

"Senator GORTON'S proposal to use the National Fish and Wildlife Foundation to direct funding to the local level is very innovative and will ensure that the funds are used where they most help fish, on the ground," said one Mid Sound Fisheries Enhancement Group board member.

Alison Studley writes, "As a member of the Skagit Fisheries Enhancement Group (Skagit FEG), I whole-heartedly support your endeavor to get salmon dollars to support on-the-ground projects. Local organizations are ready, willing and able to take on this challenge."

In sum: I believe that Washingtonians and local salmon restoration organizations—not bureaucracies in Washington, D.C.—are in the best position to make decisions that will return salmon. That's why my 1999 Interior Bill includes money for these local groups—who have been working on this problem for years—so they can decide how to restore the fisheries. It's time for the federal government to let those who will be affected by the decisions make these decisions. Salmon are a critical part of the Northwest way of life, so let Northwesterners decide how to fix this problem without being told how to do it from Washington, D.C.

#### MORNING BUSINESS

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

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

#### VERMONT ELECTRIC RATES

Mr. JEFFORDS. Mr. President, today, plaintiffs from my home State of Vermont made opening arguments in the U.S. Court of Appeals for the District of Columbia. The plaintiffs, representing the New England Council for Energy Efficiency and the Environment, have raised serious questions about the Federal Energy Regulatory Commission's decision in 1997 to grant power marketer status to a subsidiary of the Canadian company Hydro-Quebec.

The Council is protesting that Hydro-Quebec was unlawfully granted the ability to buy and sell power in the U.S. without regulatory oversight. According to expert testimony in that case, Hydro-Quebec already exercises too much control over Northeastern energy markets, and Vermont ratepayers will have to pay higher energy bills if this license is upheld.

Hydro-Quebec's ability and willingness to exert undue influence on electricity markets in the United States is of serious concern. The company's request last month that the Canadian government sue the United States over fair trade practices is a clear infringement of the legitimate rights of Vermonters to set Vermont electric

rates. The Vermont Public Service Board sets rates equally for all companies, be they foreign or domestic, yet Hydro-Quebec is using its status as a semi-governmental foreign company in an attempt to control these rates.

It is deeply ironic that Hydro-Quebec, a monopoly protected by Quebec law against all retail and virtually all wholesale competition in Quebec, should utilize principles of "fair trade" to lodge a complaint against the United States under NAFTA. Entrepreneurs in New England and New York who want to compete in Quebec are prohibited from doing so, thus precluding meaningful international competition in energy. Yet Hydro-Quebec is able to freely sell its energy in the U.S.

I call upon Hydro-Quebec to come out from behind its monopolistic shield and act like a true competitive utility. Drop your NAFTA lawsuit. End your efforts to undermine Vermont law. Stop using international law to threaten Vermont ratepayers. We want to do business with Hydro-Quebec, but we cannot do so while it tries to exert undue influence in Vermont and New England markets. In Vermont, the Public Service Board sets electric rates, not foreign companies. We will never, ever let a foreign entity write our rules on power sales.

I further call upon the Federal Energy Regulatory Commission to thoroughly examine all means by which a foreign utility may exert influence in the United States. Foreign companies should not be given carte blanche to sell energy in the U.S. until all impacts of that decision are considered—not only market share, but also environmental impacts and means outside of the market by which a foreign company may exert influence. Hydro-Quebec is taking advantage of its enormous size and semi-governmental status to gouge ratepayers in Vermont. This issue is of enormous importance to the people of Vermont, and I hope the Commission will thoroughly examine all of these issues.

Mr. President, I will do all in my power to protect Vermont electric ratepayers from unnecessary manipulation and threats. I am carefully reviewing the law related to wholesale and retail power sales and will be sure to work for a revision of this law if we see that a region of this nation, or a particular state, is being treated unfairly.

#### EAST TIMOR

Ms. MIKULSKI. Mr. President, I am horrified by the atrocities occurring in East Timor—where an armed militia is using murder and intimidation to nullify the results of a free and fair referendum. The United States must join the international community in protecting the people of East Timor from mass murder and religious persecution.

