

By Mr. ABRAHAM:

S.J. Res. 13. A joint resolution proposing an amendment to the Constitution of the United States to protect Social Security; read the first time.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DASCHLE (for Mr. LAUTENBERG):

S. Res. 59. A bill designating both July 2, 1999, and July 2, 2000, as "National Literacy Day"; to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMM:

S. 559. A bill to designate the Federal building located at 33 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building"; to the Committee on Environment and Public Works.

##### J.J. "JAKE" PICKLE FEDERAL BUILDING

Mr. GRAMM. Mr. President, today I join with Senator KAY BAILEY HUTCHISON in introducing a bill to name the Austin, Texas federal building in honor of a great Texan: Congressman J.J. "Jake" Pickle. Congressman Pickle became an institution in Washington, D.C. throughout his 30-year tenure in Congress, and his dedication and service to the people of Austin and Central Texas continue today. I had the pleasure to serve with him in the House of Representatives, and I hold him in high esteem for the man he is and the spirit in which he served. Jake Pickle walked with giants like Lyndon Johnson and Sam Rayburn, and he is a giant in his own right. I believe that naming the federal building in Austin in Jake's honor is a fitting tribute to his service on behalf of our great state and in recognition of his significant and ever-lasting contributions to our country.

By Mr. DASCHLE (for Mr. LAUTENBERG (for himself, Mr. DURBIN, Mr. SCHUMER, and Mr. REED)):

S. 560. A bill to reform the manner in which firearms are manufactured and distributed by providing an incentive to State and local governments to bring claims for the rising costs of gun violence in their communities; to the Committee on the Judiciary.

##### THE GUN INDUSTRY ACCOUNTABILITY ACT OF 1999

Mr. LAUTENBERG. Mr. President, I rise to introduce the Gun Industry Accountability Act of 1999 along with my colleagues, Senators DURBIN, SCHUMER, and REED of Rhode Island. This legislation is aimed at one purpose: to force the gun industry to market and manufacture their products in a safer and more responsible manner.

Mr. President, on Thursday, March 4th I was joined at the announcement of this bill by Mayor Bill Campbell of

Atlanta and Mayor Alex Penelas of Miami-Dade County. They represent two of the now five jurisdictions that have filed claims against the gun industry on behalf of the taxpayers of their communities. They seek reimbursement for the massive costs of gun violence within their borders and ultimately, major changes in the way the gun industry sells its lethal products.

Mr. President, the gun industry has long placed profits above the safety of society. The industry ignores numerous, patented safety devices for guns—even things as simple as an indicator of whether a gun is loaded. The distributors of firearms also intentionally flood certain markets with guns, knowing that the excess weapons will make their way into a nearby illegal market.

The lawsuits by these courageous mayors will likely prove to be the most effective mechanism to get the Industry to alter their deadly practices. The reason is simple: it will bring the gun merchants into line by striking where they are most sensitive—the bottom line.

To aid this effort, the Gun Industry Accountability Act will strengthen the hand of the cities in court against the formidable firepower of the gun industry and its team of high-priced lawyers. It will help these mayors in their quest to get the industry to lay down its weapons, come to the table and finally agree to behave as responsible corporate citizens.

Mr. President, under current law, these cities filing claims against the gun industry are only able to recover the costs that their city or county has paid out due to gun violence. The Gun Industry Accountability Act will strengthen the mayors' hands by allowing them to recover both the city's costs for gun victims in their area as well as the Federal costs associated with these same victims. If a city eventually recovers Federal costs, either through a court judgment or settlement, then the city will be permitted to keep two thirds of the recovery and return the remaining one third to the Federal Government.

By increasing the likely reward for bringing a lawsuit against firearms manufacturers, this legislation will serve as an incentive for more cities, counties and States to join the fight to hold the gun industry accountable. When our legislation passes, it will force the industry to stare down the double barrel of local and federal liabilities in these suits.

Mr. President, the potential federal liability is substantial. The National Center for Injury Prevention and Control tells us that 80 percent of the economic costs of treating firearms injuries are paid for by taxpayers.

Federal taxpayers pick up the tab for disability payments through SSI, Veterans Administration, Unemployment, Medicare and other costs of treating victims of gun violence.

Mr. President, despite these enormous costs, the gun industry and its

friends in the National Rifle Association will go to any length to avoid accountability. The NRA and its corporate members are seeking state and federal legislation to take away the rights of mayors to safeguard their citizens against unsafe products and irresponsible marketing practices.

Unfortunately, the NRA's drive against the legal rights of local communities has already succeeded in at least one state. In Georgia, the state legislature has already passed a bill at the NRA's request to retroactively block the City of Atlanta's suit. Mayor Campbell has already asked the court system to throw out the legislature's unconstitutional action.

The NRA's extremism has reached new heights in Florida. In that state legislature, a bill has been introduced that would not only block Miami-Dade's lawsuit, but also declare Mayor Penelas a felon! In the NRA's world, a public official should be imprisoned for acting to protect the safety of his or her constituents.

Mr. President, here in Congress there is already talk of Federal legislation to block cities, counties and States from asserting their rights in court. If such a bill is introduced it will prove that the era of Big Government is certainly not over.

Mr. President, I pledge that I will do all I can to make sure that bill will never pass the Senate. Senators DURBIN, SCHUMER, REED and I will work tirelessly against such an unconscionable proposal.

Congress should be helping these local communities make their streets safer—not block them from accomplishing that goal.

To that end, I urge my colleagues to join us in cosponsoring the Gun Industry Accountability Act.

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. 560

*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 "Gun Industry Accountability Act".

##### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Across the Nation, local communities are bringing rightful legal claims against the gun industry to seek changes in the manner in which the industry conducts business in the civilian market in those communities.

(2) Since firearms are the only widely available consumer product designed to kill, firearm manufacturers, distributors, and retailers have a special responsibility to take into account the health and safety of the public in marketing firearms.

(3) The gun industry has failed in this responsibility by engaging in practices that have contributed directly to the terrible burden of firearm-related violence on society.

