in New Mexico, and for other purposes (Rept. No. 106–176).

S. 1377. A bill to amend the Central Utah Project Completion Act regarding the use of funds for water development for the Bonneville Unit, and for other purposes (Rept. No. 106–177).

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. AKAKA (for himself and Mr. INOUYE):

S. 1694. A bill to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii; to the Committee on Energy and Natural Resources.

By Mr. BUNNING:

S. 1695. A bill to amend the Internal Revenue Code of 1986 to provide that beer or wine which may not be sold may be transferred to a distilled spirits plant, and for other purposes; to the Committee on Finance.

By Mr. MOYNIHAN (for himself, Mr. ROTH, and Mr. SCHUMER):

S. 1696. A bill to amend the Convention on Cultural Property Implementation Act to improve the procedures for restricting imports of archaeological and ethnological material; to the Committee on Finance.

By Mr. SMITH of Oregon (by request):

S. 1697. A bill to authorize the Secretary of the Interior to refund certain collections received pursuant to the Reclamation Reform Act of 1982; to the Committee on Energy and Natural Resources.

By Mr. GRAMS:

S. 1698. A bill for the relief of D.W. Jacobson, Ronald Karkala, and Paul Bjorgen of Grand Rapids, Minnesota, and for other purposes; to the Committee on the Judiciary.

By Mr. VOINOVICH:

S. 1699. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN:

S. 1700. A bill to amend the Federal Rules of Criminal Procedure to allow a defendant to make a motion for forensic testing not available at trial regarding actual innocence; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself, Mr. SCHUMER, Mr. THURMOND, Mr. BIDEN, Mrs. FEINSTEIN, Mr. HELMS, and Mr. CLELAND):

S. 1701. A bill to reform civil asset forfeiture, and for other purposes; to the Committee on the Judiciary.

By Mr. MURKOWSKI:

S. 1702. A bill to amend the Alaska Native Claims Settlement Act to allow shareholder common stock to be transferred to adopted Alaska Native children and their descendants, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN:

S. 1703. A bill to establish America's education goals; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself and Mrs. HUTCHISON):

S. 1704. A bill to provide for college affordability and high standards.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. GRAMS:

S. Res. 197. A resolution referring S. 1698 entitled ''A bill for the relief of D.W. Jacobson, Ronald Karkala, and Paul Bjorgen of Grand Rapids, Minnesota'' to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

STATEMENTS OF INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 1694. A bill to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii; to the Committee on Energy and Natural Resources.

Mr. AKAKA. Mr. President, today I introduced S. 1694, the Hawaii Water Resources Reclamation Act of 1999. Senator INOUYE joins me in sponsoring this legislation.

My colleagues, rural Hawaii faces difficult economic times. The past decade has been especially challenging for agriculture in our state. Sugar has declined dramatically, from 180,000 acres of cane in 1989 to 60,000 acres today, and with this decline has come tremendous economic disruption.

120,000 acres may not seem like much to Senators from large states of the continental U.S., but in Hawaii the loss has huge implications. 120,000 acres represents more than 45 percent of our cultivated farm land. Hawaii County, where the greatest impact of these losses is felt, faces double digit unemployment.

As Carol Wilcox, author of the definitive history of irrigation in Hawaii noted in her recent book ''Sugar Water,'' the cultivation of sugarcane dominated Hawaii's agricultural landscape for the last 25 years of the 19th century and for most of this century as well. ''Sugar was the greatest single force at work in Hawaii,'' she wrote, and water was essential to this development.

The face of Hawaii agriculture is changing. During the past decade, 95 sugar farms and plantations closed their doors. Today, many rural communities in Hawaii are struggling to define new roles in an era when sugar is no longer the king of crops. We have entered a period of rebirth. A new foundation for agriculture is being established.

Diversified agriculture has become a bright spot in our economy. Farm receipts from diversified crops rose an average of 5.5 percent annually for the past three years, surpassing the $300 million mark for the first time. Hawaii still grows sugarcane, but diversified farming represents the future of Hawaii agriculture.

The restructuring of agriculture has prompted new and shifting demands for agricultural water and a broad reevaluation of the use of Hawaii's fresh water resources. The outcome of these events will help define the economic future of rural Hawaii.

While the Bureau of Reclamation played a modest role in Hawaii water resource development, sugar plantations and private irrigation companies were responsible for constructing, operating, and maintaining nearly all of Hawaii's agricultural irrigation systems. Over a period of 90 years, beginning in 1856, more than 75 ditches, reservoirs, and groundwater systems were constructed.

Although Hawaii's irrigation systems are called ditches, the use of this term misrepresents their magnitude. Hawaii's largest ditch system, the East Maui Irrigation Company, operates a network of six ditches on the north flank of Haleakala Crater. The broad scope of East Maui irrigation is extensively chronicled in ''Sugar Water'':

> Among the water entities, none compares to EMI. It is the largest privately owned water company in the United States, perhaps in the world. The total delivery capacity is 445 mgd. The average daily water delivery under median weather conditions is 160 mgd . . . Its largest ditch, the Wailoa Canal, has a greater median flow (170 mgd) than any river in Hawaii . . . The [EMI] replacement cost is estimated to be at $200 million.

Most of Hawaii's irrigation systems—ditches as we know them—are in disrepair. Some have been abandoned. Those that no longer irrigate cane lands may not effectively serve the new generation of Hawaii farmers, either because little or no water reaches new farms or because the ditches have not been repaired or maintained. Thus, the wheel has turned full circle: the challenge that confronted six generations of cane farmers, access to water, has become the challenge for a new generation that farms diversified agriculture.

In response to these changing events, the Hawaii Water Resources Reclamation Act authorizes the Bureau of Reclamation to survey irrigation and water delivery systems in Hawaii, identify the cost of rehabilitating the systems, and evaluate demand for their future use. The bill also instructs the Bureau to identify new opportunities for reclamation and reuse of water and wastewater for agriculture and non-agricultural purposes. Finally, the bill authorizes the Bureau to conduct emergency drought relief in Hawaii. This is especially important for struggling farmers on the Big Island.

While I hesitate to predict the findings of the Bureau's study, I expect we will learn that some of the ditch systems should be repaired or improved, while others should be abandoned. We may also learn that the changing face of Hawaii agriculture justifies entirely new systems or new components being added to existing ditches. Because the bill emphasizes water recycling and reuse, the report will identify opportunities to improve water conservation, enhance stream flows, improve fish and

wildlife habitat, and rebuilding groundwater supplies. These important objectives will help ensure that any legislative response to the Bureau's report is ecologically appropriate.

The process outlined in S. 1694 cannot advance unless sound environmental principles are observed. Those who are for Hawaii's rivers and streams, as I do, believe that water resource development should not adversely affect fresh water resources and the ecosystems that depend upon them. Hawaii's rivers support a number of rare native species that rely on undisturbed habitat. Perhaps the most remarkable of these is the goby, which actually climbs waterfalls, reaching habitat that is inaccessible to other fish. As a young boy, my friends and I caught and ate o'opu, as the goby are known to Hawaiians, at Oahu's streams. I am determined to preserve this, and the other forms of rich biological heritage that inhabit our streams and watersheds.

My remarks would not be complete without a review of the history of Federal reclamation initiatives in Hawaii. Hawaii's relationship with the Bureau of Reclamation dates from 1939, when the agency proposed developing an aqueduct on Molokai to serve 16,000 acres of federally managed Hawaiian Home Lands. While this project did not proceed, in 1954 Congress directed the Bureau to investigate irrigation and reclamation needs for three of our islands: Oahu, Hawaii, and Molokai. A Federal reclamation project on the Island of Molokai was eventually constructed in response to this investigation. The project continues in operation today.

In the first session of Congress following Hawaii's statehood, legislation authorizing the Secretary of the Interior to develop reclamation projects in Hawaii under the Small Reclamation Projects Act was signed into law. The most recent interaction with the Bureau occurred in 1995 when Congress authorized the Secretary to allow Native Hawaiians the same favorable cost recovery for reclamation projects as Indians or Indian tribes.

I will work closely with my colleagues on the Senate Energy and Natural Resources Committee to pass the Hawaii Water Resources Reclamation Act. I ask that a copy of S. 1694 be printed in the RECORD.

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

S. 1694

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 ''Hawaii Water Resources Reclamation Act of 1999''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Act of August 23, 1954 (68 Stat. 773, chapter 838) authorized the Secretary of the Interior to investigate the use of irrigation and reclamation resource needs for areas of the islands of Oahu, Hawaii, and Molokai in the State of Hawaii;

(2) section 31 of the Hawaii Omnibus Act (43 U.S.C. 422*l*) authorizes the Secretary to develop reclamation projects in the State under the Act of August 6, 1956 (70 Stat. 1044, chapter 972; 42 U.S.C. 422a et seq.) (commonly known as the ''Small Reclamation Projects Act'');

(3) the amendment made by section 207 of the Hawaiian Home Lands Recovery Act (109 Stat. 364; 25 U.S.C. 386a) authorizes the Secretary to assess charges against Native Hawaiians for reclamation cost recovery in the same manner as charges are assessed against Indians or Indian tribes;

(4) there is a continuing need to manage, develop, and protect water and water-related resources in the State; and

(5) the Secretary should undertake studies to assess needs for the reclamation of water resources in the State.

