

give you every assurance that these efforts will remain a priority.

Nationally, with Boys & Girls Clubs of America's 1996 appropriation, we opened 208 Boys & Girls Clubs and served 180,000 new boys and girls. All told, Boys & Girls Clubs now serve some 2.6 million young people throughout America, including many in rural and semi-rural communities. Our planned growth for 1997, with the assistance of our current appropriation, will continue at this same pace.

Upon passage and successful implementation of S. 476, we plan on serving 1,000,000 new boys and girls throughout the United States. Many of the children in Vermont who are not currently being served—will be.

Senator Leahy, you have been a friend to Boys & Girls Clubs and to many youth organizations over the years. We hope that you can now help us pass S. 476 and help us reach 1,000,000 new boys and girls.

Thank you and we look forward to working with you on this and other issues that help America's children and families.

Sincerely,

ROBBIE CALLAWAY,
Senior Vice President.

Mr. STEVENS. Mr. President, today I rise in strong support of S. 476, the Boys and Girls Clubs of America Act of 1997, which I have cosponsored. This important legislation will give seed money to build 1,000 additional Boys and Girls Clubs across America, with special emphasis on establishing clubs in public housing projects and distressed areas.

In Alaska, and across the Nation, kids are reaping the benefits of Boys and Girls Clubs. They are safe places where kids can go after school to learn and have fun. Boys and Girls Clubs are places where they find role models, and where they can explore their own talents and skills. In 1995 there were 8,000 Alaskans participating in Boys and Girls Clubs; today more than 14,000 young Alaskans are Boys and Girls Club members. In fact many of my staff are alumni of these clubs in Alaska.

This seed money will insure that more than 1 million more young Americans will have a safe place to grow and learn by the year 2000. This is a model program supplying the construction cost for the clubs and giving youths in depressed communities a chance to succeed. Studies by Columbia University have shown that in areas of public housing where there are Boys and Girls Clubs juvenile crime has dropped 13 percent.

I thank Senator HATCH and the other cosponsors of this important legislation for their hard work and dedication. I look forward to seeing more Boys and Girls Clubs across our great Nation.

Mr. HATCH. Mr. President, I am prepared to yield back the remainder of my time.

Would the Senator from Delaware yield back the remainder of his time?

Mr. BIDEN. I yield back the remainder of my time.

Mr. HATCH. I yield back the remainder of my time as well as Senator LEAHY's time. I am authorized to say.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 476

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

SECTION 1. 2,500 BOYS AND GIRLS CLUBS BEFORE 2000.

(a) IN GENERAL.—Section 401(a) of the Economic Espionage Act of 1996 (42 U.S.C. 13751 note) is amended by striking paragraph (2) and inserting the following:

“(2) PURPOSE.—The purpose of this section is to provide adequate resources in the form of seed money for the Boys and Girls Clubs of America to establish 1,000 additional local clubs where needed, with particular emphasis placed on establishing clubs in public housing projects and distressed areas, and to ensure that there are a total of not less than 2,500 boys and girls Clubs of America facilities in operation not later than December 31, 1999.”.

(b) ACCELERATED GRANTS.—Section 401 of the Economic Espionage Act of 1996 (42 U.S.C. 13751 note) is amended by striking subsection (c) and inserting the following:

“(c) ESTABLISHMENT.—

“(1) IN GENERAL.—For each of the fiscal years 1997, 1998, 1999, 2000, and 2001, the Director of the Bureau of Justice Assistance of the Department of Justice shall make a grant to the Boys and Girls Clubs of America for the purpose of establishing and extending Boys and Girls Clubs facilities where needed, with particular emphasis placed on establishing clubs in and extending services to public housing projects and distressed areas.

“(2) APPLICATIONS.—The Attorney General shall accept an application for a grant under this subsection if submitted by the Boys and Girls Clubs of America, and approve or deny the grant not later than 90 days after the date on which the application is submitted, if the application—

“(A) includes a long-term strategy to establish 1,000 additional Boys and Girls Clubs and detailed summary of those areas in which new facilities will be established, or in which existing facilities will be expanded to serve additional youths, during the next fiscal year;

“(B) includes a plan to ensure that there are a total of not less than 2,500 Boys and Girls Clubs of America facilities in operation before January 1, 2000;

“(C) certifies that there will be appropriate coordination with those communities where clubs will be located; and

“(D) explains the manner in which new facilities will operate without additional, direct Federal financial assistance to the Boys and Girls Clubs once assistance under this subsection is discontinued.”.

(c) ROSE MODEL GRANTS.—Section 401 of the Economic Espionage Act of 1996 (42 U.S.C. 13751 note) is amended by adding at the end the following:

“(f) ROLE MODEL GRANTS.—Of amounts made available under subsection (e) for any fiscal year—

“(1) not more than 5 percent may be used to provide a grant to the Boys and Girls Clubs of America for administrative, travel, and other costs associated with a national role-model speaking tour program; and

“(2) no amount may be used to compensate speakers other than to reimburse speakers for reasonable travel and accommodation costs associated with the program described in paragraph (1).”.

