

exempt debt issued by any public power system that elects not to issue new tax-exempt debt for electric generation and certain other facilities.

1. Clarification of Existing Private Business Use Rules.—Subsection (a) of section 2 of the bill amends section 141 (b)(6) of the Code to make it clear that the following activities (referred to as "permitted open access transactions") do not result in a private business use and will not make otherwise tax-exempt bonds taxable:

(a) Providing open access transmission service consistent with Federal Energy Regulatory Commission (FERC) Order No. 888 or with State open transmission access rules.

(b) Joining a FERC approved ISO, regional transmission group (RTG), power exchange, or providing service in accordance with an ISO, RTG, or power exchange tariff.

(c) Providing open access distribution services to competing retail sellers of electricity.

(d) If open access transmission or distribution services are offered, contracting for sale or power at non-tariff rates with on-system purchasers or existing off-system purchasers.

Treasury by regulation could add to the list of permitted open access transactions.

2. Election to Terminate Issuing Future Tax-Exempt Debt.—Subsection (b) of section 2 amends section 141 of the Code to permit a public power system to elect to terminate issuing new tax-exempt bonds.

(a) Termination Election.—Under new Code section 141(f)(1), if a public power system elects to terminate issuance of new tax-exempt bonds, it may then undertake transactions that are not otherwise permissible under the private business use rules (as amended above) without endangering the tax-exempt status of its existing bonds. Specifically, if the issuer makes an irrevocable termination election under this provision, then (subject to the exceptions discussed below) no tax-exempt bond may be issued on or after the date of such election with respect to an electric output facility, and no tax-exempt bond that was issued before the date of enactment will be treated as a private activity bond. This treatment continues for so long as such facility continues to be owned by a governmental unit.

Essentially, making this termination election will eliminate the possibility of a private business use challenge to existing tax-exempt debt. If a utility does not make the election, its existing tax-exempt debt for electric generation facilities would continue to be subject to applicable private business use rules and the marketing constraints thereunder.

(B) Exceptions to Termination.—Under section 141(f)(2) even if a public power system made the suspension or termination election, it could continue to issue tax-exempt bonds for the following purposes: for transmission and distribution facilities used to provide open access transmission and distribution services; for "qualified bonds" as defined in section 141 (e) of the Code (which are not currently subject to private business use restrictions); for eligible refunding bonds (bonds that refinance existing bonds but do not extend their average maturity); and for bonds issued to finance repairs of, or environmentally-related equipment for, electrical output facilities, so long as the capacity of the facility is not increased over a de minimis amount.

3. Effective Dates.—Subsection (c) makes the provisions of the bill effective on date of enactment, but an issuer may elect to make the private business use rules as clarified by the bill applicable retroactively to 1996 (when FERC issued its Order No. 888). Paragraph (2) of subsection (c) makes it clear that the provisions of the bill apply to bonds issued under the Internal Revenue Code of

1954 as well as the Internal Revenue Code of 1986. This subsection also makes clear that any activity that was not a private business use prior to the enactment of the bill will not be deemed to be a private business use by reason of the bill's enactment. In addition, an issuer making the election under the bill will not be liable under any contract in effect on the date of enactment of the bill for any contract claim arising from having made the election.●

#### MEASURE PLACED ON THE CALENDAR—H.R. 99

Mr. LOTT. Mr. President, there is a bill at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will read.

The bill clerk read as follows:

A bill (H.R. 99) to amend title 49, United States Code, to extend Federal Aviation Administration programs through September 30, 1999, and for other purposes.

Mr. LOTT. Mr. President, I object to further proceedings on this matter at this time.

The PRESIDING OFFICER. Objection is heard. It will be placed on the calendar.

#### HONORING THE LIFE AND LEGEND OF KING HUSSEIN OF JORDAN

Mr. LOTT. I now ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 7, which is at the desk.

