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No. 116

## Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, to know You is to love You; to love You is to serve You; and to serve You is life's ultimate joy. Thank You for the privilege of serving You while serving our Nation. May Your joy be expressed in all that we say and do. Replace our grimness with Your grace; our stress with Your strength; our fears with Your love. Instead of carrying our burdens, Lord, may we allow You to carry us. May we think Your thoughts for what is best for our Nation and carry out Your will in all our decisions.

Bless the Senators today. May they be open to receive Your power and to listen both to You and to each other. Make them party to Your Spirit rather than to a party spirit. Unite them in commitment to You and patriotism for our Nation.

This is going to be a great day because we will experience Your greatness; We will be strong in Your strength; We will be hopeful thinkers because of our hope in You. This is the day that You have made; We will rejoice and be glad in You! Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. CRAPO). The acting majority leader is recognized.

### SCHEDULE

Mr. GRASSLEY. Mr. President, the Senate is about to begin a series of three stacked votes. The first vote is on a cloture motion to proceed to the Transportation appropriations bill, followed by a vote on or in relation to the Bond amendment No. 1621, and the third vote on or in relation to the Robb amendment No. 1583.

Following these votes, the Senate will resume consideration of the pending Hutchison amendment regarding oil royalties. Further amendments and votes are expected throughout the day, with the anticipation of completing action on this bill.

As previously announced, there will be no votes on Friday in observance of the Rosh Hashanah holiday.

I thank my colleagues for their attention.

### MEASURE PLACED ON CALENDAR—S.J. RES. 33

Mr. GRASSLEY. I understand there is a resolution at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 33) deplored the actions of President Clinton regarding granting clemency to FALN terrorists.

Mr. GRASSLEY. Mr. President, I object to further proceedings on this resolution.

The PRESIDING OFFICER. The bill goes to the calendar.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

### DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

#### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to the Transportation appropriations bill:

Trent Lott, Pete V. Domenici, Paul Coverdell, Thad Cochran, Pat Roberts, Jesse Helms, Judd Gregg, George Voinovich, Ted Stevens, Slade Gorton, William V. Roth, Jr., Bob Smith of New Hampshire, Craig Thomas, Michael Crapo, James Inhofe, and Frank Murkowski.

#### VOTE

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived. The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2084, the Transportation appropriations bill, shall be brought to a close? The yeas and nays are required under the rule. The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. McCAIN) and the Senator from Alaska (Mr. MURKOWSKI), are necessarily absent.

The yeas and nays resulted—yeas 49, nays 49, as follows:

[Rollcall Vote No. 264 Leg.]

#### YEAS—49

Abraham	Coverdell	Gregg
Allard	Craig	Hagel
Ashcroft	DeWine	Hatch
Bennett	Domenici	Helms
Bond	Enzi	Hutchinson
Brownback	Fitzgerald	Hutchison
Bunning	Frist	Inhofe
Burns	Gorton	Jeffords
Campbell	Gramm	Kyl
Cochran	Grams	Lott
Collins	Grassley	Lugar

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Mack	Sessions	Stevens
McConnell	Shelby	Thomas
Nickles	Smith (NH)	Thompson
Roberts	Smith (OR)	Thurmond
Roth	Snowe	
Santorum	Specter	

NAYS—49

Akaka	Edwards	Lincoln
Baucus	Feingold	Mikulski
Bayh	Feinstein	Moynihan
Biden	Graham	Murray
Bingaman	Harkin	Reed
Boxer	Hollings	Reid
Breaux	Inouye	Robb
Bryan	Johnson	Rockefeller
Byrd	Kennedy	Sarbanes
Chafee	Kerrey	Schumer
Cleland	Kerry	Torricelli
Conrad	Kohl	Voinovich
Crapo	Landrieu	Warner
Daschle	Lautenberg	Wellstone
Dodd	Leahy	Wyden
Dorgan	Levin	
Durbin	Lieberman	

NOT VOTING—2

McCain Murkowski

The PRESIDING OFFICER (Mr. FRIST). On this vote, the yeas are 49 and nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

**DEPARTMENT OF THE INTERIOR  
AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Resumed**

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2466, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

Pending:

Gorton amendment No. 1359, of a technical nature.

Bond (for Lott) amendment No. 1621, to provide funds to assess the potential hydrologic and biological impact of lead and zinc mining in the Mark Twain National Forest of Southern Missouri.

Hutchison amendment No. 1603, to prohibit the use of funds for the purpose of issuing a notice of rulemaking with respect to the valuation of crude oil for royalty purposes until September 30, 2000.

Robb amendment No. 1583, to strike section 329, provisions that would overturn recent decisions handed down by the 11th circuit corporation and federal district court in Washington State dealing with national forests.

AMENDMENT NO. 1621

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on or in relation to amendment No. 1621.

The Senator from Missouri.

Mr. BOND. Mr. President, this amendment requires a study of mining in the Mark Twain Forest to address the scientific gaps identified specifically by the Director of the U.S. Geological Survey on behalf of the Forest Service, EPA, and others. While the information is collected, it delays any prospecting or withdrawal decisions for the fiscal year.