Mr. HATCH. I move to reconsider the vote.

Mr. BIDEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mr. HATCH. Mr. President, I ask unanimous consent that there now be period for the transaction of morning business with Senators permitted to speak up to 10 minutes each, except for the Senator from Pennsylvania, Senator SANTORUM.

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

ETHANOL TAX POLICY; PRESENT AND FUTURE

Mr. DASCHLE. Mr. President, I want to take this opportunity to clarify a statement I made last week with respect to the upcoming battle to protect and extend the ethanol tax incentives.

I want to make clear that I do not think there is any room to compromise on the existing tax incentives prior to the year 2000. Many ethanol plants have made investments based on the expectation that those incentives will be available in their current form until 2000. Congress should not change those incentives or jeopardize in any way those existing plant investments.

Having said that, I appreciate that some will argue that the ethanol incentives should be allowed to expire in 2000. My response to them is that the Nation will continue to benefit in some very significant ways in the 21st century from new entrants into the industry and expanded use of clean burning ethanol and its ether. By encouraging billions of dollars of investment in commercial scale plants, the tax credits have promoted major technology advances and many more improvements are on the brink of commercialization. These benefits justify some level of continuing support. On the other hand, to my fellow industry supporters, I suggest that we need to recognize that the tax incentives are nearly 20 years old and should be reviewed for possible constructive changes.

In extending the incentives beyond 2000, we should be willing to take a critical look at the incentives to determine if they should be modified to better achieve the objectives of the ethanol industry and the country. During this debate, my first priority will be to ensure the continued growth and development of small ethanol plants that have been responsible for diversification of the ethanol industry and rural economic development. Those plants represent the future for economic growth in rural America and will help keep the benefits of value-added agricultural processing in the rural communities from which those products originate.

Ethanol and its ether, ETBE, have never played as large a role as I believe they can and should play in cleaning up America's air or reducing its dependence on foreign energy through the reformulated gasoline program. We

need to explore how the tax incentives can be restructured to make ETBE more price-competitive with MTBE, so that ethanol can play a greater role in the reformulated gasoline market.

Finally, Congress should be willing to provide sufficient encouragement to the rest of the ethanol industry to allow it to continue converting corn and other grains into high grade liquid fuel and proteins, generating much needed rural employment and investment, and improving air quality. This can be done while still limiting our tax expenditures and contributing to a balanced Federal budget.

Since its inception in the late 1970's, the domestic ethanol industry has helped reduce our dependence on foreign oil, create rural jobs and greater farm income, and provide consumers with a choice of oxygenated fuels. That is a track record that makes sense for America, and that should neither be discounted nor abandoned. It is my hope that in the near future a constructive dialog can begin in Congress on how to extend the tax incentives in a fiscally prudent and economically effective manner beyond the year 2000. I am committed to that goal.

DISTRICT COURT BACKLOG AND JUDICIAL VACANCIES

Mr. LEAHY. Mr. President, for the past several months I have spoken about the crisis being created by the almost 100 vacancies that are being perpetuated on the Federal courts around the country and the failure of the Senate to carry out its constitutional responsibilities to advise and consent to judicial confirmations.

Today, the Washington Post, in an excellent article written by Sue Anne Pressley, focused on the consequences of this judicial crisis in one district court in Texas, the southern district of Texas. The article reports on the growing drug and immigration cases that are inundating this district court and the lack of Federal judges needed to administer justice in these cases.

This district has two vacancies, one open since December 1, 1990, and the President has nominated Hilda Tagle to fill this judicial emergency vacancy. Ms. Tagle's nomination was first received by the Senate Judiciary Committee on August 10, 1995, but she has yet to have a hearing before the committee.

This district in Texas is only one example of crisis that affects the entire country. We could find similar backlog problems in district courts in California, Florida, and other States that are swamped with rising cases and unfilled judicial vacancies. Yesterday, I met with members of the Federal Judges Association who are very concerned about the growing backlogs and rising caseloads in Federal courts across the Nation.

I want to commend Senators BOXER, SARBANES, and KENNEDY for joining me yesterday on the Senate floor to speak

out against the Senate's current stall on confirming Federal judges. I also want to commend Senator KOHL for his similar remarks today.

Mr. President, confirming Federal judges should not be a partisan issue. The administration of justice is not a political issue. Working together, the Senate should do our constitutionally mandated job and proceed to confirm the judges we need for the Federal system.

I ask unanimous consent that today's Washington Post article titled "Cases Pile Up As Judgeships Remain Vacant" be printed in the RECORD immediately after my remarks.

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

[From the Washington Post, May 15, 1997]

CASES PILE UP AS JUDGESHIPS REMAIN VACANT

(By Sue Anne Pressley)

LAREDO, Tex.—The drug and illegal immigrant cases keep coming. No sooner does Chief U.S. District Judge George Kazen clear one case than a stack of new cases piles up. He takes work home at night, on weekends.