(4) The gun industry has generally refused to include numerous safety devices with

their products, including devices to prevent the unauthorized use of a firearm, indicators that a firearm is loaded, and child safety locks, and the absence of such safety devices has rendered these products unreasonably dangerous.

(5) The gun industry has also engaged in distribution practices in which the industry oversupplies certain legal markets with firearms with the knowledge that the excess firearms will be distributed into nearby illegal markets.

(6) According to the National Center for Injury Prevention and Control—

(A) at least 80 percent of the economic costs of treating firearms injuries are paid for by taxpayer dollars; and

(B) in 1990, firearm injuries resulted in costs of more than \$24,000,000,000 in hospital and other medical care for long-term disability and premature death.

### SEC. 3. DEFINITIONS.

In this Act:

(1) **FEDERAL DAMAGES.**—The term “Federal damages” means the amount of damages sustained by the Federal Government as a result of the sale, distribution, use or misuse of a firearm (including gun violence) including damages relating to medical expenses, the costs of continuing care and disabilities, law enforcement expenses, and lost wages.

(2) **FIREARM.**—The term “firearm” has the meaning given the term in section 921 of title 18, United States Code.

(3) **GUN VIOLENCE.**—The term “gun violence” means any offense under Federal or State law that—

(A) constitutes a crime of violence (as defined in section 16 of title 18, United States Code); and

(B) involves the use of a firearm.

(4) **MANUFACTURER.**—The term “manufacturer” has the meaning given the term in section 921 of title 18, United States Code;

(5) **STATE.**—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(6) **UNIT OF LOCAL GOVERNMENT.**—The term “unit of local government” means any city, town, township, county, parish, village, or other general purpose political subdivision of a State.

### SEC. 4. RECOVERY OF FEDERAL DAMAGES BY STATES AND UNITS OF LOCAL GOVERNMENT SEEKING FEDERAL DAMAGES.

(a) **IN GENERAL.**—In any civil action by a State or unit of local government against a manufacturer of firearms to recover damages relating to the sale, distribution, use or misuse of a firearm (including gun violence) in the State or unit of local government, the State or unit of local government may, in addition to other damages, recover any Federal damages associated with the claim as provided in this section.

(b) **FEDERAL ACTIONS.**—If the Attorney General files an action against a manufacturer of firearms to recover Federal damages, a State or unit of local government may not recover those Federal damages under this section in any action filed on or after the date on which the Attorney General files that action.

(c) **ACTIONS BROUGHT BY A STATE OR UNIT OF LOCAL GOVERNMENT.**—

(1) **NOTICE OF CIVIL ACTION.**—A State or unit of local government seeking to recover Federal damages under this section shall serve a copy of the complaint on Attorney General in accordance with rule 4 of the Federal Rules of Civil Procedure.

(2) **ENTRY OF APPEARANCE.**—If the Attorney General is served under paragraph (1), the Attorney General may proceed with the ac-

tion by entering an appearance before the expiration of the 30-day period beginning on the date on which the Attorney General is served under paragraph (1).

(3) **EFFECT OF FAILURE TO ENTER APPEARANCE OR PROCEED WITH THE ACTION.**—If a State or unit of local government serves the Attorney General under paragraph (1), the State or unit of local government may recover Federal damages under this section only if the Attorney General—

(A) fails to enter an appearance in the action in accordance with paragraph (2) or gives written notice to the court of an intent not to enter the action; or

(B) does not proceed with the action before the expiration of the 6-month period (or such addition period as the court may allow after notice) beginning on the date on which the Attorney General enters an appearance under paragraph (2).

(4) **LIMITATION.**—If the Attorney General enters an appearance under paragraph (2) and proceeds with the action before the expiration of the 6-month period described in paragraph (3)(B), the State or unit of local government may not recover Federal damages under this section.

(d) **PREVENTION OF DUAL RECOVERY OF FEDERAL DAMAGES.**—If there is a conflict between a State and 1 or more units of local government within the State over which jurisdiction may recover Federal damages under this section on behalf of a certain area in the State, only the first jurisdiction to file an action described in subsection (a) may recover those Federal damages.

(e) **FEDERAL RIGHT TO DAMAGES IN OTHER ACTIONS.**—The recovery of Federal damages by a State or unit of local government under this section may not be construed to waive any right of the Federal Government to recover other Federal damages in an action by the Attorney General.

#### (f) DISMISSAL OR COMPROMISE.—

(1) **IN GENERAL.**—In an action for Federal damages brought by a State or unit of local government under this section—

(A) the action may not be dismissed or compromised without the approval of the court; and

(B) notice of the proposed dismissal or compromise shall be given to the Attorney General in such manner as the court directs.

(2) **COURT APPROVAL.**—In approving the dismissal or compromise of an action described in paragraph (1), the court shall—

(A) state whether the dismissal or compromise is with or without prejudice to the right of the Federal Government to bring an action for the Federal damages at issue; and

(B) determine the percentage of any amount recovered by the State or unit of local government that represents Federal damages.

(g) **DISTRIBUTION AND USE OF FEDERAL DAMAGES RECOVERED.**—Of the total amount of Federal damages recovered by a State or local government under this section (including any amount recovered pursuant to a dismissal or compromise under subsection (f))—

(1)  $\frac{1}{3}$  shall be paid to the Federal Government, to be used for crime prevention, mentoring programs, and firearm injury prevention research and activities; and

(2)  $\frac{2}{3}$  shall be retained by the State or unit of local government, of which—

(A)  $\frac{1}{4}$  shall be used for—

(i) law enforcement activities;

(ii) families of law enforcement officers injured or killed in the line of duty as a result of gun violence; and

(iii) a compensation fund for the victims of gun violence; and

(B)  $\frac{1}{2}$  shall be used for education (reduce class size, school modernization, after school, summer school, and tutoring), child care, or children's health care; and

(C)  $\frac{1}{2}$  may be used by the State or unit of local government in the discretion of the State or unit of local government.