SEC. 3. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) STATE.—The term ''State'' means the State of Hawaii.

SEC. 4. WATER RESOURCES RECLAMATION STUDY.

(a) IN GENERAL.—The Secretary, acting through the Commissioner of Reclamation, shall conduct a study that includes—

(1) a survey of irrigation and water delivery systems in the State;

(2) an estimation of the cost of repair and rehabilitation of the irrigation and water delivery systems;

(3) an evaluation of options for future use of the irrigation and water delivery systems (including alternatives that would improve the use and conservation of water resources); and

(4) the identification and investigation of other opportunities for reclamation and reuse of water and wastewater for agricultural and nonagricultural purposes.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit a report that describes the findings and recommendations of the study described in subsection (a) to—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Resources of the House of Representatives.

(2) ADDITIONAL REPORTS.—The Secretary shall submit to the Committees described in paragraph (1) any additional reports concerning the study described in subsection (a) that the Secretary considers to be necessary.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 5. WATER RECLAMATION AND REUSE.

Section 1602(b) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h(b)) is amended by inserting before the period at the end the following: '', and the State of Hawaii''.

SEC. 6. DROUGHT RELIEF.

Section 104 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2214) is amended—

(1) in subsection (a), by inserting after ''Reclamation State'' the following: ''and in the State of Hawaii''; and

(2) in subsection (c), by striking ''ten years after the date of enactment of this Act'' and inserting ''on September 30, 2005''.

By Mr. MOYNIHAN (for himself, Mr. ROTH and Mr. SCHUMER):

S. 1696. A bill to amend the Convention on Cultural Property Implementation Act to improve the procedures for restricting imports of archaeological and ethnological material; to the Committee on Finance.

THE CULTURAL PROPERTY PROCEDURAL REFORM ACT

Mr. MOYNIHAN. Mr. President, I rise today to introduce legislation to amend the Convention on Cultural Property Implementation Act (CCPIA). This legislation improves the procedures for restricting imports of archaeological and ethnological materials. I am pleased that the distinguished chairman of the Finance Committee, Senator ROTH, joins me, as well as my distinguished colleague from New York, Senator SCHUMER.

This legislation provides a necessary clarification of the Convention on Cultural Property Implementation Act. The CCPIA was reported by the Senate Finance Committee and passed in the waning days of the 97th Congress. The CCPIA implements the 1970 UNESCO Convention on the Means of Prohibiting the Illicit Import, Export and Transfer of Ownership of Cultural Property. It sets forth our national policy concerning the importation of cultural property. As the last of the authors of the CCPIA remaining in the Senate, it falls to me to keep a close eye on its implementation.

Central to our intention in drafting the CCPIA was the principle that the United States will act to bar the importation of particular antiquities, but only as part of a concerted international response to a specific, severe problem of pillage. The CCPIA established an elaborate process to ensure that the views of experts—archaeologists, ethnologists, art dealers, museums—and the public, are taken fully into account when foreign governments ask us to bar imports of antiquities. The Congress put these safeguards in place with the specific intent to provide due process.

The need for this bill arises from the recent proliferation of import restrictions imposed on archaeological and ethnological artifacts from a number of countries, including Canada and Peru. Restrictions may soon be imposed on imports from Cambodia, and I am told that the Government of Italy has now requested that the United States impose a sweeping embargo on archaeological material dating from the 8th century B.C. to the 5th century A.D.

My understanding is that the standards and procedures the Congress meant to introduce in the CCPIA are not being followed. The chief concerns are two-fold: (1) the Cultural Property Advisory Committee, which reviews all requests for import restrictions, remains essentially closed to non-members despite the provisions of the 1983 Cultural Property Act—which I co-authored with Senators Dole and Matsunaga—that call for open meetings and transparent procedures; and (2) the Committee lacks a knowledgeable art

dealer—in large part because the Executive Branch has interpreted the statute—incorrectly, in my view—to require that Committee members serve as ''special government employees'' rather than—as was intended—''representatives''—of dealers. Candidates have thus been subjected to insurmountable conflict-of-interest rules that have effectively prevented experts from serving on the Committee—the very individuals whose advice ought to be sought.

The amendments I offer today would open up the proceedings of the Cultural Property Advisory Committee and the administering agency (formerly USIA, now an agency under the Department of State) to allow for meaningful public participation in the fact-finding phase of an investigation, i.e., the stage at which the Committee and the agency review the factual basis for a country's request for import restrictions. The bill would require that notice of such a request be published in the Federal Register, that interested parties be provided an opportunity to comment, and that the Committee issue a public report of its findings in each case. Once the evidence is gathered, the Committee would, as under current law, be permitted to conduct its deliberations behind closed doors so as not to jeopardize the government's negotiating objectives or disclose its bargaining position.

The amendments would also clarify that Cultural Property Advisory Committee members are to serve only in a ''representative'' capacity—as is the case with members of the President's trade advisory committees—and not as ''special government employees.'' It was my clear understanding, as one of the chief drafters of the law, that members of the Advisory Committee would be acting in a representative capacity. The CCPIA sought to ensure that there would be a ''fair representation of the various interests of the public sectors and the private sectors in the international exchange of archaeological and ethnological materials,'' by designating members to represent those various perspectives. The CCPIA reserves specific slots on the Advisory Committee for representatives of the affected interest groups, including as I mentioned earlier, art dealers. The special conflict-of-interest provisions applicable to ''special government employees'' would probably prevent any active art dealer knowledgeable in the affected areas of trade from serving on the Committee, depriving the Committee of invaluable expertise.

This bill, clarifying Congressional intent, is essential to successful implementation of the CCPIA. If I may ask the Senate's indulgence, I would like to summarize the key provisions of the bill:

Procedural requirements.—The bill amends Section 303(f)(2) of the CCPIA to provide that a foreign nation's request for relief shall include a detailed description of the archaeological or ethnological material that a party to the 1970 Cultural Property Convention seeks to protect and a comprehensive description of the evidence submitted in support of the request. This information is to be included in the Federal Register notice required to initiate proceedings under the CCPIA.

The purpose of this amendment is to provide interested parties with adequate notice of the nature of a foreign nation's request and the evidence in support of an allegedly serious condition of pillage, which is evidence essential to any response under CCPIA. In the past, proceedings before the CPAC and the administering agency (formerly USIA, now an agency under the Department of State) have been conducted almost in total secrecy, thus denying interested parties the opportunity to prepare rebuttal and response to the evidence presented by a foreign nation on alleged pillage and with respect to the other statutory requirements that must be satisfied. The result is that the Committee is denied a full, unbiased record upon which to make its decisions.

The bill also amends Section 303(f)(1)(C) of the CCPIA to provide that interested parties shall have an opportunity to provide comments to Executive Branch decision-makers on the findings and recommendations of the CPAC, which are to be made public under a separate provision of the bill. To date, interested parties have not had an effective opportunity to bring their perspectives to the attention of the statutory decision-maker.

Proceedings before the committee.—The bill amends Section 306(f)(1) of the CCPIA to provide that the procedures before the Advisory Committee shall be conducted to afford full participation by interested parties in the fact-finding phase of the CPAC review.

This provision draws a clear line between the fact-finding investigation and the deliberative review phases of the Committee's proceedings and provide for full public participation in the fact-finding phase. It also responds to concerns that, under current procedures, the Committee is denied full information from interested parties relating to the foreign nation's request because there is no public information about the specific nature of a request nor of the data supporting it.

Also, in an amendment to Section 306(f)(1) of the CCPIA, the Committee is directed to prepare, and then publish in the Federal Register, a report which includes, inter alia, its findings with respect to each of the criteria described in Section 301(a)(1) of the Act, which sets forth the requirements that must be met before import restrictions may be imposed. This amendment is essential to ensure that the Committee faithfully responds to each of the statutory criteria.

Import restrictions.—Our bill amends Section 303(a)(1)(A) of the CCPIA, dealing with the authority to impose restrictions, to make clear that there must be evidence of pillage which supports the full range of any import restrictions under the CCPIA and that such evidence must reflect contemporary pillage. Evidence of contemporary pillage is essential to the working of the Act, which is based on the concept that a U.S. import restriction will have a meaningful effect on an ongoing situation of pillage.

There is striking evidence that the Committee and the administering agency are now promulgating broad-scale import restrictions where there is no evidence of contemporary pillage that would justify the scope of those restrictions. Recent examples include omnibus import restrictions involving cultural property from Canada and Peru, extending over thousands of years. Vast portions of the Canadian restrictions were supported by no evidence whatsoever of contemporary pillage. Likewise, the Peruvian restrictions extend far beyond any evidence of current pillage contained in the administrative record. I am told that the Government of Italy has now requested that the United States impose a sweeping embargo on Italian archaeological materials dating from the 8th century B.C. to the 5th century A.D.