The PRESIDING OFFICER. The clerk will state the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 7) honoring the life and legacy of King Hussein ibn Talal al-Hashem.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LOTT. Mr. President, I rise to offer, together with the distinguished Minority Leader Senator DASCHLE, a resolution recognizing the significant and lasting contributions to peace and security by His Majesty King Hussein of Jordan, who passed away just hours ago.

I was deeply saddened by the news of the death of King Hussein—a true patriot and long-time friend of the United States. His bold leadership and personal courage serve as a model to all of us. I know I speak for my colleagues when I say, our thoughts and prayers are with his family and with the people of Jordan during this difficult time.

It is worth noting that the long-standing ties between our two governments are built upon a solid bedrock of respect and shared values. Even as we consider the profound contribution King Hussein made to peace and security in the Middle East, it is vitally important for both our nations to take concrete steps to strengthen those re-

lations, for the benefit of all our peoples. That is just as King Hussein would have wanted it.

In this regard, I am pleased to note that the resolution before us expresses support and best wishes for the new government in Jordan under King Abdullah. The King has signaled his desire to maintain a high degree of continuity for Jordan, for Middle East peace, for the region, and for U.S.-Jordanian relations. This includes a strong commitment to the Jordan-Israel peace treaty.

I strongly urge my colleagues to support this bipartisan resolution, as it represents a modest but important signal of the degree to which we honor the courageous life and lasting legacy of King Hussein. I thank my colleague from South Dakota for joining me in offering this resolution and I yield the floor.

Mr. DASCHLE. Mr. President, I am proud to cosponsor this resolution honoring one of the towering figures of our time.

Peace-loving people throughout the world feel a deep sadness over the death of Jordan's King Hussein. By the sheer force of his personal and political courage, he changed the world for the better.

None of us will ever forget how he rose from his sickbed at the Mayo Clinic last fall and came to the Wye River peace talks when those talks seemed in danger of collapse. Those who were there say he restored to those talks a sense that peace was not only possible, but worth making great sacrifices for, and taking extraordinary risks for.

His was a clear voice for moderation, tolerance and accommodation as he urged the two sides to work for peace. His admonition that there had been "enough destruction, enough death, enough waste" helped bridge the gap and forge an agreement.

King Hussein himself took a risk for peace in 1994, when he forged the historic peace agreement between Jordan and Israel.

Another image we will perhaps always remember is the picture of King Hussein kneeling not long ago at the feet of an Israeli father whose child had been killed by Jordanian border guards, and apologizing to the man for his loss. He was a noble man and, at the same time, a humble man.

He was also a man of great vision and skill. When he became the King, the Hashemite Kingdom enjoyed little of what it has now.

In just a generation and a half, he created in Jordan a system of schools and roads and all the other infrastructure of a modern state.

King Hussein was a true friend of the United States. And, like all friends, we did not always see eye-to-eye on every matter.

In the end, however, it is not our differences with him that we remember. It is how he inspired people to come together despite their differences.

A man small in physical stature, he walked among us like a giant.

The world is diminished by his passing.

We will miss him greatly.

Today, as King Hussein is buried, we offer our prayers and sympathy to his family—especially Queen Noor and each of his children—and to all the people of his beloved Jordan.

We also pledge to work closely with King Abdullah and the Jordanian people to protect King Hussein's legacy. We must continue our efforts to promote peace in the Middle East, including implementing the Wye River Peace Accord, which would not have been possible without his courage.

Finally, I hope we will work expeditiously to approve the aid to Jordan that was agreed to at Wye as a tangible demonstration of our support for King Abdullah and our ongoing commitment to peace in the Middle East.

Our friend is gone, but his spirit lives on in the fragile Middle East peace. Let us nurture it and help it grow, in his name and in his memory.

Mr. HELMS. Mr. President, among the steady stream of foreign heads of state visiting the Senate's Foreign Relations Committee, King Hussein was always given a special welcome. He was instinctively a friend possessing a unique combination of grace and good humor. I therefore view his death as a personal loss.