#### (h) EFFECTIVE DATE.—

(1) **IN GENERAL.**—Subject to paragraph (2), this section only applies to an action described in subsection (a) that is filed on or after the date of enactment of this Act.

(2) **AMENDMENT OF COMPLAINT IN PENDING ACTIONS.**—This section applies to an action described in subsection (a) that is filed before the date of enactment of this Act, if—

(A) as of such date of enactment, there has been no dismissal, compromise, or other final disposition of the action; and

(B) after such date of enactment, the State or unit of local government amends the complaint to include relief for Federal damages pursuant to this section.

By Mr. HARKIN (for himself, Mr. BINGAMAN, Mrs. MURRAY, Mr. JOHNSON, and Mr. DORGAN):

S. 562. A bill to provide for a comprehensive, coordinated effort to combat methamphetamine abuse, and for other purposes; to the Committee on the Judiciary.

#### COMPREHENSIVE METHAMPHETAMINE ABUSE REDUCTION ACT OF 1999

Mr. HARKIN. Mr. President, I rise to make a few remarks concerning Methamphetamine reduction legislation the Senator from the State of New Mexico and I are introducing today.

Methamphetamine is fast becoming a leading illegal drug in our Nation. From quiet suburbs, to city streets, to the corn rows of Iowa, meth destroys thousands of lives and families every year.

This highly addictive drug is reaching epidemic proportions as it sweeps from the west coast, ravages the Midwest, and begins to touch the East. To illustrate the violence it elicits in people, methamphetamine is cited as a contributing factor in 80 percent of domestic violence cases in Iowa and a leading factor in a majority of violent crimes committed in the State.

In 1996, I was proud to be an original cosponsor of the Methamphetamine Control Act, which has done some good. However, in talking to local enforcement and concerned citizens across Iowa and the Midwest, its obvious that the methamphetamine problem has exploded beyond anything we envisioned in 1996.

The number of meth arrests, court cases, and confiscation on labs continues to escalate. In the Midwest alone, the number of clandestine meth labs confiscated and destroyed for 1998 is five times the number confiscated and destroyed in 1997. The cost of cleanup for each lab ranges from \$5,000 to \$90,000 and creates a toxic trap to law enforcement officers and children who find them.

Mr. President, the Midwest is not alone in this battle. The impact of this epidemic has reached the West and Southwest, including the state of New Mexico. In Albuquerque alone, law enforcement has seized four times as much meth last year as they did in the previous year, and they have identified and shut down twice as many meth

labs as they had in the previous year. New Mexico has also seen an increase in meth trafficking on the New Mexico-Mexico border, as have the States of Arizona and California.

The problem has spread to the rural communities and my colleague, Senator BINGAMAN, is concerned that the cheap cost of meth will threaten America's youth with yet another life-threatening drug.

That's why today, Senator BINGAMAN and I are introducing the Comprehensive Methamphetamine Abuse Reduction Act of 1999. Senators MURRAY and JOHNSON are cosponsoring this measure. A similar bill is being introduced in the House by Congressman BOSWELL.

This legislation takes a comprehensive, common sense approach in battling this growing epidemic. It calls for an increase in resources to law enforcement working through the High Intensity Drug Trafficking Area (HIDTA) program and establishes swift and certain penalties for those producing and peddling meth. It also reauthorizes and expands drug courts to help nonviolent drug abusers rid themselves of an addiction that leads them to other crimes.

Our legislation expands school and community-based prevention efforts at the local level—targeting those areas that need it the most. That includes funding to allow students to develop their own anti-meth education programs to teach their school peers about the destructive effects of this drug.

This proposal calls on the National Institute on Drug Abuse to find exactly what makes methamphetamine so very addictive—especially to our young people—and the best methods for beating the addiction.

Finally, the bill calls for a joint strategic plan and national conference involving local, State and Federal law enforcement, education, health and elected officials to discuss solutions to stop the spread and use of this deadly drug.

Mr. President, I believe that we have a window of opportunity as a nation to take a stand right now to defeat this scourge. Every day, meth infiltrates our city streets and rural towns, leading more and more people down a path of personal destruction. Families are being devastated and communities are fighting an uphill battle against this powerful drug. The time is now to make a stand to protect our communities and schools by passing this legislation.

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. 562

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

(a) **SHORT TITLE.**—This Act may be cited as the “Comprehensive Methamphetamine Abuse Reduction Act”.

**SEC. 2. EXPANDING METHAMPHETAMINE ABUSE PREVENTION EFFORTS.**

Section 515 of the Public Health Service Act (42 U.S.C. 290bb-21) is amended by adding at the end the following:

“(e) **PREVENTION OF METHAMPHETAMINE ABUSE AND ADDICTION.**—

“(1) **GRANTS.**—The Director of the Center for Substance Abuse Prevention (referred to in this section as the ‘Director’) may make grants to and enter into contracts and cooperative agreements with public and nonprofit private entities to enable such entities—

“(A) to carry out school-based programs concerning the dangers of methamphetamine abuse and addiction, using methods that are effective and evidence-based, including initiatives that give students the responsibility to create their own anti-drug abuse education programs for their schools; and

“(B) to carry out community-based methamphetamine abuse and addiction prevention programs that are effective and evidence-based.

“(2) **USE OF FUNDS.**—Amounts made available under a grant, contract or cooperative agreement under paragraph (1) shall be used for planning, establishing, or administering methamphetamine prevention programs in accordance with paragraph (3).

“(3) **PREVENTION PROGRAMS AND ACTIVITIES.**—

“(A) **IN GENERAL.**—Amounts provided under this subsection may be used—

“(i) to carry out school-based programs that are focused on those districts with high or increasing rates of methamphetamine abuse and addiction and targeted at populations which are most at risk to start methamphetamine abuse;

“(ii) to carry out community-based prevention programs that are focused on those populations within the community that are most at-risk for methamphetamine abuse and addiction;

“(iii) to assist local government entities to conduct appropriate methamphetamine prevention activities;

“(iv) to train and educate State and local law enforcement officials, prevention and education officials, members of community anti-drug coalitions and parents on the signs of methamphetamine abuse and addiction and the options for treatment and prevention;

“(v) for planning, administration, and educational activities related to the prevention of methamphetamine abuse and addiction;

“(vi) for the monitoring and evaluation of methamphetamine prevention activities, and reporting and disseminating resulting information to the public; and

“(vii) for targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies.