This provision also makes clear that an import embargo cannot be based on historical evidence of pillage; rather, there must be contemporary pillage. This amendment responds to recent instances where the committee has made recommendations, which the agency has accepted, based upon evidence of pillage that is many years old, and indeed, evidence of pillage that occurred hundreds of years previously. It is quite obvious that an import restriction in 1999 cannot deter pillage that took place decades or even centuries ago. This provision is imperative to ensure that the administrative process under the act is faithful to the statutory goals of CCPIA.

Continuing review.—Our bill amends section 306(g) of the act to make more specific the obligation of the committee to conduct reviews, on an annual basis, of existing agreements providing for import restrictions; to publish in the Federal Register the conclusions of such reviews; and to report on those agreements not reviewed during the preceding year and the reasons why such agreements were not reviewed. The amendment provides for full public participation in the fact-finding phase of the annual reviews. It is prompted by the committee's failure to undertake, with full public participation, a prompt review of existing import restrictions, particularly those relating to Canada, for which serious questions have been raised as to the claims of pillage made in support of the omnibus U.S. import restrictions.

Multinational response.—These provisions deal with the action required by other art-importing nations in connection with non-emergency import restrictions imposed under the act. The

act requires that any import restriction under Section 303 of the act be accomplished by corresponding import restrictions by other nations having a significant trade in the cultural properties barred by the U.S. import restriction. The rationale for this requirement is that one cannot effectively deter a serious situation of pillage of cultural properties if the U.S. unilaterally closes its borders to the import of those properties, and they find their way, in an undiminished stream of commerce, to markets in London, Paris, Munich, Tokyo, or other air-importing centers.

Congress imposed a specific requirement of an actual multinational response. There is a concern that the committee is simply disregarding these requirements in its recent actions imposing far-reaching restrictions on cultural properties. Therefore, this subsection amends section 303(g)(2) of the act to require the administering agency to set forth in detail the reasons for its determination under this provision.

Consultation by committee members.—These provisions relate to the appropriate activities of committee members. In order to provide that maximum information and insight be brought to bear upon the committee's fact-finding and deliberations, all members of the Committee will be free to consult with others in connection with non-confidential information in an effort to secure expert advice and information on the justification for a particular request, and to share non-confidential information received from a requesting country in support of its request. Any such consultation must be reported in the committee's records. In the past, committee members have been advised that they would face severe sanctions if they were to consult with experts on the extent of pillage or other pertinent facts in connection with a foreign nation's request.

Cultural Property Advisory Committee membership.—Our bill clarifies that members of the CPAC serve in a representative capacity and not as officers or employees of the government or as special government employees (''SGEs''). This additional language is necessary because officials at the administering agency and elsewhere in the executive branch appear to have misconstrued congressional intent in this regard.

Because CPAC members are expected to bring their particular institutional perspectives to CPAC deliberations, the CCPIA seeks to ensure a ''fair representation of the various interests of the public sectors and the private sectors in the international exchange of archaeological and ethnological material,'' by designating members to represent various perspectives. To accomplish this purpose, Congress reserved specific slots on the CPAC for representatives of the affected interest groups.

Despite this language, the administering agency has asserted that CPAC members serve as SGE rather than in a representative capacity. As a result, certain experts have been prevented from serving on the CPAC. The proposed amendment would restate and clarify that all members of the CPAC serve in a representative capacity.

Federal Advisory Committee Act.—Finally, the bill makes clear that the transparency provisions of the Federal Advisory Committee Act (e.g., open meetings, public notice, public participation, and public availability of documents) apply to the fact-finding phase of the committee's actions. Those provisions shall not apply to the deliberative phase of the committee's action if there is an appropriate determination that open procedures would compromise the Government's negotiating objectives or bargaining position.

This provision would open to the public the fact-gathering phase of the CPAC's work, while retaining discretion, consistent with section 206(h) of the CCPIA, to close the deliberative phase where the government's negotiating objectives or bargaining positions may be compromised.

Mr. President, I urge the speedy passage of this legislation and ask unanimous consent that the full text of the bill appear in the RECORD along with a brief section-by-section description of the bill.

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

S. 1696

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 ''Cultural Property Procedural Reform Act''.

SEC. 2. PROCEDURAL REQUIREMENTS.

(a) IN GENERAL.—Section 303(f) of the Convention on Cultural Property Implementation Act (19 U.S.C. 2602(f)) is amended to read as follows:

''(f) PROCEDURES.—

''(1) IN GENERAL.—In the case of any request described in subsection (a) made by a State Party or in the case of a proposal by the President to extend any agreement under subsection (e), the President shall—

''(A) publish notification of the request or proposal in the Federal Register;

''(B) submit to the Committee such information regarding the request or proposal (including, if applicable, information from the State Party with respect to the implementation of emergency action under section 304) as is appropriate to enable the Committee to carry out its duties under section 306;

''(C) provide interested parties an opportunity to comment on the findings and recommendations of the Committee; and

''(D) consider, in taking action on the request or proposal, the views and recommendations contained in any Committee report—

''(i) required under section 306(f) (1) or (2); and

''(ii) submitted to the President before the close of the 150-day period beginning on the day on which the President submitted information on the request or proposal to the Committee under subparagraph (B).

''(2) CONTENT OF NOTICE.—Each notice required by paragraph (1)(A) shall include a statement of the relief sought by the State Party, a detailed description of the archaeological or ethnological material that the State Party seeks to protect, and a comprehensive description of the evidence submitted in support of the request.''.

(b) PROCEEDINGS BEFORE COMMITTEE.—Section 306(f)(1) of the Convention on Cultural Property Implementation Act (19 U.S.C. 2605(f)(1)) is amended to read as follows:

''(1) The Committee shall, with respect to each request by a State Party referred to in section 303(a), undertake a fact-finding investigation and a deliberative review with respect to matters referred to in section 303(a)(1) as the matters relate to the State Party or the request. The Committee shall provide notice and opportunity for comment to all interested parties in the fact-finding phase of the Committee's actions. The Committee shall prepare and publish in the Federal Register a report setting forth—

''(A) the results of the investigation and review and its findings with respect to each of the criteria described in section 303(a)(1);

''(B) the Committee's findings as to the nations individually having a significant import trade in the relevant material; and

''(C) the Committee's recommendation, together with the reasons therefore, as to whether an agreement should be entered into under section 303(a) with respect to the State Party.''.

(c) IMPORT RESTRICTIONS.—Section 303(a)(1) of such Act (19 U.S.C. 2602(a)(1)) is amended—

(1) by amending subparagraph (A) to read as follows:

''(A) that particular objects of the cultural patrimony of the State Party are in jeopardy from pillaging of archaeological or ethnological materials of the State Party;''; and

(2) by adding at the end the following: ''Historical evidence of pillaging shall not be sufficient to make a determination under subparagraph (A).''.

(d) CONTINUING REVIEW.—Section 306(g) of such Act (19 U.S.C. 2605(g)) is amended—

(1) in paragraph (1), by striking ''a continuing'' and inserting ''an annual'';

(2) by amending paragraph (2) to read as follows:

''(2) ACTION BY COMMITTEE.—

''(A) IN GENERAL.—If the Committee finds, as a result of such review, that—

''(i) cause exists under section 303(d) for suspending the import restrictions imposed under an agreement,

''(ii) any agreement or emergency action is not achieving the purposes for which the agreement or action was entered into or implemented, or

''(iii) changes are required to this title in order to implement fully the obligations of the United States under the Convention,

the Committee shall submit to Congress and the President and publish in the Federal Register a report setting forth the Committee's recommendations for suspending such import restrictions or for improving the effectiveness of any such agreement or emergency action or this title.

''(B) AGREEMENTS REVIEWED WHERE NO ACTION PROPOSED.—In any case in which the Committee undertakes a review but concludes that the agreement meets the applicable statutory criteria of effectiveness, the Committee shall submit to Congress and the President and publish in the Federal Register a report setting forth the Committee's findings and conclusions as to the effectiveness of the agreement.

''(C) AGREEMENTS NOT REVIEWED.—The report required by subparagraph (A) shall contain a list of any agreement not reviewed during the year preceding the submission of the report and the reasons why such agreement was not reviewed.''; and

(3) by adding at the end the following new paragraph:

''(3) REQUIREMENTS FOR REVIEW.—In each annual review conducted under this subsection, the Committee shall—

''(A) undertake a fact-finding investigation and a deliberative review with respect to the effectiveness of the agreement under review;

''(B) provide notice and opportunity for comment to all interested parties in the fact-finding phase of Committee's action; and

''(C) publish notice of the review in the Federal Register that includes a detailed description of the information submitted to the Committee concerning the effectiveness of the agreement.''.

(e) MULTINATIONAL RESPONSE.—Section 303(g)(2) of such Act (19 U.S.C. 2602(g)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting '', and''; and

(3) by adding at the end the following new subparagraph:

''(D) if the President determines that the application of import restrictions by other nations, as required by subsection (c)(1), is not essential to deter a serious situation of pillage, the reasons for such determination.''.