I recall one occasion when members of our committee were gathered around the large oval table enjoying the King's jovial good humor. Queen Noor was present on that occasion. As His Majesty traded comments with the senators around him, it occurred to me that Queen Noor had perhaps not been properly welcomed. So I asked the King if he could identify the most significant 20th century export to his country. He obviously pondered the question with uncertainty, so we identified the "export"—Queen Noor.

He laughed heartily and replied: "I'm not about to disagree with that!"

This great man, great leader, and faithful friend of the United States presided over his country at a time fraught with peril, beset with almost constant threats both internal and external. Yet throughout his long reign he met the challenges of leadership with grace and courage. Without King Hussein, there would not today be even the limited peace the Middle East now enjoys.

He will be sorely missed, certainly by me. I wish godspeed to his son and successor, Abdullah bin Hussein.

Mr. BIDEN. Mr. President, I am pleased to support the resolution offered by the Majority and Minority Leaders in honor of the life and legacy of King Hussein.

With King Hussein's death, the United States has lost a close, steady friend in a troubled part of the world. My deepest condolences go out to the King's family and the Jordanian people. My best wishes go to King Hussein's designated heir, King Abdullah.

In all of my encounters with King Hussein I was impressed above all else

by his optimism and determination in the cause of peace. He never gave up, and in his memory, we must now press forward on the road to peace.

I was also touched by his humanity and personal warmth. He was always gentle and polite, never aloof or impetuous.

Though his life ended too soon, his legacy will survive. His rare gift of vision helped guide Jordan through many dark periods. The heroic steps he took to help promote peace and reconciliation between Arabs and Israelis will continue to bear fruit.

His efforts to establish the foundations of democratic government in Jordan remain a worthy example for the region, where democracy is in short supply.

Finally, the partnership between Jordan and the United States, cultivated so carefully by King Hussein over 46 years and nine American Administrations will continue well into the future.

President Clinton has asked us to demonstrate our support for Jordan in a very tangible way—by promptly approving his request for supplemental assistance to Jordan. I hope that we can act on that request quickly to show the Jordanian people that we honor the memory and great achievements of their late King, and that our friendship with their country is enduring.

Mr. FEINGOLD. Mr. President, I am deeply saddened by the death of King Hussein this past weekend. I have had the honor of meeting King Hussein several times, and have always been impressed by his dignity and grace. He was a true statesman.

Mr. President, through almost half a century of war and hope, tragedy and peace, King Hussein shepherded his country through its transition to a stable modern nation and a close U.S. ally. More than the words he has spoken, it is the actions he has taken that have earned him the respect of Israelis, and the trust of the Arab world. Throughout it all, King Hussein never lost sight of our common goal of a just and comprehensive Middle East peace, nor of what that peace would mean. He understood, even when no one else did, that true peace "resides ultimately not in the hands of governments, but in the hands of people."

On a personal note, I remember being moved by the words he shared during the funeral of another great leader, Yitzhak Rabin. There, on the hill above the troubled city of Jerusalem, a city where as a young boy the King had witnessed the assassination of his own grandfather, and in sight of the grave of Theodore Herzl, the founder of Zionism, King Hussein bore witness to his never-ending commitment to peace "for all times to come," and pledged to do his "utmost to ensure that we leave a similar legacy." And he mourned the loss of Rabin as a brother and a friend.

I also recall with deep admiration being in the company of the King as he

looked out at the Old City from the King David Hotel at the time of that funeral. It was perhaps the first time in many decades he had visited that place, and it was a moving moment.

King Hussein understood well that the religious and cultural roots of the Jewish and Muslim people are forever intertwined in the fertile and historic soil of the Middle East. His country was created along the Jordan River, after which it is named, following the First World War. Its original borders on the east bank of the river, created by colonial rulers, have been altered by annexation, war, and peace agreement. Two years after Jordan gained its independence from Great Britain, the fledgling State of Israel emerged on the other side of the Jordan River, and many of the Palestinians living in the new state migrated to Jordan.