"It's like a tidal wave," Kazen said recently. "As soon as I finish 25 cases per month, the next 25 are on top of me and then you've got the sentence reports you did 2 months before. There is no stop, no break at all, year in and year out, here they come."

"We've already got more than we can say grace over down here," he said.

This is what happens to a federal judge on the southern border of the United States when Washington cracks down on illegal immigration and drug smuggling. It is a situation much aggravated by the fact that the Senate in Washington has left another federal judgeship in this district vacant for 2 years, one of 72 vacancies on federal district courts around the country.

As Border Patrol officers and other federal agents swarm, this southernmost region of Texas along the Mexican border in ever-increasing numbers, Judge Kazen's docket has grown and grown. He has suggested, so far unsuccessfully, that a judgeship in Houston be re-assigned to the Rio Grande Valley to help cope.

In Washington, where the laws and policies were adopted that has made Kazen's life so difficult, the Senate has made confirmation of federal judges a tedious process, often fraught with partisan politics. In addition to the 72 federal district court vacancies (the trial level), there are 25 circuit court vacancies (the appellate level) and two vacant international trade court judgeships across the country, leaving unfilled 99 positions, or 11 percent of the federal judiciary. Twenty-six nominations from President Clinton are pending, according to Jeanne Lopatto, spokeswoman for the Senate Judiciary Committee, which considers nominations for recommendation to the full Senate for confirmation.

ON TEXAS BORDER, CASES WON'T WAIT FOR WRANGLING ON JUDICIAL VACANCIES

Of those 99 vacancies, 24 qualify as judicial emergencies, meaning the positions have been vacant more than 18 months, according to David Sellers of the administrative Office of the U.S. Courts. Two of the emergencies exist in Texas, including the one in Kazen's southern district.

Lopatto said the thorough investigation of each nominee is a time-consuming process. But political observers say Republicans, who run the Senate, are in no hurry to approve

candidates submitted by a Democratic president. The pinch is particularly painful here in border towns. The nominee for Brownsville, in Kazen's district, has been awaiting approval since 1995. Here in Laredo, Kazen's criminal docket has increased more than 20 percent over last year.

"We have a docket," he said, "that can be tripled probably at the drop of a hat. . . . The Border Patrol people, the Customs people at the [international] bridges will tell you, they don't catch a tenth of who is going through. The more checkpoints you man, the more troops you have at the bridges, will necessarily mean more stops and more busts."

And many more arrests are expected, the result of an unprecedented focus on policing the U.S.-Mexican border. Earlier this year, Clinton unveiled a \$367 million program for the Southwest for fiscal 1998, beginning Oct. 1, that includes hiring 500 new Border Patrol agents, 277 inspectors for the Immigration and Naturalization Service, 96 Drug Enforcement Administration agents and 70 FBI agents.

In Kazen's territory, the number of Border Patrol agents already has swollen dramatically, from 347 officers assigned to the Laredo area in fiscal 1993 to 411 officers in fiscal 1996. More tellingly, in 1993, agents in the Laredo sector arrested more than 82,000 people on cocaine, marijuana and illegal immigration charges. By 1996, arrests had soared to nearly 132,000, according to data supplied by the INS.

All of which is keeping Kazen and the other judges here hopping. "I don't know what the answer is," said U.S. District Judge John Rainey, who has been acting as "a circuit rider" as he tries to help Kazen out in Laredo from his post in Victoria, Tex. "I certainly don't see it easing up anytime soon. There still seems to be such a demand for drugs in this country, and that's what causes people to bring them in. Until society changes, we won't see any changes down here."

In a letter to Rep. Henry B. Gonzalez (D-Tex.) in February, Kazen outlined the need for a new judge in the Laredo or McAllen division, rather than in Houston, where a vacancy was recently created when then-Chief Judge Norman Black assumed senior status. "The 'border' divisions of our court—Brownsville, McAllen and Laredo—have long borne the burden of one of the heaviest criminal dockets in the country, and the processing of criminal cases involves special pressures, including those generated by the Speedy Trial Act," he wrote.

On a recent typical day, Kazen said, he sentenced six people on drug charges and listened to an immigration case. His cases tend to involve marijuana more often than cocaine, he said.

"The border is a transshipment area," he said. "The fact is, a huge amount of contraband somehow crosses the Texas-Mexican border, people walking through where the river is low, and there are hundreds and hundreds of miles of unpatrolled ranchland."

"In some cases," Kazen continued, "we're seeing a difference in the kind of defendant. We're almost never seeing the big shots—we're seeing the soldiers. Once in a while, we'll see a little bigger fish, but we're dealing with very, very smart people. We see some mom-and-pop stuff, too. There was a guy who came before me who had been in the Army umpteen years, and he needed the money, he was going bankrupt, so he did this 600-pound marijuana deal. He said he stood to pick up \$50,000, and now he's facing five to 40 years."

"We see kids 18 and 19 years old," Kazen said. "We see pregnant women. We see disabled people in wheelchairs. This is very, very tempting stuff."