(f) CONSULTATION BY COMMITTEE MEMBERS.—Section 306(e) of such Act (19 U.S.C. 2605(e)) is amended by adding at the end the following new paragraph:

''(3) Members of the Committee may consult with any person to obtain expert advice and may, in such consultations, share information obtained from a country in support of the request filed under this title to the extent that the information is otherwise publicly available. Any consultations conducted pursuant to this paragraph shall be reported in the record of the Committee's actions.''.

SEC. 3. CULTURAL PROPERTY ADVISORY COMMITTEE.

(a) IN GENERAL.—Section 306(b)(1) (B) and (C) of the Convention on Cultural Property Implementation Act (19 U.S.C. 2605(b)(1) (B) and (C)) are amended to read as follows:

''(B) Three members who shall represent the fields of archaeology, anthropology, ethnology, or related areas.

''(C) Three members who shall represent the international sale of archaeological, ethnological, and other cultural property.''.

(b) CONFLICT OF INTEREST PROVISIONS.—Section 306(b) of the Convention on Cultural Property Implementation Act (19 U.S.C. 2605(b)) is amended by adding at the end the following new paragraph:

''(4) Members of the Committee who are not otherwise officers or employees of the Federal Government shall serve in a representative capacity and shall not be considered officers, employees, or special Government employees for any purpose.''.

(c) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—Section 306(h) of the Convention on Cultural Property Implementation Act (19 U.S.C. 2605(h)) is amended to read as follows:

''(h) FEDERAL ADVISORY COMMITTEE ACT.—In order to provide for open meetings and public participation, the provisions of the Federal Advisory Committee Act (Public Law 92–463; 5 U.S.C. App.) shall apply to the fact-finding phase of the Committee's actions including the requirements of subsections (a) and (b) of section 10 and section 11 (relating to open meetings, public notice, public participation, and public availability of documents). The requirements of subsections (a) and (b) of section 10 and section 11 shall not apply to the deliberative phase of the Committee's actions if it is determined by the President or the President's designee that the disclosure of matters involved in the Committee's deliberations would compromise the Government's negotiating objectives or bargaining positions on the negotiation of any agreement authorized by this title.''.

SEC. 4. TECHNICAL AMENDMENTS.

(1) Sections 306(e) (1) and (2), 306(i)(1)(A) and 306(i)(2) of the Convention on Cultural Property Implementation Act (19 U.S.C. 2605(e) (1) and (2), 2605(i)(1)(A), and 2605(i)(2)) are each amended by striking ''Director of the United States Information Agency'' each place it appears and inserting ''Secretary of State''.

(2) Section 305 of the Convention on Cultural Property Implementation Act (19 U.S.C. 2604) is amended—

(A) in the first sentence, by inserting '', after consultation with the Secretary of State,'' after ''Secretary''; and

(B) in the second sentence, by striking ''archeological'' and inserting ''archaeological''.

CULTURAL PROPERTY PROCEDURAL REFORM ACT—SECTION-BY-SECTION DESCRIPTION

The purpose of this legislation is to improve the procedures for restricting imports of archaeological and ethnological material under the Convention on Cultural Property Implementation Act (''the CCPIA'' or ''Act''). It also clarifies that members of the Cultural Property Advisory Committee (''CPAC'' or ''Committee'') are appointed to act in a representative capacity and are not special government employees.

SECTION 1. SHORT TITLE

The title of the bill is the ''Cultural Property Procedural Reform Act.''

SEC. 2. PROCEDURAL REQUIREMENTS

(a) In general

First, Section 303(f)(2) of the CCPIA is amended to provide that a foreign nation's request for relief shall include a detailed description of the archaeological or ethnological material that a party to the 1970 Cultural Property Convention seeks to protect and a comprehensive description of the evidence submitted in support of the request. This information is to be included in the Federal Register notice required to initiate proceedings under the CCPIA.

Second, Section 303(f)(1)(C) of the CCPIA is amended to require that interested parties have an opportunity to provide comments to the administering agency (formerly USIA, now an agency under the Department of State) on the findings and recommendations of the CPAC.

(b) Proceedings before committee

Section 306(f)(1) of the CCPIA is amended to draw a clear distinction between the fact-finding phase of the Cultural Property Advisory Committee's investigation and its deliberative review of the evidence. The amendment requires the Committee to provide interested parties both notice and an opportunity to comment during the fact-finding phase of the CPAC review.

Section 2(b) of the bill amends Section 306(f)(1) of the CCPIA to direct the Committee to publish in the Federal Register its report, which is to include, inter alia, its findings with respect to each of the criteria described in Section 301(a)(1) of the Act, which sets forth the requirements that must be met before import restrictions may be imposed.

(c) Import restrictions

Section 303(a)(1)(A) of the CCPIA, dealing with the authority to enter into import restrictions, is amended to make clear that there must be evidence that particular objects of the cultural patrimony of the country requesting an embargo be in jeopardy of pillage. The legislation clarifies that historical evidence of pillaging is not sufficient to support the imposition of import restrictions; rather the evidence must reflect contemporary pillage.

(d) Continuing review

Under current law, the Committee is required to review the effectiveness of existing import restrictions on a continuing basis. The legislation makes more specific the obligation of the Committee to conduct such continuing reviews of outstanding agreements. It clarifies that reviews will be conducted on an annual basis, and requires the Committee to publish in the Federal Register the conclusions of such reviews, and to include in an annual report a description of those agreements not reviewed during the preceding year and the reasons why such agreements were not reviewed. This provision requires that notice of the review be published in the Federal Register and that interested parties be afforded an opportunity to comment in the fact-finding phase of the annual reviews.

(e) Multinational response

This subsection deals with the action required by other art-importing nations in connection with non-emergency import restrictions imposed under the Act. The Act requires that any import restriction under Section 303 of the Act be accompanied by corresponding import restrictions by other nations having a significant trade in the materials barred by the U.S. import restriction. This subsection amends Section 303(g)(2) of the Act to require the President to set forth in detail the reasons for a determination that multilateral action is not required.

(f) Consultation by committee members

This subsection provides that Committee members are free to consult with experts and, in connection with such consultations, to share non-confidential information receive from a country in support of its request for an import embargo. Any such consultations must be reported in the records of the Committee.

SEC. 3. CULTURAL PROPERTY ADVISORY COMMITTEE

(a) In general. (see (b), below)
(b) Conflict of interest provisions

These subsections clarify that members of the CPAC serve in a representative capacity and not as officers or employees of the government or as special government employees.

(c) Application of Federal Advisory Committee Act

Subsection (c) of Section 3 of the bill makes clear that the transparency provisions of the Federal Advisory Committee Act (e.g., open meetings, public notice, public participation, and public availability of documents) apply to the fact-finding phase of the Committee's actions. Those provisions shall not apply to the deliberative phase of the Committee's action if the President or his designee determines that open procedures would compromise the Government's negotiating objectives or bargaining position.

SEC. 4. TECHNICAL AMENDMENTS

This section makes technical changes to the CCPIA in light of the abolition of the United States Information Agency, and consequent transfer of its functions to the Department of State.

● Mr. SCHUMER. Mr. President, I rise to join with my colleagues Senators MOYNIHAN and ROTH in introducing legislation today that I feel is long overdue.

More than 20 years ago, in an attempt to end the looting and pillaging of important archaeological and cultural sites, and to protect the integrity

of a country's cultural patrimony, Senator MOYNIHAN and others labored to develop an international protocol that struck a balance between a country's desire to protect its heritage and the art world's desire to have a healthy trade in and exhibition of cultural artifacts. After years of deliberation, these efforts resulted in the UNESCO Convention on Cultural Property—a delicately balanced set of rules and guidelines to protect countries from looting, but to allow a legitimate trade in historical objects and the showing of those objects in museums around the world.

Congress later established the Cultural Property Advisory Committee (CPAC) to assist the President in making determinations under this convention about whether to restrict or allow the trade of archaeologically significant materials when another country claims harm. Once again, Senator MOYNIHAN was the impetus and intellectual might behind this legislation.

For years, this was a balanced process that weighed the claims of countries against the competing interests of museums, art dealers, and auction houses. The CPAC itself was comprised of individuals representing the interests of the museums, auction houses, dealers, archaeologists, and anthropologists. This committee, with the help of staff, made determinations based on fact (was there sufficient evidence of looting or pillaging?) and effectiveness (if the U.S. unilaterally banned the import of certain items, would it have a reasonable chance of reducing or ending the looting?). The original international protocol as well as the enacting legislation passed by the Congress, specifically discouraged unilateral or bilateral actions. The protocols and the legislation were designed to lead to a cohesive international response, not a country-by-country response to looting.

Somewhere along the line, that delicate balance shifted. CPAC hearings that were once open became closed. Actions that were once multilateral became unilateral. A process that was once inclusive became exclusive. Decisions that in the past were based on a fair hearing on the merits became instead a foregone conclusion against the museums and the dealers. I would go as far as to say that for those representing museums and art dealers, the process became overtly hostile and secretive.

