

help broker the Wye River accord that revived the failing peace process between Israel and the Palestinians. It was his presence and his commitment that brought a successful resolution to this agreement.

He did this at great personal sacrifice when he was near death. He fought illness with grace, courage and faith in the same way he had lived his life.

A stronger Kingdom of Jordan and a more stable Middle East, capable of eventually sustaining a lasting peace will be one of his great legacies.

Mr. President it is vitally important for the United States and Jordan to continue our close ties and to deepen our mutual commitment.

I join my colleagues in expressing my support and best wishes to King Hussein's son and successor, King Abdullah.

I met with King Abdullah this past November. He is very capable, knowledgeable and his is a strong leader. He is now a key to peace in the world and he is up to the task. We all wish him God's speed and great blessings. ●

#### THE NATIONAL SALVAGE MOTOR VEHICLE CONSUMER PROTECTION ACT

● Mr. LOTT. Mr. President, I want to talk about America's used car buyers. They are looking to this Congress to take prompt action on legislation that will curtail the fraudulent practice of "title washing." A deceptive scheme that costs consumers and the automobile industry over \$4 billion annually and places millions of structurally unsafe vehicles back on America's roads and highways.

Last week I brought to your attention a January 8, 1999, Washington Post article entitled "Wrecked Cars, On the Road Again." This is scary—government crash test cars—deliberately destroyed cars—are being rebuilt and sold to unsuspecting consumers as undamaged vehicles. One of these crash cars could have been next to any one of us on the way to work today.

I ask my colleagues to think about how they would feel if their son or daughter unknowingly purchased a NHSTA crash test car. Aside from the significant monetary loss, buyers of these previously totaled cars or trucks are also unwittingly risking life and limb. As well as everyone with whom they share the road.

As my colleagues are well aware, Senator Ford and I coauthored legislation in the 105th Congress with the intent of putting dishonest rebuilders out of business. Our bill would have provided greater disclosure to potential used car buyers by establishing national uniform definitions for salvage, rebuilt salvage, nonrepairable, and flood vehicles. As everyone knows, especially the crooks and charlatans who prey on unsuspecting victims, that it is the lack of uniformity and the inconsistencies in state automobile titling procedures that allows title laundering to flourish unabated.

Mr. President, the provisions of the National Salvage Motor Vehicle Consumer Protection Act mirrored the recommendations of the Motor Vehicle Titling, Registration and Salvage Advisory Committee. This congressionally mandated committee, overseen by the U.S. Department of Transportation, included State motor vehicle officials, motor vehicle manufactures, dealers, recyclers, insurers, salvage yard operators, scrap processors, federal and state law enforcement representatives, and others. While I would like to claim credit for authoring the definitions in the title branding legislation, they were in fact based on the knowledge and experience of the Salvage Committee and the recommendations offered in their final report. So these are not my definitions, they are the expert advisory committee's definitions.

Mr. President, too often Congress lets recommendations from commissions we mandate sit on a shelf gathering dust.

Mr. President, I do not want this to happen here. Title washing is a pervasive problem. The salvage advisory group provided a wealth of information and recommendations to address this national problem. Congress needs to act.

Aside from promoting the use of uniform definitions, the bill requires rebuilt salvage vehicles to undergo a theft inspection in addition to any required state safety inspection. These vehicles would also have a decal permanently affixed to its window and the driver's doorjamb to provide even greater disclosure. Equally important, the vehicle's brand would be carried forward to each state where the vehicle is retitled. And, the Vehicle Identification Numbers (VIN) of irreparably damaged vehicles would be tracked to prevent automobile theft.

Contrary to the misrepresentations about this bill, it allowed states to adopt disclosure standards beyond those provided for in the bill. In fact, states would have had broad latitude to provide almost unlimited disclosure to their citizens. This important legislation merely created a basic minimum national standard while allowing states the flexibility to adopt more stringent regulations. It also did not create a federal mandate on the states as some had proposed. As my colleagues will recall, the Supreme Court held in *New York v. United States* [505 U.S. 144 (1992)] that states cannot be forced by Congress to execute programs that should be administered by the U.S. government.

Mr. President, Congress came very close to enacting title branding legislation last year. The original measure received the formal support of 57 of our colleagues in this chamber and a similar bill passed the House of Representatives with a vote of 333 to 72. Throughout the legislative process, a number of significant changes were made to the bill to address the concerns expressed by consumer groups and some state at-

torneys general. In a good faith effort, the following changes were included in the modified version of the bill.