King Hussein's grandfather, King Abdullah, was the first ruler of an independent Jordan. His decision to annex the Palestinian-held West Bank in 1950, when his grandson was 15 years old, initiated a series of events that would profoundly affect the balance of power in the Middle East and the life of the young prince.

In 1951, King Abdullah was assassinated by a Palestinian nationalist angered by the annexation of the West Bank. The then-Prince Hussein was standing just a few steps away as his grandfather fell. Illness prevented King Abdullah's son, Talal, from ruling, and he abdicated in favor of his own son, Prince Hussein, who formally assumed the throne in May 1953, at the age of 17. King Hussein would go on to rule Jordan for nearly half a century, and was the longest serving ruler in the Middle East at the time of his death.

King Hussein was the only ruler that most Jordanians have known. On a more personal note, he was the King of his country for just about as long as I have been alive. I was about two months old when he formally became King. Over the course of my life and his rule, my views about him and his country have changed dramatically.

I remember the deep animosity that existed between Jews and Jordanians when I was growing up in the 1960s, culminating in the Six Day War in 1967 during which Jordan lost control of the West Bank and East Jerusalem. While I was horrified by the religiously-motivated attacks perpetrated by many Jordanians during this time, I understand and appreciate the religious ties the Arab people feel toward Jerusalem. Two of the holiest sites in Islam, the Dome of the Rock and the Al Aqsa Mosque, where King Hussein's grandfather was assassinated, are located there.

Throughout these last few decades, I have developed an immense respect for King Hussein and for the Jordanian people. As is true for most people, when I was younger it took me some time to realize that the actions of one person or a group of people are not always an accurate representation of the

true feelings of a country or a political leader. The ethnic and religious violence that has occurred in the Middle East, and indeed around the world, is largely carried out by fringe groups who believe that violence is the only way to send a message, protest an action, or achieve a political goal.

Even though it was a violent act that propelled him into power at such a young age, King Hussein chose to reject violence and embrace peace. As a result of his moderate views, in 1974 an Arab summit declared that he was no longer the spokesman for the Palestinian people, and proclaimed that the Palestinian Liberation Organization, and its leader, Yasser Arafat, would assume that role. When the PLO began its "intifada" against Israel in 1988, King Hussein formally cut Jordan's ties to the West Bank, but retained a supervisory role over Muslim holy places in East Jerusalem and the West Bank.

In 1994, Jordan became only the second Arab country to sign a peace agreement with Israel. The two countries established diplomatic relations, Israel returned some territory to Jordan, and the countries have begun to work together on common issues such as shared infrastructure and access to potable water. Unfortunately, these courageous moves have sometimes been met with violent acts, particularly from those who felt that peace between Israel and Jordan was premature. The 1997 murder of seven Israeli school girls by a Jordanian soldier was a sobering reminder that not all Jordanians shared their King's support for peace. But, in a testament to his commitment to peace, King Hussein not only condemned this cowardly action, but he also made the effort to travel to Israel to visit with the families of the young victims.

One of the King's biggest strengths was his ability to lead quietly by example. His decision to visit the families of the children murdered by one of his army's soldiers is but one instance of this.

Even as the King was undergoing treatment for cancer at the Mayo Clinic, the welfare of his people and the status of the Middle East peace process was not far from his mind. He displayed a quiet courage and admirable strength by leaving the hospital and traveling to the Wye River peace negotiations last fall in order to encourage a settlement between the Israelis and the Palestinians. Even as his health was deteriorating, King Hussein's commitment to peace never waned. Selfless acts such as that earned him the respect of people around the world and made him one of the linchpins of the

negotiations for peace in the Middle East.

Mr. President, this week's Torah portion speaks of the Revelation at Sinai. Moses had been commanded by God to prepare the people for God's descent and visit, and in the wake of dark clouds, thunder and lightning, the sounds of the Shofar, and the trembling of the earth, God spoke to the Israelites and made his commandments known. It is a powerful passage that speaks to the hearts of all of us who believe in God.