“(B) **PRIORITY.**—The Director shall give priority in making grants under this subsection to rural and urban areas that are experiencing a high rate or rapid increases in methamphetamine abuse and addiction.

“(4) **ANALYSES AND EVALUATION.**—

“(A) **IN GENERAL.**—Not less than \$500,000 of the amount available in each fiscal year to carry out this subsection shall be made available to the Director, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective prevention programs for methamphetamine abuse and addiction and the development of appropriate strategies for disseminating information about and implementing these programs.

“(B) **ANNUAL REPORTS.**—The Director shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and Committee

on Appropriations of the House of Representatives, an annual report with the results of the analyses and evaluation under subparagraph (A).

“(5) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out paragraph (1), \$20,000,000 for fiscal year 2000, and such sums as may be necessary for each succeeding fiscal year.”.

**SEC. 3. EXPANDING CRIMINAL PENALTIES AND LAW ENFORCEMENT FUNDING.**

(a) **SWIFT AND CERTAIN PUNISHMENT OF METHAMPHETAMINE LABORATORY OPERATORS.**—

(1) **FEDERAL SENTENCING GUIDELINES.**—

(A) **IN GENERAL.**—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall promulgate Federal sentencing guidelines or amend existing Federal sentencing guidelines for any offense relating to the manufacture, attempt to manufacture, or conspiracy to manufacture amphetamine or methamphetamine in violation of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.) in accordance with this paragraph.

(B) **REQUIREMENTS.**—In carrying out this paragraph, the United States Sentencing Commission shall, with respect to each offense described in subparagraph (A)—

(i) increase the base offense level for the offense—

(ii) by not less than 3 offense levels above the applicable level in effect on the date of enactment of this Act; or

(III) if the resulting base offense level after an increase under subclause (II) would be less than level 27, to not less than level 27; or

(ii) if the offense created a substantial risk of danger to the health and safety of another person (including any Federal, State, or local law enforcement officer lawfully present at the location of the offense, increase the base offense level for the offense—

(I) by not less than 6 offense levels above the applicable level in effect on the date of enactment of this Act; or

(II) if the resulting base offense level after an increase under clause (I) would be less than level 30, to not less than level 30.

(C) **EMERGENCY AUTHORITY TO SENTENCING COMMISSION.**—The United States Sentencing Commission shall promulgate the guidelines or amendments provided for under this paragraph as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100-182), as though the authority under that Act had not expired.

(2) **EFFECTIVE DATE.**—The amendments made pursuant to this subsection shall apply with respect to any offense occurring on or after the date that is 60 days after the date of enactment of this Act.

(b) **INCREASED RESOURCES FOR LAW ENFORCEMENT.**—There are authorized to be appropriated to the Office of National Drug Control Policy to combat the trafficking of methamphetamine in areas designated by the Director of National Drug Control Policy as high intensity drug trafficking areas—

(1) \$35,000,000 for fiscal year 2000; and

(2) such sums as may be necessary for each of fiscal years 2001 through 2005;

of which not less than \$5,000,000 shall be used in each fiscal year to provide assistance to drug analysis laboratories in areas with a high rate of methamphetamine abuse or addiction.

**SEC. 4. TREATMENT OF METHAMPHETAMINE ABUSE.**

Section 507 of the Public Health Service Act (42 U.S.C. 290bb) is amended by adding at the end the following:

**“(d) TREATMENT OF METHAMPHETAMINE ABUSE AND ADDICTION.**

“(1) GRANTS.—The Director of the Center for Substance Abuse Treatment (referred to in this section as the ‘Director’) may make grants to and enter into contracts and cooperative agreements with public and nonprofit private entities for the purpose of expanding activities for the treatment of methamphetamine abuse and addiction as well as for the treatment of methamphetamine addicts who also abuse other illegal drugs.

“(2) USE OF FUNDS.—Amounts made available under a grant, contract or cooperative agreement under paragraph (1) shall be used for planning, establishing, or administering methamphetamine treatment programs in accordance with paragraph (3).

**“(3) TREATMENT PROGRAMS AND ACTIVITIES.**

“(A) IN GENERAL.—Amounts provided under this subsection may be used for—

“(i) evidence-based programs designed to assist individuals to quit their use of methamphetamine and remain drug-free;

“(ii) training in recognizing and referring methamphetamine abuse and addiction for health professionals, including physicians, nurses, dentists, health educators, public health professionals, and other health care providers;

“(iii) planning, administration, and educational activities related to the treatment of methamphetamine abuse and addiction;

“(iv) the monitoring and evaluation of methamphetamine treatment activities, and reporting and disseminating resulting information to health professionals and the public;

“(v) targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies; and

“(vi) coordination with the Center for Mental Health Services on the connection between methamphetamine abuse and addiction and mental illness.

“(B) PRIORITY.—The Director shall give priority in making grants under this subsection to rural and urban areas that are experiencing a high rate or rapid increases in methamphetamine abuse and addiction.

**“(4) ANALYSES AND EVALUATION.**

“(A) IN GENERAL.—Not more than \$1,000,000 of the amount available in each fiscal year to carry out this subsection shall be made available to the Director, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective treatments for methamphetamine abuse and addiction and the development of appropriate strategies for disseminating information about and implementing treatment services.

“(B) ANNUAL REPORT.—The Director shall submit to the Committee on Health, Education, Labor, and Pensions and Committee on Appropriations of the Senate and the Committee on Commerce and Committee on Appropriations of the House of Representatives, an annual report with the results of the analyses and evaluation conducted under subparagraph (A).

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1), \$20,000,000 for fiscal year 2000, and such sums as may be necessary for each succeeding fiscal year.”.

