

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 308. A bill to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges (Rept. No. 105-64).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 542. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel FAR HORIZONS (Rept. No. 105-65).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 662. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel VORTICE (Rept. No. 105-66).

S. 880. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel DUSKEN IV (Rept. No. 105-67).

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

S. 931. A bill to designate the Marjory Stoneman Douglas Wilderness and the Ernest F. Coe Visitor Center (Rept. No. 105-68).

S. 965. A bill to amend title II of the Hydrogen Future Act of 1996 to extend an authorization contained therein, and for other purposes (Rept. No. 105-69).

H.R. 63. A bill to designate the reservoir created by Trinity Dam in the Central Valley project, California, as "Trinity Lake" (Rept. No. 105-70).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany the bill (S. 871) to establish the Oklahoma City National Memorial as a unit of the National Park System, to designate the Oklahoma City Memorial Trust, and for other purposes (Rept. 105-71).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations: Treaty Doc. 105-3 U.S.-Hong Kong Extradition Treaty (Executive Rept. 105-2).

TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF RATIFICATION

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Agreement Between the Government of the United States of America and the Government of Hong Kong for the Surrender of Fugitive Offenders signed at Hong Kong on December 20, 1996 (Treaty Doc. 105-3), subject to the understandings of subsection (a), the declarations of subsection (b), and the proviso of subsection (c).

(a) UNDERSTANDINGS.—The Senate's advice and consent is subject to the following two understandings, which shall be included in the instrument of ratification, and shall be binding on the President:

(1) THIRD PARTY TRANSFERS.—The United States understands that Article 16(2) permits the transfer of persons surrendered to Hong Kong under this Agreement beyond the jurisdiction of Hong Kong when the United States

so consents, but that the United States will not apply Article 16(2) of the Agreement to permit the transfer of persons surrendered to the Government of Hong Kong to any other jurisdiction in the People's Republic of China, unless the person being surrendered consents to the transfer.

(2) HONG KONG COURTS' POWER OF FINAL ADJUDICATION.—The United States understands that Hong Kong's courts have the power of final adjudication over all matters within Hong Kong's autonomy as guaranteed in the 1984 Sino-British Joint Declaration on the Question of Hong Kong, signed on December 19, 1984, and ratified on May 27, 1985. The United States expects that any exceptions to the jurisdiction of the Hong Kong courts for acts of state shall be construed narrowly. The United States understands that the exemption for acts of state does not diminish the responsibilities of the Hong Kong authorities with respect to extradition or the rights of an individual to a fair trial in Hong Kong courts. Any attempt by the Government of Hong Kong or the Government of the People's Republic of China to curtail the jurisdiction and power of final adjudication of the Hong Kong courts may be considered grounds for withdrawal from the Agreement.

(b) DECLARATIONS.—The Senate's advice and consent is subject to the following two declarations, which shall be binding on the President:

(1) REPORT ON THE HONG KONG JUDICIAL SYSTEM.—One year after entry into force, the Secretary of State, in coordination with the Attorney General shall prepare and submit a report to the Committee on Foreign Relations that addresses the following issues during the period after entry into force of the Agreement:

(i) an assessment of the independence of the Hong Kong judicial system from the Government of the People's Republic of China, including a summary of any instances in which the Government of the People's Republic of China has infringed upon the independence of the Hong Kong judiciary;

(ii) an assessment of the due process accorded all persons under the jurisdiction of the Government of Hong Kong;

(iii) an assessment of the due process accorded persons extradited to Hong Kong by the United States;

(iv) an accounting of the citizenship and number of persons extradited to Hong Kong from the United States, and the citizenship and number of persons extradited to the United States from Hong Kong;

(v) an accounting of the destination of third party transfer of persons who were originally extradited from the United States, and the citizenship of those persons;

(vi) a summary of the types of crimes for which persons have been extradited between the United States and Hong Kong;

(2) TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification with respect to the INF Treaty.

