNet, the Silicon Valley Software Industry Coalition, IBM, AT&T, and other companies.

I view the legislation being introduced today as the beginning of a process, not the end. It remains a work in progress and will hopefully continue to be refined throughout the congressional hearing process.

There is a great deal to learn in these unchartered waters. All of us—Congress, State and local governments, businesses and consumers—must educate each other about how this new electronic medium works. We must all work together to help it achieve its full potential as a marketplace of ideas, products, and services.

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

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

S. 442

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 ''Internet Tax Freedom Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) As a massive global network spanning not only State but international borders, the Internet is inherently a matter of interstate and foreign commerce within the jurisdiction of the United States Congress under Article I, Section 8 of the United States Constitution.

(2) Even within the United States, the Internet does not respect State lines and operates independently of State boundaries. Addresses on the Internet are designed to be geographically indifferent. Internet transmissions are insensitive to physical distance and can have multiple geographical addresses.

(3) Because transmissions over the Internet are made through packet-switching it is impossible to determine with any degree of certainty the precise geographic route or endpoints of specific Internet transmissions and infeasible to separate intrastate from interstate, and domestic from foreign, Internet transmissions.

(4) Inconsistent and inadministrable taxes imposed on Internet activity by State and local governments threaten not only to subject consumers, businesses, and other users engaged in interstate and foreign commerce to multiply, confusing, and burdensome taxation, but also to restrict the growth and continued technological maturation of the Internet itself, and to call into question the continued viability of this dynamic medium.

(5) Because the tax laws and regulations of so many jurisdictions were established before the Internet or interactive computer services, their application to this new medium in unintended and unpredictable ways threatens every Internet user, access provider, vendor, and interactive computer service provider.

(6) The electronic marketplace of services, products, and ideas available through the Internet or interactive computer services can be especially beneficial to senior citizens, the physically challenged, citizens in rural areas, and small businesses. It also offers a variety of uses and benefits for educational institutions and charitable organizations.

(7) Consumers, businesses, and others engaging in interstate and foreign commerce through the Internet or interactive computer services could become subject to more than 30,000 separate taxing jurisdictions in the United States alone.

(8) The consistent and coherent national policy regarding taxation of Internet activity, and the concomitant uniformity, simplicity, and fairness that is needed to avoid burdening this evolving form of interstate and foreign commerce can best be achieved by the United States exercising its authority under Article I, Section 8, Clause 3 of the United States Constitution.

SEC. 3. MORATORIUM ON IMPOSITION OF TAXES ON INTERNET OR INTERACTIVE COMPUTER SERVICES.

(a) MORATORIUM.—Except as otherwise provided in this section, no State or political subdivision thereof may impose, assess, or attempt to collect a tax directly or indirectly on—

(1) the Internet or interactive computer services; or

(2) the use of the Internet or interactive computer services.

(b) PRESERVATION OF STATE AND LOCAL TAXING AUTHORITY.—Subsection (a)—

(1) does not apply to taxes imposed on or measured by net income derived from the Internet or interactive computer services;

(2) does not apply to fairly apportioned business license taxes applied to businesses having a business location in the taxing jurisdiction; and

(3) does not affect a State or political subdivision thereof of authority to impose a sales or use tax on sales or other transactions effected by the use of the Internet or interactive computer services if—

(A) the tax is the same as the tax generally imposed and collected by that State or political subdivision thereof on interstate sales or transactions effected by mail order, telephone, or other remote means within its taxing jurisdiction; and

(B) the obligation to collect the tax from sales or other transactions effected by the use of the Internet or interactive computer services is imposed on the same person or entity as in the case of sales or transactions effected by mail order, telephone, or other remote means.

SEC. 4. ADMINISTRATION POLICY RECOMMENDATIONS TO CONGRESS.

(a) CONSULTATIVE GROUP.—The Secretaries of the Treasury, Commerce, and State, in consultation with appropriate committees of the Congress, consumer and business groups, States and political subdivisions thereof, and other appropriate groups, shall—

(1) undertake an examination of United States and international taxation of the Internet and interactive computer services, as well as commerce conducted thereon; and

(2) jointly submit appropriate policy recommendations concerning United States domestic and foreign policies toward taxation of the Internet and interactive computer services, if any, to the President within 18 months after the date of enactment of this Act.