**SEC. 5. EXPANDING METHAMPHETAMINE RESEARCH.**

Section 464N of the Public Health Service Act (42 U.S.C. 285o-2) is amended by adding at the end the following:

**“(c) METHAMPHETAMINE RESEARCH.**

“(1) GRANTS.—The Director of the Institute may make grants to expand interdisciplinary research relating to methamphetamine abuse and addiction and other biomedical, behavioral and social issues related to methamphetamine abuse and addiction.

“(2) USE OF FUNDS.—Amounts made available under a grant under paragraph (1) may be used to conduct interdisciplinary research and clinical trials with treatment centers on methamphetamine abuse and addiction, including research on—

“(A) the effects of methamphetamine abuse on the human body;

“(B) the addictive nature of methamphetamine and how such effects differ with respect to different individuals;

“(C) the connection between methamphetamine abuse and mental illness;

“(D) the identification and evaluation of the most effective methods of prevention of methamphetamine abuse and addiction;

“(E) the identification and development of the most effective methods of treatment of methamphetamine addiction, including pharmacological treatments;

“(F) risk factors for methamphetamine abuse;

“(G) effects of methamphetamine abuse and addiction on pregnant women and their fetuses;

“(H) cultural, social, behavioral, neurological and psychological reasons that individuals abuse methamphetamine, or refrain from abusing methamphetamine.

“(3) RESEARCH RESULTS.—The Director shall promptly disseminate research results under this subsection to Federal, State and local entities involved in combating methamphetamine abuse and addiction.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1), such sums as may be necessary for each fiscal year.”.

**SEC. 6. DRUG COURTS.****“SEC. 2201. GRANT AUTHORITY.**

“The Attorney General may make grants to States, State courts, local courts, units of local government, and Indian tribal governments, acting directly or through agreements with other public or private entities, for programs that involve—

“(1) continuing judicial supervision over offenders with substance abuse problems who are not violent offenders; and

“(2) the integrated administration of other sanctions and services, which shall include—

“(A) mandatory periodic testing for the use of controlled substances or other addictive substances during any period of supervised release or probation for each participant;

“(B) referral to a community-based treatment facility;

“(C) diversion, probation, or other supervised release involving the possibility of prosecution, confinement, or incarceration based on noncompliance with program requirements or failure to show satisfactory progress; and

“(D) programmatic, offender management, and aftercare services such as relapse prevention, health care, education, vocational training, job placement, housing placement, and child care or other family support services for each participant who requires such services.

**“SEC. 2202. PROHIBITION OF PARTICIPATION BY VIOLENT OFFENDERS.**

“The Attorney General shall—

“(1) issue regulations and guidelines to ensure that the programs authorized in this

part do not permit participation by violent offenders; and

“(2) immediately suspend funding for any grant under this part, pending compliance, if the Attorney General finds that violent offenders are participating in any program funded under this part.

**“SEC. 2203. DEFINITION.**

“In this part, the term ‘violent offender’ means a person who—

“(1) is charged with or convicted of an offense, during the course of which offense—

“(A) the person carried, possessed, or used a firearm or dangerous weapon;

“(B) there occurred the death of or serious bodily injury to any person; or

“(C) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A), (B), or (C) is an element of the offense of which or for which the person is charged or convicted; or

“(2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

**“SEC. 2204. ADMINISTRATION.**

“(a) CONSULTATION.—The Attorney General shall consult with the Secretary of Health and Human Services and any other appropriate officials in carrying out this part.

“(b) USE OF COMPONENTS.—The Attorney General may utilize any component or components of the Department of Justice in carrying out this part.

“(c) REGULATORY AUTHORITY.—The Attorney General may issue regulations and guidelines necessary to carry out this part.

“(d) APPLICATIONS.—In addition to any other requirements that may be specified by the Attorney General, an application for a grant under this part shall—

“(1) include a long-term strategy and detailed implementation plan;

“(2) explain the inability of the applicant to fund the program adequately without Federal assistance;

“(3) certify that the Federal support provided will be used to supplement, and not supplant, State, Indian tribal, and local sources of funding that would otherwise be available;

“(4) identify related governmental or community initiatives which complement or will be coordinated with the proposal;

“(5) certify that there has been appropriate consultation with all affected agencies and that there will be appropriate coordination with all affected agencies in the implementation of the program;

“(6) certify that participating offenders will be supervised by 1 or more designated judges with responsibility for the drug court program;

“(7) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support; and

“(8) describe the methodology that will be used in evaluating the program.

**“SEC. 2205. APPLICATIONS.**

“In order to request a grant under this part, the chief executive or the chief justice of a State or the chief executive or chief judge of a unit of local government or Indian tribal government shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

**“SEC. 2206. FEDERAL SHARE.**

“(a) IN GENERAL.—The Federal share of a grant under this part may not exceed 75 percent of the total costs of the program described in the application submitted under section 2205 for the fiscal year for which the

program receives assistance under this part, unless the Attorney General waives, wholly or in part, the requirement of a matching contribution under this section.

“(b) IN-KIND CONTRIBUTIONS.—In-kind contributions may be used to constitute the non-Federal share of a grant under this part.

**“SEC. 2207. GEOGRAPHIC DISTRIBUTION.**

“Subject to subsection (b), the Attorney General shall ensure that, to the extent practicable, an equitable geographic distribution of grant awards is made under this part.

**“SEC. 2208. REPORT.**

“A State, Indian tribal government, or unit of local government that receives a grant under this part during a fiscal year shall submit to the Attorney General a report in March of the following fiscal year regarding the use of funds under this part.

**“SEC. 2209. TECHNICAL ASSISTANCE, TRAINING, AND EVALUATION.**

“(a) TECHNICAL ASSISTANCE AND TRAINING.—The Attorney General may provide technical assistance and training in furtherance of the purposes of this part.

“(b) EVALUATIONS.—In addition to any evaluation requirements that may be prescribed for grantees, the Attorney General may carry out or make arrangements for evaluations of programs that receive support under this part.