During this century, we have seen horrifying examples of dictators and despots whose brutality begins with at-

tacks on the peaceful men and women of the church. This is happening again in East Timor—where members of the Church are being brutally persecuted.

The stories coming out of East Timor are heart-wrenching.

Women and children are massacred within the sanctuary of their churches. Catholic priests, nuns and Caritas workers are being murdered as they try to protect their communities. Nobel Laureate Bishop Beli has been forced into exile. Churches, convents and schools are being burned. Thousands of men, women and children are fleeing from their homes in fear. They are taking refuge in the countryside—where there isn't enough food, water or medicine.

This brutality is occurring with the complicity of the Indonesian military. This is a military that has conducted twenty five years of repression in East Timor. It is a military that the United States has trained and armed.

The international community cannot stand by while civilians are brutally murdered. That is why I support President Clinton's statement of support for US participation in an United Nations peacekeeping force. The force would be led by regional powers—including our strong ally Australia. The United States would help to provide logistical support.

This peacekeeping force would have three goals: to protect the people of East Timor; to restore order and to enable the referendum for independence to be implemented.

The United States must stand up for our interests and our values. We must join our allies in protecting the people of East Timor and restoring peace and stability to their country.

#### RISK MANAGEMENT FOR THE 21ST CENTURY

Mr. BURNS. Mr. President I rise today as one of the proud cosponsors of the Risk Management for the 21st Century Act.

This bill offers much-needed changes in the area of risk management for farmers and ranchers. Managing risk in agriculture has become perhaps the most important aspect of the business. Agricultural producers who are able to effectively manage their risk are able to sustain and increase profit. An effective crop insurance program will provide farmers and ranchers possibilities for economic sustainability in the future and help them out of the current financial crisis.

The Federal Government can help facilitate a program to unite the producer and the private insurance company. The control must be put ultimately in the hands of the agricultural producer. Although he cannot control risk, an effective management plan will help him to manage the effects of risks, such as weather, prices and natural disasters.

This bill addresses the inadequacies of the current crop insurance program.

The problems and inconsistencies with the current program make it both unaffordable and confusing to agricultural producers. Costly premiums are the biggest problem. In years of depressed market prices, crop insurance, though badly needed, is simply unaffordable for farmers.

This bill inverts the current subsidy formula, in order to provide the highest levels of subsidies to producers at the highest levels of buy-up coverage, and thus alleviate the unaffordable premiums. It also allows for the revenue policies to be fully subsidized.

Another important provision in this bill is to allow an additional subsidy for risk management activities. If a producer uses futures or options, utilizes cash forwards, attends a risk management class, uses Agricultural Trade Options or FFARM accounts or reduces farm financial risk, they will receive a 5 percent write-down on their premium for taking part in two of the above risk management tools.

This bill also takes into account lack of production histories for beginning farmers or those who have added land or use crop rotation. This will make it possible for those producers to get a foot in the door and receive affordable crop insurance.

Many times, especially in Montana, multi-year disasters occur. This bill helps producers that take a blow several years in a row, which reduces their Annual Production History (APH). If a producer has suffered a natural disaster during at least 3 of the preceding 5 years and their APH was reduced by at least 25 percent they may exclude one year of APH for every five years experience. During this time, the producer's APH may increase without limit back up to the level before the multi-year disaster began.

Specialty crops such as canola or dry beans, are another important addition to this bill. The Risk Management Agency (RMA) will allocate at least 50 percent of their Research and Development funds to specialty crop development. Additionally, RMA is authorized to spend up to \$20 million each fiscal year to create partnerships for developing and implementing specialty crop risk management options.

This bill will also ultimately put more control in the hands of active producers by including four active producers; as well as one in crop insurance, and one in reinsurance. The board would also include the Under Secretary for Farm and Foreign Agricultural Services, the Under Secretary for Rural Development and the Chief Economist of USDA. In addition, it mandates that the Board Chairperson be one of the non-governmental members. These are important steps to ensure that the new program is run for the producers by the producers.

This bill is an important tool to reform the current crop insurance program into a risk management program, designed to help the producer in the long-term. It is vital to find a solution

to provide a way for farmers to stay in agriculture. They must be able to continue to produce and distribute the world's safest food supply at a profitable margin.