The percentage threshold for defining a "salvage vehicle" was lowered from 80 percent to 75 percent.

The final bill included a provision allowing states broad latitude in determining which vehicles would be designated as "salvage." The compromise permitted a state to maintain or establish a lower percentage threshold for defining a "salvage vehicle." So if a state set its percentage threshold below the 75 percent level, it would still have been in compliance with the bill. Some consumer groups and state attorneys general advocated that states be able to set their thresholds as low as they desired. This bill would have allowed any state to do just that.

A new provision was added that allowed states to cover any vehicle, regardless of age. This is referred to as "older model salvage vehicle."

Another new provision in the legislation granted state attorneys general the ability to sue on behalf of consumers who are victimized by rebuilt salvage fraud and to recover monetary judgments for damages that citizens may have suffered.

The bill's section on "prohibited acts," replaced the House's "knowingly and willfully" standard with a "knowingly" standard.

Two new prohibited acts were included—one related to failure to make a flood disclosure and the other related to moving a vehicle or title across state lines for the purpose of avoiding the bill's requirements.

In the original bill, conforming states were prohibited from using synonyms of terms defined in the legislation (i.e. reconstructed, unbuildable, junk) in connection with a vehicle. The modified bill deleted this restrictive language, giving states increased flexibility to provide additional disclosures to their citizens regarding the damage history of vehicles.

The compromise bill added a provision making it clear that nothing in the legislation would affect any private right of action under existing state laws. Let me say again that a citizen's ability to pursue private rights of action would have continued under the legislation.

At the request of Senator SLADE GORTON, the proposed federal criminal penalty provision was removed from the bill. As a former state attorney general, Senator GORTON was concerned that creating new federal penalties would unnecessarily increase the burden on an already stressed federal court system, especially in instances where existing state civil and criminal remedies would adequately address violations of the bill's titling requirements. Senator GORTON's concerns were recently buttressed by Chief Justice Rehnquist who recently complained about Congress' "trend to federalize crimes that traditionally have been handled in state courts." While

the proposed criminal penalty was dropped, a provision authorizing civil penalties was retained.

At the request of Sen. ERNEST HOLLINGS, a new provision was added concerning the Secretary of Transportation advising automobile dealers of the prohibition on selling vans as school buses.

Again, these were significant changes aimed at achieving consensus and balancing the need for uniformity with the desire to provide states with reasonable and appropriate flexibility.

It is also important to point out that the final title branding bill that passed the House with a bipartisan majority last October was strongly supported by state motor vehicle administrators. These are the very people responsible for implementing titling rules and procedures. If there is anyone that Congress should listen to on this topic, it is the state DMV directors. They have the most commitment to and significant knowledge and experience dealing with titling matters. Since they are on the front lines, these administrators know what works and what will not. Their only vested interest is to ensure that the people they serve in their states have an effective titling system. To that end, they have been working with the Department of Transportation and the Department of Justice to develop a National Motor Vehicle Title Information System that would provide titling offices around the country with accurate, reliable, and timely registration information.

As I have said repeatedly, title branding legislation would significantly improve disclosure for used car buyers. It would close the many loopholes that exist by establishing uniform definitions. It would create national standards that would protect the safety and well-being of consumers and motorists across America. Enacting this legislation would allow our sons and daughters to buy a used car without fear that they may be purchasing a totaled and subsequently rebuilt vehicle.

For these reasons, I intend on introducing the National Salvage Motor Vehicle Consumer Protection Act as it passed the House last October. I have also solicited technical corrections from a number of interested and affected sources including the U.S. Department of Transportation.

Mr. President, I ask my colleagues from both sides of the aisle to safeguard our friends and families from title fraud by formally supporting this legislation.

With your help, Congress can put thousands of chop-shop owners and con-artists out of business and keep millions of structurally unsafe vehicles off our nation's roads and highways. Let us take quick action to keep our constituents from buying wrecks on wheels.●

#### TRIBUTE TO REAR ADMIRAL WILLIAM L. STUBBLEFIELD ON THE OCCASION OF HIS RETIREMENT

● Mr. KERRY. Mr. President, I rise today to pay tribute to Rear Admiral Bill Stubblefield on the occasion of his retirement as the Director of the Office of NOAA Corps Operations and the Director of the NOAA Corps, in the Department of Commerce's National Oceanic and Atmospheric Administration. Rear Admiral Stubblefield has given 33 years of dedicated service to the nation.