“(c) ADMINISTRATION.—The technical assistance, training, and evaluations authorized by this section may be carried out directly by the Attorney General, in collaboration with the Secretary of Health and Human Services, or through grants, contracts, or other cooperative arrangements with other entities.”.

“(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by inserting after paragraph (19) the following:

“(20) There are authorized to be appropriated to carry out part V, such sums as may be necessary for each of the fiscal years 2000 through 2004, of which not less than \$10,000,000 shall be set aside for each fiscal year for assistance to communities with disproportionately high or increasing rates of methamphetamine abuse and addiction.”.

**SEC. 7. NATIONAL CONFERENCE ON METHAMPHETAMINE ABUSE AND TREATMENT.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall convene a National Conference on Methamphetamine Abuse and Treatment to gather, discuss and disseminate information concerning—

(1) the history of the methamphetamine epidemic in the United States;

(2) the progress that has been made by Federal, State and local law enforcement, prevention and treatment authorities in combatting such epidemic; and

(3) future strategies to—

(A) reduce methamphetamine abuse and addiction in regions of the United States where methamphetamine is an emerging or exiting problem; and

(B) block efforts to introduce methamphetamine into other regions of the United States.

(b) PARTICIPANTS.—The Secretary of Health and Human Services shall ensure that the participants in the conference under subsection (a) include—

(1) the Secretary;

(2) the Attorney General;

(3) the Director of the Office of National Drug Control Policy;

(4) various elected officials;

(5) Federal, State and local law enforcement, education, drug treatment and oper-

ation providers or organizations that represent such providers, and health research officials; and

(6) other individuals determined appropriate by the Secretary.

**SEC. 8. COMPREHENSIVE METHAMPHETAMINE REDUCTION STRATEGIC PLAN.**

Not later than 1 year after the date of enactment of this Act, the Attorney General, jointly with the Secretary of Education and the Director of the Office of National Drug Control Policy and the Secretary of Health and Human Services, shall develop a comprehensive strategic plan to combat the methamphetamine problem in the United States. Such plan shall include activities with respect to prevention, law enforcement, education, treatment, and health research targeted at methamphetamine use, abuse and addiction in the 21st century.

By Mr. LEVIN (for himself and Mr. ABRAHAM):

S. 563. A bill to repeal a waiver that permitted the issuance of a certificate of documentation with endorsement for employment in the coastwise trade of the vessel *Columbus*, and for other purposes; to the Committee on Commerce, Science, and Transportation.

**JONES ACT WAIVER FOR THE VESSEL “COLUMBUS”**

Mr. LEVIN. Mr. President, I introduce today legislation to repeal the Jones Act waiver contained in last year's Coast Guard Authorization bill for the vessel *Columbus*.

Mr. President, I had serious objections to a provision in last year's Coast Guard Authorization bill that was inserted in the House bill in a managers' amendment with no hearings or vote in the Senate. This provision granted a waiver of existing law for a single vessel operating on the Great Lakes and elsewhere against the wishes of both Michigan Senators and other Senators and in circumvention of a Customs Service ruling regarding the type of dredge work this vessel is allowed to perform.

This waiver is a discriminatory provision which gives special treatment and a competitive advantage to one vessel at the expense of its competitors and it should be repealed.

Mr. President, the granting of this waiver is detrimental to other dredgers on the Great Lakes and elsewhere who are abiding by U.S. law and U.S. Customs Service interpretations of the Jones Act. The hopper dredge vessel *Columbus*, the vessel seeking the waiver, was challenged by a competitor for violating the Jones Act because it was performing dredging work that was not allowed under that Act. That challenge was upheld by the U.S. Customs Service. However, instead of abiding by or appealing the Customs Service ruling, a legislative waiver was sought to circumvent that ruling. The waiver was granted by the House, but not the Senate because the Senate passed Coast Guard authorization bill did not contain this discriminatory provision.

The only reason this waiver was included in the final Coast Guard authorization bill was due to the circumstances under which that bill was

considered. Under normal circumstances, I believe the Senate would have removed this controversial provision from the final bill.

At the time of the Senate vote on the Coast Guard Authorization Conference Report, I engaged in a colloquy with my colleagues Senators SNOWE and MCCAIN. In that colloquy, they agreed to work with me to repeal this waiver as early as possible in 1999. The legislation I am introducing today with my colleague from Michigan, Senator ABRAHAM, will do exactly that.

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 RECORD, as follows:

S. 563

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. REPEAL OF WAIVER.**

(a) IN GENERAL.—Section 403 of the Coast Guard Authorization Act of 1997 (Public Law 105-383) is amended by striking subsection (e).

(b) ACTION BY THE SECRETARY OF TRANSPORTATION.—If, before the date of enactment of this Act, the Secretary of Transportation issued a certificate of documentation with endorsement for employment in the coastwise trade for the vessel COLUMBUS (United States official number 590658) under section 403(e) of the Coast Guard Authorization Act of 1997 (Public Law 105-383)—

(1) that certificate shall be null and void; and

(2) the Secretary shall issue a revised certificate of documentation for that vessel that is consistent with the limitations on the operation of that vessel that applied to that vessel on the day before the date of enactment of the Coast Guard Authorization Act of 1997 (Public Law 105-383).

By Mr. COVERDELL (for himself, Mrs. FEINSTEIN, Mr. DEWINE, Mr. TORRICELLI, and Mr. LOTT):

S. 565. A bill to provide for the treatment of the actions of certain foreign narcotics traffickers as an unusual and extraordinary threat to the United States for purposes of the International Emergency Economic Powers Act; to the Committee on Banking, Housing, and Urban Affairs.