I look forward to working with Senators ROBERTS and KERREY on this important piece of legislation. I believe this bill will pave the way for massive crop insurance reform and help agricultural producers out of this economic crisis.

#### NOMINATION OF RICHARD PAEZ

Mr. LEAHY. Mr. President, the Hispanic whose actions and fate I would like the Senate to focus on for action is Richard Paez. Richard Paez has never been convicted of a crime and is not associated with the FALN. He is not a petitioner seeking presidential clemency. Rather, he is a judicial nominee who has been awaiting consideration and confirmation by the Senate since January 1996—for over 3½ years.

The vacancy for which Judge Paez was nominated became a judicial emergency during the time his nomination has been pending without action by the Senate. His nomination was first received by the Senate almost 44 months ago.

This nomination has now been held even longer than the unconscionable 41 months this Senate forced Judge William Fletcher to wait before confirming his nomination last October.

Judge Paez has twice been reported favorably by the Senate Judiciary Committee to the Senate for final action. He is again on the Senate calendar. He was initially delayed 25 months before finally being accorded a confirmation hearing in February 1998. After being reported by the Judiciary Committee in March 1998, his nomination was held on the Senate Executive Calendar without action for over 7 months, for the remainder of the last Congress.

Judge Paez was renominated by the President again this year and his nomination was stalled without action before the Judiciary Committee until late July, when we were able to have his nomination reported again. The Senate refused to consider the nomination before the August recess. I have repeatedly urged the Republican leadership to call this nomination up for consideration and a vote. If they make time on the Senate floor for debate and consideration of a Senate resolution commenting on the clemency grant, which is a power the constitution invested in the President without a congressional role, the Senate should find time to consider the nomination of this fine Hispanic judge.

Judge Paez has the strong support of both California Senators and a "well-qualified" rating from the American Bar Association. He has served as a municipal judge for 13 years and as a Federal judge for 4 years.

In my view Judge Paez should be commended for the years he worked to

provide legal services and access to our justice system for those without the financial resources otherwise to retain counsel. His work with the Legal Aid Foundation of Los Angeles, the Western Center on Law and Poverty and California Rural Legal Assistance for nine years should be a source of praise and pride.

Judge Paez has had the strong support of California judges familiar with his work, such as Justice H. Walter Crosky, and support from an impressive array of law enforcement officials, including Gil Garcetti, the Los Angeles District Attorney; the late Sherman Block, then Los Angeles County Sheriff; the Los Angeles County Police Chiefs' Association; and the Association for Los Angeles Deputy Sheriffs.

The Hispanic National Bar Association, the Mexican American Legal Defense and Educational Fund, the League of United Latin American Citizens, the National Association of Latino Elected and Appointed Officials, and many, many others have been seeking a vote on this nomination for what now amounts to years.

I want to commend the Chairman of the Judiciary Committee for his steadfast support of this nominee and Senator BOXER and Senator FEINSTEIN of California for their efforts on his behalf.

Last year the words of the Chief Justice of the United States were ringing in our ears with respect to the delays in Senate consideration of judicial nomination. He had written: "Some current nominees have been waiting a considerable time for a Senate Judiciary Committee vote or a final floor vote. . . . The Senate is surely under no obligation to confirm any particular nominee, but after the necessary time for inquiry it should vote him up or vote him down." Those words resonate with respect to the nomination of Judge Paez.

I trust the American people recognize who is playing politics with the issue of clemency. I disagreed with the President's decision, but it was his to make. He says that he granted clemency with conditions after study and based on a sense of proportion and justice. The calls for clemency in these cases came from Bishop Tutu, Coretta Scott King, other Nobel peace prize winners, a number of churches and religious groups. It has drawn praise in some circles and criticism in others.

I do not agree with the President, but I caution that the overreaching by Republican critics in the Congress on this is worrisome, as well. To contend that this shows a weakness of resolve against international terrorism is both wrong and may itself be creating a dangerous atmosphere.

We ought to be careful when anyone, let alone the Senate and Congress of the United States, start bandying about declarations that accuse the United States Government of making "deplorable concessions to terrorists," "undermining national security" or