(c) PROVISIO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

(1) SUPREMACY OF THE CONSTITUTION.—Nothing in the Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second time by unanimous consent, and referred as indicated:

By Mr. D'AMATO:

S. 1140. A bill to prohibit reactivation of the High Flux Beam Reactor at Brookhaven National Laboratory; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON (for himself, Mr. CRAIG, Mr. WELLSTONE, and Mr. GRASSLEY):

S. 1141. A bill to amend the Energy Policy Act of 1992 to take into account newly developed renewable energy-based fuels and to equalize alternative fuel vehicle acquisition incentives to increase the flexibility of controlled fleet owners and operators, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. DEWINE, and Mr. WELLSTONE):

S. Res. 117. A resolution congratulating the Federal Mediation and Conciliation Service on the occasion of its fiftieth anniversary and commending the many men and women of the Federal Mediation and Conciliation Service who have served the Nation's labor-management community and the American people; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. D'AMATO:

S. 1140. A bill to prohibit reactivation of the High Flux Beam Reactor at Brookhaven National Laboratory; to the Committee on Energy and National Resources.

THE LONG ISLAND DRINKING WATER PROTECTION ACT

Mr. D'AMATO. Mr. President, I ask unanimous consent that the bill, S. 1140, regarding Long Island drinking water protection be printed in the RECORD.

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

S. 1140

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 Long Island Drinking Water Protection Act.

SECTION 2. PROHIBITION OF REACTIVATION OF THE HIGH FLUX BEAM REACTOR.

The Secretary of Energy shall ensure that the High Flux Beam Reactor at Brookhaven National Laboratory is not reactivated.

By Mr. JOHNSON (for himself, Mr. CRAIG, Mr. WELLSTONE, and Mr. GRASSLEY):

S. 1141. A bill to amend the Energy Policy Act of 1992 to take into account newly developed renewable energy-based fuels and to equalize alternative fuel vehicle acquisition incentives to increase the flexibility of controlled fleet owners and operators, and for other purposes; to the Committee on Energy and Natural Resources.

THE BIODIESEL ENERGY DEVELOPMENT ACT OF 1997

Mr. CRAIG. Mr. President, today I am pleased to introduce, along with Senators JOHNSON, WELLSTONE, and GRASSLEY, the Biodiesel Energy Development Act of 1997. This legislation is an important step in helping achieve a very important goal of this Nation—that of shifting the focus of national energy demand away from imported oil toward renewable or domestically produced energy sources, as stated in the Energy Policy Act of 1992, also known as EPACT.

To reach its goal, which is to replace 10 percent of petroleum by the year 2000 and 30 percent by the year 2010 with alternative fuels, EPACT requires Federal and State government fleets, and a limited number of private fleets, to purchase alternative-fueled vehicles [AFV's].

Dedicated AFV's are vehicles that can only run on alternative fuels. Natural gas vehicles and electric vehicles are two of the most common AFV's. Flexible fueled vehicles [FFV's] are those vehicles which can run on alternative fuels, such as methanol and ethanol, petroleum fuels, or a combination of the two.

Current EPACT mandates, incentives, and grants exclude biodiesel fuel blends from being designated as an alternative fuel or from it being an option for controlled fleet owners and operators. EPACT offers little incentive for the use of heavier duty FFV's where biodiesel would be most appropriate, as fleets may obtain credit for heavier duty FFV's only after they have fulfilled their light duty AFV purchase requirements. In addition, EPACT does not allow the conversion and warranty of existing vehicles to FFV standards when they are overhauled or rebuilt. Mr. President, the exclusion of biodiesel as an alternative fuel only impedes the ability of the fleets to meet EPACT mandates.

Let me spell out some of the benefits that biodiesel provides. Biodiesel is a cleaner burning fuel that is made from natural, renewable sources such as vegetable oils, and is domestically produced. From these facts alone it is evident that the use of biodiesel can reduce the United States' dependence upon imported oil.

Biodiesel also helps achieve a stated goal of this administration, which is to protect the environment by reducing emissions that may damage the ozone layer and contribute to the greenhouse effect. Biodiesel does just that. When used in a 20-percent blend with petroleum diesel, biodiesel results in a significant reduction in visible smoke and odor and reduces particulate matter by as much as 14 percent. When used in combination with an oxidation catalyst, biodiesel reduces particulate matter by 45 percent, carbon monoxide emissions by 41 percent, and total hydrocarbons by 65 percent.