It does not permit mining, prospecting or weaken environmental

standards. It preserves the long-term requirements of a full NEPA process, which will ultimately dictate whether additional mining will occur.

The opponents seem to have an argument not with me but with the administration scientists who have concluded that there is insufficient information. The bipartisan county commissioners of the eight counties in the area are unanimous and adamant in their support. I met with the representatives of the 1,800 miners whose continued livelihood in this poor area depends on the opportunity to continue to mine. They want a hearing held in Mark Twain country.

I ask unanimous consent that the two additional letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,  
FOREST SERVICE, MARK TWAIN NA-  
TIONAL FOREST,

*Rolla, MO, July 27, 1999.*

Hon. CHRISTOPHER BOND,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR BOND: Thank you for the opportunity to respond to the situation concerning the collection of data to assess the potential impacts of lead mining on the Doniphan and Eleven Point Ranger Districts of the Mark Twain National Forest. These two districts were acquired in the Fristoe Purchase Unit in the 1930's, so there is some documentation that refers to the area as the Fristoe Unit. A Multi-agency Technical Team was established in 1988 to identify and collect the information necessary to evaluate the impacts of mining upon this area of the Forest. The Forest Service has chaired this Team since it began and since 1989 the Forest staff officer for Technical Services, Bob Willis, has been Chair. The original charter for the Team is enclosed.

A great deal of information has been collected, but there is much that remains to be gathered if a decision for mineral production is ever proposed. At this time, there are no proposals for exploration or leasing in this area of the Forest. The information that has been gathered is all that is identified in Phase I of the plan and is a portion of the information that may be required. The remaining information identified will be collected only if a proposal to mine is made. A proposal to withdraw the area from mineral entry would require collection of similar information.

Members of the Multi-agency Technical Team as well as a summary of the information the Team has collected is enclosed.

We anticipate the Technical Team will identify additional site specific information if a proposal to mine or a proposal to withdraw the area from mineral entry is made. This information will only be a portion of the information necessary to make a National Environmental Policy Act decision, and a multi-disciplinary team will take the Technical Team data as well as cultural, economic, social, biological, and additional ecological information to analyze the impacts of mining. Funding for the Technical Team information collection has been limited, and only a small portion of the data identified as needed for a mining decision has been collected. The remaining information will be extremely expensive to collect and has been waiting on a proposal to mine to initiate collection. The technical data needed to analyze the impacts of mineral de-

velopment in this portion of the Forest is complex and the technical Team has done a good job identifying the technical data needs of the decision and collecting the first place of information. Additional effort by the Team will be needed on any mineral entry or withdrawal proposal.

Thank you for your interest regarding this issue and the Mark Twain National Forest. If you have additional questions, please contact me.

Sincerely,

RANDY MOORE,  
Forest Supervisor.

MULTI-AGENCY TECHNICAL TEAM MEMBERS  
USDA Forest Service—Mark Twain Na-  
tional Forest.

Bureau of Land Management.  
National Park Service—Ozark National  
Scenic Riverways.

Environmental Protection Agency.  
U.S. Geological Survey—Water Resources  
Division.  
U.S. Geological Survey—Geologic Division.  
U.S. Geological Survey—Mineral Resource  
Program.

U.S. Geological Survey—Mapping Division.  
Missouri Department of Natural Re-  
sources.  
Missouri Department of Conservation.  
U.S. Geological Survey—Columbia Envi-  
ronmental Research Center.

Ozark Underground Laboratory.  
Doe Run Company.  
Cominco.  
University of Missouri—Rolla.  
U.S. Fish and Wildlife Service.

U.S. DEPARTMENT OF THE INTERIOR,  
U.S. GEOLOGICAL SURVEY,  
Reston, VA, July 30, 1999.

Hon. CHRISTOPHER S. BOND,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR BOND: This is in response to your letter of July 20, 1999, to Mr. Jim Barks, related to mining in the Mark Twain National Forest (MTNF) area. In your letter, you ask that we provide a brief and clear assessment as to the quality of information that was compiled by the interagency technical team charged with building a "relevant database to assess mining impacts and base future decisions." You ask that we, "specifically address the question as to the adequacy and relevance of information currently available to provide a solid scientific foundation for any decision to justify either withdrawal or mining in the region."

In 1988, an interagency technical team was assembled to guide the identification, collection, and dissemination of scientific information needed to assess the potential environmental impact of lead mining in the MTNF area. Since 1989, the team has been chaired by Bob Willis of the Forest Service. The U.S. Geological Survey (USGS) has actively participated on the team from the beginning, with Mr. James H. Barks, USGS Missouri State Representative, serving as our representative.

The technical team believes that there is insufficient scientific information available to determine the potential environmental impact of lead mining in the MTNF area. This is a consensus opinion that the technical team has held from the beginning through the present. Due to the lack of scientific information available to assess the potential impacts of lead mining, the technical team proposed that a comprehensive study be conducted.

In January 1998 at the request of the technical team, the USGS prepared a proposal for a multi-component scientific study to address the primary questions about the potential environmental impacts of lead mining in