Despite a history fraught with pain, violence and death, King Hussein understood the universal meaning of the commandments, which instruct us not to covet the land and property of our neighbors, and, above all, not to kill. Throughout his life, King Hussein maintained a vision of a Middle East free from pain, violence and death, and he hoped he would see that day during his lifetime.

Alas, although significant progress has been made, including the warming of relations between Jordan and Israel, true peace in the Middle East still escapes us. But there is no doubt in my mind that among the many legacies of King Hussein is a true commitment to a just and lasting peace in the Middle East.

In his honor and in his memory, let us join him in committing ourselves to the same goal.

Mr. LOTT. I ask unanimous consent the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution appear in the RECORD.

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

The concurrent resolution was agreed to.

The preamble was agreed to.

The concurrent resolution (S. Con. Res. 7), with its preamble, reads as follows:

S. CON. RES. 7

Whereas King Hussein ibn Talal al-Hashem was born in Amman on November 14, 1935;

Whereas he was proclaimed king of Jordan in August of 1952 at the age of 17 following the assassination of his grandfather, King Abdullah and the abdication of his father, Talal;

Whereas King Hussein became the longest serving head of state in the Middle East, working with every U.S. President since Dwight D. Eisenhower;

Whereas under King Hussein, Jordan has instituted wide-ranging democratic reforms;

Whereas throughout his life, King Hussein survived multiple assassination attempts, plots to overthrow his government and attacks on Jordan, invariably meeting such attacks with fierce courage and devotion to his Kingdom and its people;

Whereas despite decades of conflict with the State of Israel, King Hussein invariably maintained a dialogue with the Jewish state, and ultimately signed a full-fledged peace treaty with Israel on October 26, 1994;

Whereas King Hussein has established a model for Arab-Israeli coexistence in Jordan's ties with the State of Israel, including deepening political and cultural relations, growing trade and economic ties and other major accomplishments;

Whereas, King Hussein contributed to the cause of peace in the Middle East with tireless energy, rising from his sick bed at the last to assist in the Wye Plantation talks between the State of Israel and the Palestinian Authority;

Whereas King Hussein fought cancer with the same courage he displayed in tirelessly promoting and making invaluable contributions to peace in the Middle East;

Whereas on February 7, 1999, King Hussein succumbed to cancer in Amman, Jordan; Now, therefore, be it

*Resolved by the Senate, (The House of Representatives concurring), That the Congress—*

(1) extends its deepest sympathy and condolences to the family of King Hussein and to all the people of Jordan in this difficult time;

(2) expresses admiration for King Hussein's enlightened leadership and gratitude for his support for peace throughout the Middle East;

(3) expresses its support and best wishes for the new government of Jordan under King Abdullah;

(4) reaffirms the United States commitment to strengthening the vital relationship between our two governments and peoples;

SEC. 2. The Secretary of the Senate is directed to transmit an enrolled copy of this resolution to the family of the deceased.

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ADJOURNMENT UNTIL 1 P.M.  
TOMORROW

Mr. LOTT. Mr. President, I now ask unanimous consent the Senate stand in adjournment under the previous order until 1 p.m. tomorrow.

There being no objection, the Senate, at 6:37 p.m., adjourned to reconvene as a Court of Impeachment on Tuesday, February 9, 1999, at 1 p.m.

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NOMINATIONS

Executive nominations received by the Secretary of the Senate February 8, 1999, under authority of the order of the Senate of January 6, 1999:

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

ANNE JEANNETTE UDALL, OF NORTH CAROLINA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2004. (REAPPOINTMENT)

NATIONAL SCIENCE FOUNDATION

JOSEPH BORDOGNA, OF PENNSYLVANIA, TO BE DEPUTY DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION, VICE ANNE C. PETERSEN, RESIGNED.