More than a year ago, I convened a meeting with then-USIA director Joe Duffy, members of the art community, and the staff of Senator MOYNIHAN. The meeting was called because of a sweeping action taken by the CPAC regarding Canadian Native American artifacts. Without dwelling on the details of the complaint by the Canadian government or the decision to bar any imports by the U.S. of thousands of artifacts—the meeting was extraordinary. Director Duffy, who as USIA head oversaw the CPAC, admitted that they were way out of line. He admitted that the process had become closed and hostile to dealers and the museums. And he suggested to me and by proxy to Senator MOYNIHAN that we supply him with a name of a person to fill a vacancy on the CPAC to help restore the balance that once was the norm. We gave him the name of Andre Emmerich, a semi-retired dealer in artifacts and probably the most respected voice in the field of cultural property. Director Duffy said to me that Andre Emmerich was the perfect choice.

More than one year later and unfortunately after Director Duffy retired, Andre Emmerich's nomination was rejected because, the CPAC claimed, as a dealer he had a conflict of interest. Let's face facts. The entire CPAC is designed to be a conflict of interest. The balance of the committee membership is supposed to reflect that conflict of interest. That conflict of interest is essential to the inner workings of the committee as the expertise supplied by those in various fields is also intended to edify the rest of the committee to help them make the right decision.

That brings us to today. We are introducing legislation that is intended to clean up the CPAC—to make the process open, fair, transparent, and accountable. Among other provisions, the legislation forces CPAC to open meetings that have been absurdly secretive. The need for cloak and dagger, spy vs. spy, CIA level secrecy over the importation of Peruvian pottery escapes me.

I am proud to be joining both Senator MOYNIHAN and Senator ROTH—two of the most respected leaders in the Senate—in introducing this legislation. I hope we can move this bill quickly, because this is a situation that needs a remedy.●

By Mr. VOINOVICH:

S. 1699. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes; to the Committee on Environment and Public Works.

CLEAN WATER INFRASTRUCTURE FINANCING ACT OF 1999

Mr. VOINOVICH. Mr. President, I rise today to introduce the Clean Water Infrastructure Financing Act of 1999, legislation which will reauthorize the highly successful, but undercapitalized, Clean Water State Revolving Loan Fund (SRF) Program administered by the U.S. Environmental Protection Agency (EPA).

As many of my colleagues know, the Clean Water SRF Program is an effective and immensely popular source of funding for wastewater collection and treatment projects. Congress created the SRF in 1987, to replace the direct grants program that was enacted as part of the landmark 1972 Federal Water Pollution Control Act, or as it is known, the Clean Water Act. State and local governments have used the federal Clean Water SRF to help meet critical environmental infrastructure financing needs. The program operates much like a community bank, where each state determines which projects get built.

The performance of the SRF Program has been spectacular. Total federal capitalization grants have been nearly doubled by non-federal funding sources, including state contributions, leveraged bonds, and principal and interest payments. Communities of all sizes are participating in the program, and approximately 7,000 projects nationwide have been approved to date.

Ohio has needs for public water system improvements which greatly exceed the current SRF appropriations levels. According to the latest state figures, more than $7 billion of improvements have been identified as necessary. In recent years, Ohio cities and villages are spending more on maintaining and operating their systems than in the past, which is an indication their systems are aging and will soon need to be replaced. For example, the City of Columbus recently requested SRF assistance amounting to $725 million over the next five years.

While the SRF program's track record is excellent, the condition of our Nation's environmental infrastructure remains alarming. A 20-year needs survey published by the EPA in 1997 documented $139 billion worth of wastewater capital needs nationwide. This past April, the national assessment was revised upward to nearly $200 billion, in order to more accurately account for expected sanitary sewer needs. Private studies demonstrate that total needs are closer to $300 billion, when anticipated replacement costs are considered.

Authorization for the Clean Water SRF expired at the end of fiscal year 1994, and the failure of Congress to reauthorize the program sends an implicit message that wastewater collection and treatment is not a national priority. The longer we have an absence of authorization of this program, the longer it creates uncertainty about the program's future in the eyes of borrowers, which may delay or in some cases prevent project financing.

The bill that I am introducing today will authorize a total of $15 billion over the next five years for the Clean Water SRF. Not only would this authorization bridge the enormous infrastructure funding gap, the investment would also pay for itself in perpetuity by protecting our environment, enhancing public health, creating jobs and increasing numerous tax bases across the country. Additionally, the bill will provide technical and planning assistance for small systems, expand the types of projects eligible for loan assistance, and offer disadvantaged communities extended loan repayment periods and principal subsidies.

At the local level, there are numerous areas like the town of Glenn Robbins in Jefferson County, Ohio, which cannot afford a zero percent loan to build the cost-effective facilities they

need. Estimates indicate that among towns of less than 3,500 population in Ohio, there are $1.5 billion in needs.

The health and well-being of the American public depends on the condition of our Nation's wastewater collection and treatment systems. Unfortunately, the facilities that comprise these systems are often taken for granted because they are invisible absent a crisis. Let me assure my colleagues that the costs of poor environmental infrastructure are simply intolerable. Recent flood disasters have been a stark reminder of the human costs that stem from the contamination of our Nation's water supply.

The Clean Water SRF Program has helped thousands of communities meet their wastewater treatment needs. My legislation will help ensure that the Clean Water SRF Program remains a viable component in the overall development of our Nation's infrastructure for years to come. I urge my colleagues to join me in cosponsoring this legislation, and I urge it's speedy consideration by the Senate.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1699

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 ''Clean Water Infrastructure Financing Act of 1999''.

SEC. 2. GENERAL AUTHORITY FOR CAPITALIZATION GRANTS.

Section 601(a) of the Federal Water Pollution Control Act (33 U.S.C. 1381(a)) is amended by striking ''(1) for construction'' and all that follows through the period at the end and inserting ''to accomplish the purposes of this Act.''.

SEC. 3. CAPITALIZATION GRANTS AGREEMENTS.

(a) REQUIREMENTS FOR CONSTRUCTION OF TREATMENT WORKS.—Section 602(b)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1382(b)(6)) is amended—

(1) by striking ''before fiscal year 1995''; and

(2) by striking ''201(b)'' and all that follows through ''218,'' and inserting ''211,''.

(b) GUIDANCE FOR SMALL SYSTEMS.—Section 602 of the Federal Water Pollution Control Act (33 U.S.C. 1382) is amended by adding at the end the following:

''(c) GUIDANCE FOR SMALL SYSTEMS.—

''(1) SIMPLIFIED PROCEDURES.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall assist the States in establishing simplified procedures for small systems to obtain assistance under this title.

''(2) PUBLICATION OF MANUAL.—Not later than 1 year after the date of enactment of this subsection, and after providing notice and opportunity for public comment, the Administrator shall publish a manual to assist small systems in obtaining assistance under this title and publish in the Federal Register notice of the availability of the manual.

''(3) DEFINITION OF SMALL SYSTEM.—In this title, the term 'small system' means a system for which a municipality or intermunicipal, interstate, or State agency seeks assistance under this title and that serves a population of 20,000 or fewer inhabitants.''.

SEC. 4. WATER POLLUTION CONTROL REVOLVING FUNDS.

(a) ACTIVITIES ELIGIBLE FOR ASSISTANCE.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended by striking subsection (c) and inserting the following:

''(c) ACTIVITIES ELIGIBLE FOR ASSISTANCE.—

''(1) IN GENERAL.—The water pollution control revolving fund of a State shall be used only for providing financial assistance for activities that have, as a principal benefit, the improvement or protection of the water quality of navigable waters to a municipality, intermunicipal, interstate, or State agency, or other person, including activities such as—

''(A) construction of a publicly owned treatment works;

''(B) implementation of lake protection programs and projects under section 314;

''(C) implementation of a nonpoint source management program under section 319;

''(D) implementation of a estuary conservation and management plan under section 320;

''(E) restoration or protection of publicly or privately owned riparian areas, including acquisition of property rights;

''(F) implementation of measures to improve the efficiency of public water use;

''(G) development and implementation of plans by a public recipient to prevent water pollution; and

''(H) acquisition of land necessary to meet any mitigation requirements related to construction of a publicly owned treatment works.

''(2) FUND AMOUNTS.—

''(A) REPAYMENTS.—The water pollution control revolving fund of a State shall be established, maintained, and credited with repayments.

''(B) AVAILABILITY.—The balance in the fund shall be available in perpetuity for providing financial assistance described in paragraph (1).

''(C) FEES.—Fees charged by a State to recipients of the assistance may be deposited in the fund and may be used only to pay the cost of administering this title.''.

(b) EXTENDED REPAYMENT PERIOD FOR DISADVANTAGED COMMUNITIES.—Section 603(d)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1383(d)(1)) is amended—

(1) in subparagraph (A), by inserting after ''20 years'' the following: ''or, in the case of a disadvantaged community, the lesser of 40 years or the expected life of the project to be financed with the proceeds of the loan''; and

(2) in subparagraph (B), by striking ''not later than 20 years after project completion'' and inserting ''on the expiration of the term of the loan''.

(c) LOAN GUARANTEES FOR INNOVATIVE TECHNOLOGY.—Section 603(d) of the Federal Water Pollution Control Act (33 U.S.C. 1383(d)) is amended by striking paragraph (5) and inserting the following:

''(5) to provide loan guarantees for—

''(A) similar revolving funds established by municipalities or intermunicipal agencies; and

''(B) developing and implementing innovative technologies;''.