(b) PRESIDENT.—Not later than 2 years after the date of enactment of this Act, the President shall transmit to the appropriate committees of Congress policy recommendations on the taxation of sales and other transactions affected on the Internet or through interactive computer services.

(c) RECOMMENDATIONS TO BE CONSISTENT WITH TELECOMMUNICATIONS ACT OF 1996 POLICY STATEMENT.—The Secretaries and the President shall take care to ensure that any policy recommendations are fully consistent with the policy set forth in paragraphs (1) and (2) of section 230(b) of the Communications Act of 1934 (47 U.S.C. 230(b)).

SEC. 5. DECLARATION THAT THE INTERNET BE FREE OF FOREIGN TARIFFS, TRADE BARRIERS, AND OTHER RESTRICTIONS.

It is the sense of the Congress that the President should seek bilateral and multilateral agreements through the World Trade Organization, the Organization for Economic Cooperation Council, or other appropriate international fora to establish that activity on the Internet and interactive computer services is free from tariff and taxation.

SEC. 6. DEFINITIONS.

For purposes of this Act—

(1) INTERNET; INTERACTIVE COMPUTER SERVICE.—The terms ''Internet'' and ''interactive computer service'' have the meaning given such terms by paragraphs (1) and (2), respectively, of section 230(e) of the Communications Act of 1934 (47 U.S.C. 230(e)).

(2) TAX.—The term ''tax'' includes any tax, license, or fee that is imposed by any governmental entity, and includes the imposition of the seller of an obligation to collect and remit a tax imposed on the buyer.

THE INTERNET TAX FREEDOM ACT—SECTION-BY-SECTION ANALYSIS

Section 1: Short title: ''The Internet Tax Freedom Act''

Section 2: Findings. Sets forth a series of findings, including that the Internet is inherently a matter of interstate commerce; that the Internet operates independently of State lines; that inconsistent and unadministrable taxes imposed on Internet activity by State and local governments subject consumers and businesses to multiple, confusing and burdensome taxation and are creating compliance problems for Internet access providers, vendors and interactive computer service providers; that consumers, businesses and others engaging in interstate commerce through the Internet or interactive computer services could become subject to some 30,000 separate taxing jurisdictions in the United States; and that uniformity, simplicity and fairness are needed regarding taxation of Internet activity to avoid burdening this evolving form of interstate commerce.

Section 3: Moratorium on Imposition of Taxes on Internet or Interactive Computer Services—

Subsection (a), establishes a moratorium on direct and indirect state or local taxes on the Internet or interactive computer services or the use of those services.

Subsection (b), preserves state and local authority for taxes for the following types of taxes:

(1) taxes on or measured by net income derived from these services,

(2) fairly apportioned business license taxes, and

(3) sales and use taxes on interstate electronic transactions that are consistent with taxes on mail order and telephone transactions.

Section 4: Administration Policy Recommendations to Congress.

Subsection (a), Establishes a consultative group of the Secretaries of the Treasury, Commerce and State that will work with State and local governments, consumer and business groups and others to examine U.S. and international taxation of Internet and interactive computer services and submit policy recommendations to the President within 18 months of enactment.

Subsection (b), directs the President to transmit to Congress any policy recommendations within two years of enactment.

Subsection (c), seeks to ensure that any policy recommendations are consistent with the 1996 Telecommunications Act policy statement regarding promotion of the Internet and interactive computer services.

Section 5: Declaration that the Internet Be Free of Foreign Tariffs, Trade Barriers, and Other Restrictions

Sets forth the sense of the Congress that the President should seek bilateral and multinational agreements through various international trade organizations to keep the Internet and interactive computer services free from tariffs and taxation.

Section 6: Definitions

(1) Internet and interactive computer service terms are defined as they are in the Communications Act of 1934, as amended by the 1996 Telecommunications Act.

(2) Defines tax to include any tax, license or fee imposed by any governmental entity and includes the imposition on the seller of an obligation to collect and remit a tax imposed on the buyer.●

ADDITIONAL COSPONSORS

S. 72

At the request of Mr. KYL, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 72, a bill to amend the Internal Revenue Code of 1986 to provide a reduction in the capital gain rates for all taxpayers, and for other purposes.

S. 73

At the request of Mr. KYL, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 73, a bill to amend the Internal Revenue Code of 1986 to repeal the corporate alternative minimum tax.

S. 74

At the request of Mr. KYL, the name of the Senator from Indiana [Mr.