Bill Stubblefield served as a commissioned officer in the U.S. Navy from 1962 to 1968 aboard a minesweeper and an icebreaker, and then with the U.S. Navy's SOSUS network. In 1968, he resigned his commission from the Navy to further his education and received his Master's degree in Geology from the University of Iowa in 1971.

In July 1971 Admiral Stubblefield joined the NOAA Commissioned Corps as a Lieutenant in his home town of Medina, Tennessee, and attended the 38th NOAA Corps Basic Officer Training Class which was held at the United States Merchant Marine Academy in Kings Point, New York. After his commissioning, he was assigned to serve as a Junior Officer aboard the NOAA Ships *Pathfinder* and *Rainier*, conducting hydrographic surveys in California, Washington, and Alaska. His next assignment was ashore with the Environmental Research Laboratory, Office of Oceanic and Atmospheric Research, in Miami, Florida, as Deputy Director of the Marine Geology and Geophysics Division. For this work, he received a NOAA Corps Special Achievement Award.

Admiral Stubblefield returned to sea duty in December of 1975 as Operations Officer aboard the NOAA Ship *Researcher*, which conducted oceanographic and atmospheric research in the waters of the Atlantic Ocean.

From January 1978 to May 1979, Admiral Stubblefield attended full-time university training at Texas A&M University receiving his Ph.D. in geological oceanography. He returned to the Environmental Research Laboratory as a research oceanographer until 1981, when he was summoned back to sea as the Executive Officer of the NOAA Ship *Researcher*.

Following his sea assignment Admiral Stubblefield had tours of duty as the Scientific Support Coordinator of the southeastern Atlantic and Gulf coastal areas for the NOAA Office of Marine Pollution Assessment Hazardous Material Program and Technical Specialist for the NOAA Office of Sea Grant in Washington, D.C. Admiral Stubblefield was then assigned to the position of Chief Scientist for the NOAA Undersea Research Program.

He returned to sea in 1988 as Commanding Officer of the NOAA Ship *Surveyor* which conducted oceanic research from the Arctic to the Antarctic, including the north and south Pacific Ocean, Gulf of Alaska, and the Bering

Sea. At the time, the *Surveyor* had attained the award of traveling the farthest north and south of any NOAA vessel at its time.

In 1990 he was assigned the position of Coordinator for the Fleet Modernization Study to assess the life expectancy of NOAA's ships and determine how to modernize NOAA's fleet to operate into the 21st century. For this work, he received the Department of Commerce Silver Medal, DOC's second highest award. In late 1990, Admiral Stubblefield became the Executive Director for the Office of Oceanic and Atmospheric Research, where he was responsible for the management and budget functions, international affairs, and administrative duties of this NOAA program office.

In August 1992, he was promoted to the rank of Rear Admiral, Lower Half and assigned as Deputy Director, Office of NOAA Corps Operations where he was responsible for the day-to-day operations of this staff office. In 1995, Admiral Stubblefield was selected for the position of Director, Office of NOAA Corps Operations and Director of the NOAA Commissioned Corps, and promoted to Rear Admiral, Upper Half, the highest position in the NOAA Corps.

Since Admiral Stubblefield became Director, the Office of NOAA Corps Operations has undergone many changes. He re-engineered the office to become more cost-efficient and customer oriented. He decommissioned five older ships, downsized the headquarters office by over 40 percent, both civilian and commissioned personnel, and reduced ship operating costs, while increasing the level of ship support.

Under his command, a new oceanographic ship, the *Ronald H. Brown*, was built and commissioned, and two former Navy ships were converted to conduct fisheries, oceanic, and atmospheric research. He also saw the new Gulfstream IV jet built and brought into operation to study the effects of El Niño last winter off the California coast and conduct hurricane reconnaissance this past hurricane season.

Also under his command, Admiral Stubblefield faced the most challenging task of his career, one that no head of a uniformed service would ever want to face—the decision to disestablish the NOAA Commissioned Corps. The Corps was under a hiring freeze that lasted for 4 years. Yet, Admiral Stubblefield still was able to maintain morale and fill the assignments required to operate the ships and aircraft.

This past October, when it became apparent the NOAA Corps plays a vital role for the country, the decision was made to retain the NOAA Corps. In January 1999, 17 new officers began their basic training at the Merchant Marine Academy in Kings Point, New York.

Admiral Stubblefield is an officer, a scientist, and a gentleman. I commend Bill for his tremendous accomplishments during his career and service to