(d) ADMINISTRATIVE EXPENSES.—Section 603(d)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1383(d)(7)) is amended by inserting before the period at the end the following: ''or the greater of $400,000 per year or an amount equal to ½ percent per year of the current valuation of the fund, plus the amount of any fees collected by the State under subsection (c)(2)(C)''.

(e) TECHNICAL AND PLANNING ASSISTANCE FOR SMALL SYSTEMS.—Section 603(d) of the Federal Water Pollution Control Act (33 U.S.C. 1383(d)) is amended—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(8) to provide to small systems technical and planning assistance and assistance in financial management, user fee analysis, budgeting, capital improvement planning, facility operation and maintenance, repair schedules, and other activities to improve wastewater treatment plant operations, except that the amounts used under this paragraph for a fiscal year shall not exceed 2 percent of all grants provided to the fund for the fiscal year under this title.''.

(f) CONSISTENCY WITH PLANNING REQUIREMENTS.—Section 603(f) of the Federal Water Pollution Control Act (33 U.S.C. 1383(f)) is amended by striking ''is consistent'' and inserting ''is not inconsistent''.

(g) CONSTRUCTION ASSISTANCE.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended by striking subsection (g) and inserting the following:

''(g) CONSTRUCTION ASSISTANCE.—

''(1) PRIORITY LIST REQUIREMENT.—The State may provide financial assistance from the water pollution control revolving fund of the State for a project for construction of a publicly owned treatment works only if the project is on the priority list of the State under section 216, without regard to the rank of the project on the list.

''(2) ELIGIBILITY OF CERTAIN TREATMENT WORKS.—A treatment works shall be treated as a publicly owned treatment works for purposes of subsection (c) if the treatment works, without regard to ownership, would be considered a publicly owned treatment works and is principally treating municipal waste water or domestic sewage.''.

(h) INTEREST RATES.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended by adding at the end the following:

''(i) INTEREST RATES.—

''(1) IN GENERAL.—In any case in which a State makes a loan under subsection (d)(1) to a disadvantaged community, the State may charge a negative interest rate of not to exceed 2 percent to reduce the unpaid principal of the loan.

''(2) LIMITATION.—The aggregate amount of all negative interest rate loans the State makes for a fiscal year under paragraph (1) shall not exceed 20 percent of the aggregate amount of all loans made by the State from the water pollution control revolving fund for the fiscal year.

''(j) DEFINITION OF DISADVANTAGED COMMUNITY.—In this section, the term 'disadvantaged community' means the service area of a publicly owned treatment works with respect to which the average annual residential sewage treatment charges for a user of the treatment works meet affordability criteria established by the State in which the treatment works is located (after providing for public review and comment) in accordance with guidelines established by the Administrator in cooperation with the States.''.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 607 of the Federal Water Pollution Control Act (33 U.S.C. 1387) is amended by striking ''the following sums:'' and all that follows through the period at the end of paragraph (5) and inserting ''$3,000,000,000 for each of fiscal years 2001 through 2005.''.

By Mr. DURBIN:

S. 1700. A bill to amend the Federal Rules of Criminal Procedure to allow a defendant to make a motion for forensic testing not available at trial regarding actual innocence; to the Committee on the Judiciary.

THE RIGHT TO USE TECHNOLOGY IN THE HUNT FOR TRUTH

Mr. DURBIN. Mr. President, the hallmark of our criminal justice system has always been the search for the truth. With this goal in mind, I am introducing legislation to ensure the quality of justice in our criminal courts through the use of DNA testing.

In the last decade, the use of DNA evidence as a tool to assign guilt and acquit the innocent has produced dramatic results. The Innocence Project at the Cardozo School of Law has identified 62 cases in the United States since 1988 in which the use of DNA technology resulted in overturned convictions. In my home State of Illinois, 12 innocent men in the past 12 years have been released from Illinois' Death Row after DNA testing or other evidence proved their innocence.

The bill I am introducing today, The Right to Use Technology in the Hunt for Truth (TRUTH) Act will amend the Federal Rules of Criminal Procedure. Specifically, the bill will allow Federal defendants to file a motion to mandate DNA testing to support claims of actual innocence. Under current law, rule 33 of the Federal Rules of Criminal Procedure imposes a 2-year time limitation for new trial motions based on newly discovered evidence. This time limitation can act as a carrier even in cases where the evidence of actual innocence is available. My bill will allow defendants to bring a motion for forensic DNA testing without regard to the 2-year time limitation. It will not waive the 2-year time limit for all new trial limitations. Only motions for forensic DNA testing under limited circumstances will not subject to the 2-year time limitation.

This Federal rule change allows a defendants to utilize technology that was unavailable at the time of their conviction. The bill requires the defendant to show that identity was an issue in the trial which resulted in his conviction and that the evidence gathered by law enforcement was subject to a chain of custody sufficient to protect its integrity.

DNA technology has undergone rapid change that has increased its ability to obtain meaningful results from old evidence through the use of smaller and smaller samples. In the World Trade Center bombing case, DNA was recovered from saliva on the back of a postage stamp.

In the past, crime laboratories relied primarily on restriction fragment length polymorphism (RFLP) testing, a technique that requires a rather large quantity of DNA (100,000 or more cells). Most laboratories are now shifting to using a test based on the polymerase chain reaction (PCR) method that can generate reliable data from extremely small amounts of DNA in crime scene samples (50 to 100 cells).

Two States in the country, New York and Illinois, have laws mandating post-conviction DNA testing. The Illinois law has led to as many as six overturned sentences, including some murder charges.

When the measure was debated in the Illinois Legislature, some lawmakers raised concerns that allowing DNA-based appeals would lead to an avalanche of prisoners' demands for such tests.

But the response from experts is that such motions have not been excessive because prisoners who were justifiably convicted of crimes would have that DNA tests would only underscore their guilt.

Recently, a high-level study of a commission appointed by Attorney General Janet Reno has encouraged prosecutors to be more amenable to reopening cases where convictions might be overturned because of the use of DNA testing. The Innocence Project in New York estimates that 60 percent of the samples it sends out for testing come back in their clients' favor.

Justice Robert Jackson wrote some 40 years ago, ''[i]t must prejudice the occasional meritorious application to be buried in a flood of worthless ones. He who must search a haystack for a needle is likely to end up with the attitude that the needle is not worth the search.'' This bill will help make the hay stack smaller by separating out motions for new trial based on scientific evidence of actual innocence.

I hope my colleagues will join me in this effort to protect the integrity of the criminal justice system by utilizing all that technology has to offer. I ask unanimous consent that a copy of the legislation be printed in the RECORD.

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

S. 1700

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 Right to Use Technology in the Hunt for Truth Act'' or ''TRUTH Act''.

SEC. 2. MOTION FOR FORENSIC TESTING NOT AVAILABLE AT TRIAL REGARDING ACTUAL INNOCENCE.

(a) IN GENERAL.—The Federal Rules of Criminal Procedure are amended by inserting after rule 33 the following:

''Rule 33.1. Motion for forensic testing not available at trial regarding actual innocence

''(a) MOTION BY DEFENDANT.—A court on a motion of a defendant may order the performance of forensic DNA testing on evidence that was secured in relation to the trial of that defendant which resulted in the defendant's conviction, but which was not subject to the testing which is now requested because the technology for the testing was not available at the time of trial. Reasonable notice of the motion shall be served upon the Government.

''(b) PRIMA FACIE CASE.—The defendant shall present a prima facie case that—

''(1) identity was an issue in the trial which resulted in the conviction of the defendant; and

''(2) the evidence to be tested has been subject to a chain of custody sufficient to establish that the evidence has not been substituted, tampered with, replaced, or altered in any material aspect.

''(c) DETERMINATION OF THE COURT.—The court shall allow the testing under reasonable conditions designed to protect the interests of the Government in the evidence and the testing process upon a determination that—

''(1) the result of the testing has the scientific potential to produce new, noncumulative evidence materially relevant to the defendant's assertion of actual innocence; and

''(2) the testing requested employs a scientific method generally accepted within the relevant scientific community.''.

(b) TABLE OF CONTENTS.—The table of contents for the Federal Rules of Criminal Procedure are amended by adding after the item for rule 33 the following:

''33.1. Motion for forensic testing not available at trial regarding actual innocence.''.

By Mr. SESSIONS (for himself, Mr. SCHUMER, Mr. THURMOND, Mr. BIDEN, Mrs. FEINSTEIN, Mr. HELMS, and Mr. CLELAND):

S. 1701. A bill to reform civil asset forfeiture, and for other purposes; to the Committee on the Judiciary.

CIVIL ASSET FORFEITURE REFORM

Mr. SESSIONS. Mr. President, today I am proud to introduce the Sessions/Schumer Civil Asset Forfeiture Reform Act of 1999. This bill is the product of many months of work by a bipartisan group of Judiciary Committee Senators. It will make many needed reforms to the law of civil asset forfeiture. At the same time, our measures preserve forfeiture as a crucial tool for law enforcement.