Mr. President, biodiesel does all of this without forcing expensive engine

modifications, reducing the payload capacity of vehicles, or reducing the range of vehicles. Biodiesel performs similarly to petroleum diesel in terms of torque, horsepower, and miles per gallon. In short, biodiesel performs just as well as petroleum diesel, and yet provides users with all of the benefits of alternative fuels.

In addition, once the biodiesel market takes off, it is estimated that it could add more than \$11 billion to the States that grow oilseed crops. Biodiesel is also biodegradable and nontoxic, resulting in little to no environmental threat.

The Biodiesel Energy Development Act would solve many of the problems in EPACT, and help fleets reach EPACT's goals. This legislation would designate a biodiesel-petroleum diesel blend as an alternative fuel; equalize incentives between AFV's and alternative fuels; equalize incentives between different types of AFV's; increase the flexibility of EPACT fleet owners and operators in meeting existing mandated AFV purchase requirements; and provide an incentive-based solution regarding flexible-fuel use in AFV's.

Mr. President, it is time we enabled the fleets that are mandated by EPACT to purchase AFV's with the option of using biodiesel fuel. I urge my colleagues to support this important legislation.

ADDITIONAL COSPONSORS

S. 67

At the request of Ms. SNOWE, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 67, a bill to amend the Public Health Service Act to extend the program of research on breast cancer.

S. 89

At the request of Ms. SNOWE, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 89, a bill to prohibit discrimination against individuals and their family members on the basis of genetic information, or a request for genetic services.

S. 230

At the request of Mr. THURMOND, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from Arizona [Mr. KYL] were added as cosponsors of S. 230, a bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

S. 456

At the request of Ms. MOSELEY-BRAUN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 456, a bill to establish a partnership to rebuild and modernize America's school facilities.

S. 492

At the request of Mr. SARBANES, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 492, a bill to amend certain provisions

of title 5, United States Code, in order to ensure equality between Federal firefighters and other employees in the civil service and other public sector firefighters, and for other purposes.

S. 524

At the request of Mr. DASCHLE, the name of the Senator from New Jersey [Mr. TORRICELLI] was added as a cosponsor of S. 524, a bill to amend title XVIII of the Social Security Act to remove the requirement of an X-ray as a condition of coverage of chiropractic services under the medicare program.

S. 766

At the request of Ms. SNOWE, the names of the Senator from Minnesota [Mr. WELLSTONE] and the Senator from Nebraska [Mr. KERREY] were added as cosponsors of S. 766, a bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans.

S. 778

At the request of Mr. LUGAR, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 778, a bill to authorize a new trade and investment policy for sub-Saharan African.

S. 781

At the request of Mr. HATCH, the name of the Senator from Oregon [Mr. SMITH] was added as a cosponsor of S. 781, a bill to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment.

S. 1024

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1024, a bill to make chapter 12 of title 11 of the United States Code permanent, and for other purposes.

S. 1062

At the request of Mr. D'AMATO, the names of the Senator from Wyoming [Mr. THOMAS], the Senator from New Jersey [Mr. TORRICELLI], the Senator from Hawaii [Mr. INOUE], the Senator from Nevada [Mr. BRYAN], the Senator from Iowa [Mr. HARKIN], the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from Michigan [Mr. ABRAHAM], the Senator from Massachusetts [Mr. KENNEDY], the Senator from South Dakota [Mr. DASCHLE], the Senator from Massachusetts [Mr. KERRY], the Senator from Minnesota [Mr. WELLSTONE], the Senator from Kentucky [Mr. FORD], the Senator from Texas [Mrs. HUTCHISON], the Senator from Arkansas [Mr. BUMPERS], the Senator from California [Mrs. BOXER], the Senator from Florida [Mr. GRAHAM], the Senator from Montana [Mr. BAUCUS], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Maine [Ms. SNOWE], the Senator from Pennsylvania [Mr. SANTORUM], and the Senator from Louisiana [Mr. BREAU] were added as cosponsors of S. 1062, a bill to authorize the President to award a gold