**TREATMENT OF THE ACTIONS OF CERTAIN FOREIGN NARCOTICS TRAFFICKERS AS AN UNUSUAL AND EXTRAORDINARY THREAT TO THE UNITED STATES**

Mr. COVERDELL. Mr. President, I am pleased to join my colleague from California, Senator FEINSTEIN, in introducing a bill that targets one of America's most dangerous and real national security threats—the international drug cartels. I am also pleased that Senator DEWINE, Senator LOTT, and Senator TORRICELLI have agreed to co-sponsor this important legislation. These drug cartels, through their involvement in illegal drug trafficking, money laundering, arms trafficking and the violence related to these activities, pose a threat to the political and economic stability of countries in this hemisphere. More importantly they threaten the citizens of this country by preying on our children.

That is why it is so important that we introduce this bill today—to combat the drug cartels and move one step forward in the war on drugs. This bill codifies and expand a 1995 Executive Order created under the International Emergency Economic Powers Act (IEEPA), which targeted Colombia drug traffickers. The bill will expand the existing Executive Order to include other foreign drug traffickers considered a threat to our national security. The bill freezes the assets of identified drug traffickers, their associates, and their related businesses. It also prohibits these individuals and organizations from conducting any financial or commercial dealings with the United States.

Our goal is to isolate the leaders of the drug cartels and prevent them from doing business with the United States. By stopping the drug kingpins's ability to benefit from the U.S. market and from practices that enable them to sell drugs to our nation's children, we are taking an important step to eliminate the scourge of illegal drugs.

By Mr. LUGAR:

S. 566. A bill to amend the Agricultural Trade Act of 1978 to exempt agricultural commodities, livestock, and value-added products from unilateral economic sanctions, to prepare for future bilateral and multilateral trade negotiations affecting United States agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

THE AGRICULTURAL TRADE FREEDOM ACT

Mr. LUGAR. Mr. President, today I rise to introduce legislation to open foreign markets, eliminate unfair trade barriers and secure for farmers the ability to export their products abroad. By enacting the 1996 FAIR Act, commonly known as Freedom to Farm, we gave farmers to freedom to make planting decisions for themselves, free from government controls. However, Freedom to Farm is a compact. Freedom to Farm means freedom to export, and in exchange for phasing out subsidies, Congress committed to secure free, fair and open markets for our farmer's exports. This legislation will improve opportunities to export at a time when such opportunities are more important than ever for U.S. agriculture.

No sector of the economy is more reliant on international trade than agriculture. Approximately three out of ten acres of domestic agriculture production are sold in markets outside of the U.S. and agricultural exports make a positive impact on our international balance of payments. Despite this success, a great deal of untapped export potential still exists. Farmers are reliant on the ability to export and this legislation will enhance that ability. Barriers need to be removed—barriers we impose on ourselves and barriers imposed by others.

This legislation addresses several items but none is more important than

sanctions. This legislation exempts commercial agricultural exports from unilateral economic sanctions. We impose export barriers on ourselves when we unilaterally sanction foreign countries. Such sanctions do not preclude the targeted country from looking elsewhere for agricultural commodities. U.S. competitors quickly fill the void left when the U.S. denies itself market access. Sales are lost and our status as a reliable business partner suffers. We often do more harm to ourselves than we do to the target country. Unilateral sanctions have cost billions of dollars in U.S. income and have cost thousands of U.S. jobs. We must end the practice of closing foreign markets for our own exports at a time when such exports are more vital than ever for agriculture in this country.

Apart from sanctions, a number of barriers are imposed on U.S. farm exports by other countries. The World Trade Organization will hold an important round of agricultural negotiations later this year in Seattle. These negotiations offer an important opportunity to address tariff and non-tariff barriers to U.S. agricultural exports. We must take advantage of this opportunity to open foreign markets and eliminate unfair export barriers. This legislation provides important guidelines for these and other negotiations.

Mr. President, U.S. agriculture is the best in the world. This legislation will allow our farmers to take better advantage of their position by opening up foreign markets and eliminating barriers to agricultural exports. This is the most important thing we as Congress can do for our farmers. I ask unanimous consent that the legislation be printed in the RECORD.

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

S. 566

*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 "Agricultural Trade Freedom Act".

**SEC. 2. DEFINITIONS.**

In this Act, the terms "agricultural commodity" and "United States agricultural commodity" have the meanings given the terms in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

**SEC. 3. AGRICULTURAL COMMODITIES, LIVESTOCK, AND PRODUCTS EXEMPT FROM SANCTIONS.**

Title IV of the Agricultural Trade Act of 1978 (7 U.S.C. 5661 et seq.) is amended by adding at the end the following:

**"SEC. 418. AGRICULTURAL COMMODITIES, LIVESTOCK, AND PRODUCTS EXEMPT FROM SANCTIONS.**

"(a) DEFINITIONS.—In this section:

"(1) CURRENT SANCTION.—The term 'current sanction' means a unilateral economic sanction that is in effect on the date of enactment of the Agricultural Trade Freedom Act.

"(2) NEW SANCTION.—The term 'new sanction' means a unilateral economic sanction that becomes effective after the date of enactment of that Act.

"(3) UNILATERAL ECONOMIC SANCTION.—The term 'unilateral economic sanction' means

any prohibition, restriction, or condition on economic activity, including economic assistance, with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other members of that regime have agreed to impose substantially equivalent measures.

**"(b) EXEMPTION.—**

"(1) IN GENERAL.—Subject to paragraphs (2) and (3) and notwithstanding any other provision of law, agricultural commodities made available as a result of commercial sales shall be exempt from a unilateral economic sanction imposed by the United States on another country.

"(2) EXCLUSIONS.—Paragraph (1) shall not apply to agricultural commodities made available as a result of programs carried out under—

"(A) the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.);

"(B) section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

"(C) the Food for Progress Act of 1985 (7 U.S.C. 1736o); or

"(D) the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.).

"(3) DETERMINATION BY PRESIDENT.—If the President determines that the exemption provided under paragraph (1) should not apply to a unilateral economic sanction for reasons of foreign policy or national security, the President may include the agricultural commodities made available as a result of the activities described in paragraph (1) in the unilateral economic sanction.

**"(c) CURRENT SANCTIONS.—**

"(1) IN GENERAL.—Subject to paragraph (2), the exemption under subsection (b)(1) shall apply to a current sanction.