The Sessions/Schumer bill was drafted in close consultation and with the support of the Justice and Treasury Departments. It has the support of the FBI, the DEA, the INS, and the U.S. Marshall's Service.

There are five major reforms in the Sessions/Schumer bill. First, we have raised the burden of proof on the government in forfeiture claims from probable cause to preponderance of the evidence, the same as other civil cases.

Second, Sessions/Schumer requires that real property can only be seized through the court. It will be illegal for federal agents to physically seize real property until the property has been forfeited in court.

For those who cannot afford the cost bond, our bill also adds a property bond alternative for contesting forfeiture. This provides potential claimants with more flexibility in choosing how to proceed with a claim against seized assets. It will no longer be necessary to provide cash up front to file a claim. Instead, a claimant can simply pledge an asset to cover the anticipated costs or, if the claimant cannot afford this, proceed without posting any bond.

Sessions/Schumer also creates a uniform innocent owner defense; an innocent owner's interest in property cannot be forfeited by the government. An innocent owner includes one who had no knowledge that the property may have been used to commit a crime. And

in cases where the property was acquired after the crime, the uniform innocent owner defense includes bona fide purchases who have no reason to know that the asset they have purchased may be tainted.

The fifth major reform provides payment of attorney's fees. If a claimant receives a judgment in his favor, the Government will pay the claimant's reasonable attorney's fees.

I am pleased to note that this bill has the support of a broad coalition of law enforcement groups. It has been endorsed by the Fraternal Order of Police, the Federal Law Enforcement Officer's Association, the International Association of Chiefs of Police, the International Brotherhood of Police Officers, the National Association of Police Organizations, the National District Attorney's Association, the National Sheriff's Association, and the National Troopers' Coalition.

As one who believes in justice and who spent many years as a federal prosecutor, I know how important asset forfeiture is in the war on drugs. We cannot allow exaggerated rhetoric and outdated examples to destroy asset forfeiture as a law enforcement tool. I believe that this bill will strike an appropriate balance between those on the front lines of the war on drugs and advocates for reform.

Mr. THURMOND. Mr. President, I rise today as an original cosponsor of the Civil Asset Forfeiture Reform Act of 1999. This important legislation makes needed reforms to Federal civil asset forfeiture while preserving Federal civil asset forfeiture and its important role in fighting crime.

The government has had the authority to seize property connected to illegal activity since the founding days of the Republic. Forfeiture may involve seizing contraband, like drugs, or the tools of the trade that facilitate the crime.

Further, forfeiture is critical to taking the profits out of the illegal activity. Profit is the motivation for many crimes like drug trafficking and racketeering, and it is from these enormous profits that the criminal activity thrives and sustains. The use of traditional criminal sanctions of fines and imprisonment are inadequate to fight the enormously profitable trade in illegal drugs, organized crime, and other such activity, because even if one offender is imprisoned the criminal activity continues.

Asset forfeiture deters crime. It has been a major weapon in the war on drugs since the mid-1980s, when we expanded civil forfeiture to give it a more meaningful role.

The Judiciary Subcommittee on Criminal Justice Oversight which I chair, held a hearing recently on this important issue. We heard from the Department of Justice, the Department of Treasury, the law enforcement community and others involved in this issue. The Departments and law enforcement expressed support for reform but concerns about going too far.

As I stated at that time, many believe the government should have the burden of proving that it is more likely than not that the property was involved in the criminal activity, rather than the owner having to prove that the property was not involved. There is wide support for developing a more uniform innocent owner defense. Further, some are concerned that under current law the government is not liable when it negligently damages property in its possession, even when the property is later returned to its innocent owner.

I believe we have addressed these concerns in this bill. We have raised the burden on the government to the preponderance of the evidence standard, which is the general burden of proof used in civil cases.

We have developed a uniform innocent owner defense to protect an owner's interest in property when he did not have knowledge of the criminal activity or took reasonable steps to stop or prevent the illegal use of the property. The bill also protects the bonafide purchaser who purchased the property after the fact without knowledge of the criminal activity.

As an additional reform provision, this legislation holds the government liable for the negligent damage to property as the result of unreasonable law enforcement actions while the property is in the government's possession.

This bill requires the government to make seizures pursuant to a warrant, based on probable cause, and requires a timely notice to interested parties of the seizure. When a claim has been filed for the return of property, the government must conduct a judicial hearing within 90 days, and if the court enters a judgment for the claimant, the government must pay reasonable attorney fees to the claimant. This is a reasonable way to award attorney fees to the claimant after the court has determined that the claim was justified. This provision also protects the government from frivolous claims because it maintains the possibility of awarding cost to the government if the claim is determined to be frivolous.

In this legislation, we encourage the government to use criminal forfeiture as an alternative to civil forfeiture. We also allow for the use of forfeited funds to pay restitution to crime victims by expanding the ability of the Attorney General to use property forfeited in a Federal civil case to pay restitution to victims of the underlying crime.

This bill represents a compromise between the many interests involved in this issue. I would like to commend my colleagues Senators SESSIONS, BIDEN, SCHUMER, and FEINSTEIN for their work on this complex issue. After the hearing in my Subcommittee, we worked hard to create comprehensive, bipartisan legislation, and I believe we have succeeded.

This bill has been endorsed by law enforcement organizations including the Fraternal Order of Police, the National Association of Police Organizations, the National District Attorneys Association, the National Troopers Coalition, the National Sheriffs Association, and the International Association of Chiefs of Police.

This is a balanced reform of Federal civil asset forfeiture laws. It does not tie the hands of law enforcement and does not give criminals the upper hand. It makes needed reforms of civil asset forfeiture while preserving civil asset forfeiture as an essential law enforcement tool.

I hope our colleagues will join with us in supporting this important bipartisan legislation.

By Mr. MURKOWSKI:

S. 1702. A bill to amend the Alaska Native Claims Settlement Act to allow shareholder common stock to be transferred to adopted Alaska Native children and their descendants, and for other purposes; to the Committee on Energy and Natural Resources.

ALASKA NATIVE CLAIMS TECHNICAL AMENDMENTS ACT OF 1999

• Mr. MURKOWSKI. Mr. President, today I rise to introduce legislation that would make technical changes to the Alaska Native Claims Settlement Act (ANCSA).

As my colleagues know, ANCSA was enacted in 1971 stimulated by the need to address Native land claims as well as the desire to clear the way for the construction of the Trans-Alaska Pipeline and thereby provide our country with access to the petroleum resources of Alaska's North Slope. This landmark piece of legislation is a breathing, living, document that often needs to be attended for Alaska Natives to receive its full benefits. This body has amended the Act many times including this Congress.

This bill has nine provisions. One provision would allow common stock to be willed to adopted-out descendants. Another provision would clarify the liability for contaminated lands in Alaska. The clarification of contaminated land would declare that no person acquiring interest in land under this Act shall be liable for the costs of removal or remedial action, any damages, or any third party liability arising out or as a result of any contamination on that land at the time the land was acquired.

In 1917, the Norton Bay Reservation was established on 350,000 acres of land located on the north side of Norton Bay southeast of Nome, Alaska, for the benefit of Alaska Natives who now reside in the village of Elim, Alaska. The purpose of the establishment of the reservation included providing a land, economic, subsistence, and resources base for the people of that area.

In 1929, through an Executive Order, 50,000 acres of land were deleted from the reservation with little consultation and certainly without the informed consent of the people who were to be most affected by such a deletion. After passage of ANCSA, only the remaining

300,000 acres of the original reservation were conveyed to the Elim Native Corporation. This loss of land from the original reservation has become over the years a festering wound to the people of Elim. It now needs to be healed through the restoration or replacement of the deleted fifty thousand acres of land to the Native Village Corporation authorized by ANCSA to hold such land.

Section 5 of the bill amends the Act further to allow equal access to Alaska Native veterans who served in the military or other armed services during the Vietnam War. I want to spend a moment speaking about this provision in particular, Mr. President, because I feel a great injustice has occurred and the current Administration has turned its back to these dedicated American veterans.

Under the Native Allotment Act, Alaska Natives were allowed to apply for lands which they traditionally used as fish camps, berry picking camps or hunting camps. However, many of our Alaska Natives answered the call to duty and served in the services during the Vietnam War and were unable to apply for their native allotment. This provision allows them to apply for their native allotments and would expand the dates to include the full years of the Vietnam War. The original dates recommended by the Administration only allowed the dates January 1, 1969 to December 31, 1971. Our Alaska Native veterans should not be penalized for serving during the entire dates of the Vietnam conflict. This provision corrects that inequity by expanding the dates to reflect all the years of the Vietnam War—August 5, 1964 to May 7, 1975.

Mr. President, Alaska Natives have faithfully answered the call of duty when asked to serve in the armed services. In fact, American Indians and Alaska Natives generally have the highest record of answering the call to duty. Where their needs are concerned I believe we should be inclusive, not exclusive. What this Administration has done to deny them their rights is shameful. Unfortunately, their treatment of Alaska Native Veterans is reflective of their treatment of Alaska Natives in general.

As I am sure my colleagues will agree, the history of our Nation reflects many examples of injustices to Native Americans. As hearings will confirm, this issue calls out to be sensibly remedied and can be with relative ease as outlined in this section of the bill.

I plan on holding a hearing on this legislation at the earliest possible opportunity.●

By Mr. BINGAMAN:

S. 1703. A bill to establish America's education goals; to the Committee on Health, Education, Labor, and Pensions.

ESTABLISH AMERICA'S EDUCATION GOALS LEGISLATION

By Mr. BINGAMAN (for himself and Mrs. HUTCHISON):

S. 1704. A bill to provide for college affordability and high standards; to the Committee on Health, Education, Labor, and Pensions.

ACCESS TO HIGH STANDARDS ACT

● Mr. BINGAMAN. Mr. President, today I am pleased to introduce two education bills for consideration in the context of reauthorization of the Elementary and Secondary Education Act (''ESEA''). Two weeks ago, I introduced two education bills related to raising standards and improving accountability for our public school teachers. Last week, I introduced three bills related to raising standards and accountability in our schools. The two bills that I introduce today focus on raising standards and accountability for student performance. One bill continues our commitment to provide support for the standards-based reform movement taking place in virtually every State by reauthorizing the National Education Goals Panel. The other bill, the Access to High Standards Act, which I introduce on behalf of myself and Senator KAY BAILEY HUTCHISON, will provide our high school students with greater access to rigorous, college level courses through advanced placement programs.

I think most people would agree that in order to compete and continue to prosper in our global economy, it is imperative that our students are provided with a world-class educational program. To that end, we owe it to our students to define high academic standards, monitor their progress and provide them with the resources they need to succeed. The National Education Goals Panel has played a crucial role in achieving these objectives by focusing attention on the need to raise standards and effective methods for achieving higher performance on the local level. As a founding and current member of the National Education Goal Panel, I am pleased to introduce a bill that would reauthorize the Panel so that it can continue its efforts to provide leadership and track progress for local efforts to raise standards for student performance.

The Goals Panel is a bipartisan body of federal and state officials made up of eight governors, four members of Congress, four state legislators and two members appointed by the President. The Panel is charged with reporting national and state progress toward goals set initially by the nation's Governors during a National Education Summit meeting with President Bush and expanded during the 1994 ESEA reauthorization Summit meeting with President Bush and expanded during the 1994 ESEA reauthorization process in the Educate America Act. The Panel also identifies promising practices for improving education and helps to build a nationwide, bipartisan consensus to achieve the goals. The eight National Education Goals call for greater levels of: school readiness; student achievement and citizenship; high school completion; teacher education and professional development; parental participation in the schools; literacy and lifelong learning; and safe, disciplined and alcohol- and drug-free schools.

We need to continue the Panel's work, because we are not yet where we need to be with respect to meeting the goals or with respect to supporting state and local efforts to put in place standards-based educational programs. Data collected by the Goals Panel has helped and can continue to help State and local officials to formulate comprehensive school improvement policies. The Goals Panel also has provided and can continue to provide guidance to federal, state and local policy-makers by providing a national picture for student performance. We have made good progress towards developing more competitive, high quality educational systems in our states and localities, but we must not leave the task incomplete. We must continue to focus attention and resources on incorporating high standards into public education. As Secretary Riley stated before the nation's governors and President Bush met in 1989, ''Significant educational improvements do not just happen. They are planned and pursued.'' I hope that my colleagues will support continuation of the Goals Panel so that we can continue to use the Panel as a tool for setting and achieving high standards for student performance.

Building on the successful expansion of the Advanced Placement Incentive Program achieved in the last Congress, the Access to High Standards Act is intended to help foster the continued growth of advanced placement programs throughout the nation and to help ensure equal access to these programs for low income students. Advanced placement programs already provide rigorous academics and valuable college credits at half the high schools in the United States, serving over 1.5 million students last year. Many States that have advanced placement incentive programs have already shown tremendous success in increasing participation rates, raising achievement scores, and increasing the involvement of low-income and underserved students. Nevertheless students—particularly low-income students—continue to be denied or have limited access to this critical program.

Despite recent growth in state initiatives and participation, AP programs are still often distributed unevenly among regions, states, and even high schools within the same districts. Just a few months ago, a group of students filed a complaint in federal court against the State of California seeking equal access to advance placement programs. Over forty percent of our nation's public schools still do not offer any Advanced Placement courses. The

Access to High Standards Act is intended to take additional steps in fostering the continued growth of advanced placement programs throughout the nation and to help ensure equal access to these programs for low-income students. This bill creates a $25 million demonstration grant program to help states build and expand advanced placement incentive programs giving priority to districts with high concentrations of low-income students and to State programs targeting low-income students. In addition, the bill authorizes a pilot grant program for States seeking to provide advanced placement courses through Internet-based on-line curriculum to students in rural areas or areas where the lack of available advanced placement teachers make it impossible to provide traditional courses. The bill also make AP a part of other federal education programs such as the Technology for Education Act programs that I helped author in 1994. In this way, federal initiatives will be encouraged to incorporate the high standards and measurable results of the AP program.

As many of my colleagues know, college costs have risen many times faster than inflation over the last decade, making attendance more difficult for high school graduates and creating tremendous financial burdens. Advanced placement programs address this issue by giving students an opportunity to earn college credit in high school by preparing for and passing AP exams. In fact, a single AP English test score of 3 or better is worth approximately $500 in tuition at the University of New Mexico, and the credits granted to students nationwide are worth billions each year.

By promoting AP courses, we also address the need to raise academic standards. Many states and districts are struggling to develop and implement rigorous academic standards and concrete measures of achievement—an approach that is advocated by many experts, lawmakers, and the public. By implementing high academic standards and providing standardized measures for achievement through AP programs, we can help prepare students for college. This is clearly a necessary goal. Almost 33 percent of all freshmen fail to pass to pass basic entrance exams and are required to take remedial courses. And, at least in part due to academic difficulties, over 25 percent of freshmen drop out before their second year.

In addition, expanding AP programs improve students' academic performance in college. And because the vast majority of AP teachers teach several non-AP classes as well, AP programs also have a tendency of raising schoolwide standards and achievement among the 400 new schools adopting the program each year. As Secretary Riley has said, expanded AP will ''help fight the tyranny of low expectations, which tragically hold back so many of our students.''

Of course, there is no single remedy or federal program that can hope to address all of the issues that public education must face in order to improve the achievement and preparation of our students. However, I believe that high college costs and low academic standards deserve our closest attention, and I am confident that expansion of advanced placement programs will help states address these issues effectively.

I look forward to working with my colleagues to incorporate the two bills I am introducing today, as well as, the education bills introduced in recent weeks into the ESEA. I believe that they will go a long way towards improving education in the United States by focusing on raising standards and ensuring accountability for teacher, school and student performance.●

ADDITIONAL COSPONSORS

S. 185

At the request of Mr. ASHCROFT, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Iowa (Mr. HARKIN), and the Senator from Illinois (Mr. FITZGERALD) were added as cosponsors of S. 185, a bill to establish a Chief Agricultural Negotiator in the Office of the United States Trade Representative.

S. 332

At the request of Mr. BROWNBACK, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 332, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kyrgyzstan.

S. 446

At the request of Mrs. BOXER, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 446, a bill to provide for the permanent protection of the resources of the United States in the year 2000 and beyond.

S. 469

At the request of Mr. BREAUX, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 469, a bill to encourage the timely development of a more cost effective United States commercial space transportation industry, and for other purposes.

S. 631

At the request of Mr. DEWINE, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 631, a bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the medicare program, to provide continued entitlement for such drugs for certain individuals after medicare benefits end, and to extend certain medicare secondary payer requirements.

S. 758

At the request of Mr. ASHCROFT, the names of the Senator from New Hampshire (Mr. GREGG), the Senator from Kentucky (Mr. MCCONNELL), and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. 758, a bill to establish legal standards and procedures for the fair, prompt, inexpensive, and efficient resolution of personal injury claims arising out of asbestos exposure, and for other purposes.

S. 759

At the request of Mr. MURKOWSKI, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 759, a bill to regulate the transmission of unsolicited commercial electronic mail on the Internet, and for other purposes.

S. 1003

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1003, a bill to amend the Internal Revenue Code of 1986 to provide increased tax incentives for the purchase of alternative fuel and electric vehicle, and for other purposes.

S. 1085

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1085, a bill to amend the Internal Revenue Code of 1986 to modify the treatment of bonds issued to acquire renewable resources on land subject to conservation easement.

S. 1102

At the request of Mr. GRAMS, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1102, a bill to guarantee the right of individuals to receive full social security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment.

S. 1131

At the request of Mr. EDWARDS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1131, a bill to promote research into, and the development of an ultimate cure for, the disease known as Fragile X.

S. 1133

At the request of Mr. GRAMS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1133, a bill to amend the Poultry Products Inspection Act to cover birds of the order Ratitae that are raised for use as human food.

S. 1155

At the request of Mr. ROBERTS, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1155, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 1187

At the request of Mr. DORGAN, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 1187, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the