"(2) PRESIDENTIAL REVIEW.—Not later than 90 days after the date of enactment of the Agricultural Trade Freedom Act, the President shall review each current sanction to determine whether the exemption under subsection (b)(1) should apply to the current sanction.

"(3) APPLICATION.—The exemption under subsection (b)(1) shall apply to a current sanction beginning on the date that is 180 days after the date of enactment of the Agricultural Trade Freedom Act unless the President determines that the exemption should not apply to the current sanction for reasons of foreign policy or national security.

**"(d) REPORT.—**

"(1) IN GENERAL.—If the President determines that the exemption under subsection (b)(2) or (c)(2) should not apply to a unilateral economic sanction, the President shall submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate—

"(A) in the case of a current sanction, not later than 15 days after the date of the determination under subsection (c)(2); and

"(B) in the case of a new sanction, on the date of the imposition of the new sanction.

"(2) CONTENTS OF REPORT.—The report shall contain—

"(A) an explanation of the foreign policy or national security reasons for which the exemption should not apply to the unilateral economic sanction; and

"(B) an assessment by the Secretary—

"(i) regarding export sales—

"(I) in the case of a current sanction, whether markets in the sanctioned country or countries present a substantial trade opportunity for export sales of a United States agricultural commodity; or

“(II) in the case of a new sanction, the extent to which any country or countries to be sanctioned or likely to be sanctioned are markets that accounted for, during the preceding calendar year, more than 3 percent of export sales of a United States agricultural commodity;

“(ii) regarding the effect on United States agricultural commodities—

“(I) in the case of a current sanction, the potential for export sales of United States agricultural commodities in the sanctioned country or countries; and

“(II) in the case of a new sanction, the likelihood that exports of United States agricultural commodities will be affected by the new sanction or by retaliation by any country to be sanctioned or likely to be sanctioned, including a description of specific United States agricultural commodities that are most likely to be affected;

“(iii) regarding the income of agricultural producers—

“(I) in the case of a current sanction, the potential for increasing the income of producers of the United States agricultural commodities involved; and

“(II) in the case of a new sanction, the likely effect on incomes of producers of the agricultural commodities involved;

“(iv) regarding displacement of United States suppliers—

“(I) in the case of a current sanction, the potential for increased competition for United States suppliers of the agricultural commodity in countries that are not subject to the current sanction; and

“(II) in the case of a new sanction, the extent to which the new sanction would permit foreign suppliers to replace United States suppliers; and

“(v) regarding the reputation of United States agricultural producers as reliable suppliers—

“(I) in the case of a current sanction, whether removing the sanction would increase the reputation of United States producers as reliable suppliers of agricultural commodities in general, and of specific agricultural commodities identified by the Secretary; and

“(II) in the case of a new sanction, the likely effect of the proposed sanction on the reputation of United States producers as reliable suppliers of agricultural commodities in general, and of specific agricultural commodities identified by the Secretary.”.

#### SEC. 4. OBJECTIVES FOR AGRICULTURAL NEGOTIATIONS.

It is the sense of Congress that the principal agricultural trade negotiating objectives of the United States for future multilateral and bilateral trade negotiations (including negotiations involving the World Trade Organization) should be to achieve, on an expedited basis and to the maximum extent practicable, more open and fair conditions for trade in agricultural commodities by—

(1) developing, strengthening, and clarifying rules for trade in agricultural commodities, including eliminating or reducing restrictive or trade-distorting import and export practices, including—

(A) enhancing the operation and effectiveness of the relevant provisions of the Uruguay Round Agreements designed to define, deter, and discourage the persistent use of unfair trade practices; and

(B) enforcing and strengthening rules of the World Trade Organization regarding—

(i) trade-distorting practices of state trading enterprises and similar public and private trading enterprises; and

(ii) the acts, practices, or policies of a foreign government that unreasonably—

(I) require that substantial direct investment in the foreign country be made as a

condition for carrying on business in the foreign country;

(II) require that intellectual property be licensed to the foreign country or to any firm of the foreign country; or

(III) delay or preclude implementation of a report of a dispute panel of the World Trade Organization;

(2) increasing the export of United States agricultural commodities by eliminating barriers to trade (including transparent and nontransparent barriers);

(3) eliminating other specific constraints to fair trade (such as export subsidies, quotas, and other nontariff import barriers and more open market access) in foreign markets for United States agricultural commodities;

(4) developing, strengthening, and clarifying rules that address practices that unfairly limit United States market access opportunities or distort markets for United States agricultural commodities to the detriment of the United States, including—

(A) unfair or trade-distorting activities of state trading enterprises, and similar public and private trading enterprises, that result in inadequate price transparency;

(B) unjustified restrictions or commercial requirements affecting new technologies, including biotechnology;

(C) unjustified sanitary or phytosanitary restrictions; and

(D) restrictive rules in the establishment and administration of tariff-rate quotas;

(5) ensuring that there are reliable suppliers of agricultural commodities in international commerce by encouraging countries to treat foreign buyers no less favorably than domestic buyers of the commodity or product involved; and

(6) eliminating nontariff trade barriers for meeting the food needs of an increasing world population through the use of biotechnology by—

(A) ensuring market access to United States agricultural commodities derived from biotechnology that is scientifically defensible;

(B) opposing the establishment of protectionist trade measures disguised as health standards; and

(C) protesting continual delays by other countries in their approval processes.

#### SEC. 5. SALE OR BARTER OF FOOD ASSISTANCE.

It is the sense of Congress that the amendments to section 203 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1723) made by section 208 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127; 110 Stat. 954) were intended to allow the sale or barter of United States agricultural commodities in connection with United States food assistance only within the recipient country or countries adjacent to the recipient country, unless—

(1) the sale or barter within the recipient country or adjacent countries is not practicable; and

(2) the sale or barter within countries other than the recipient country or adjacent countries will not disrupt commercial markets for the agricultural commodity involved.

#### SEC. 6. SENSE OF CONGRESS REGARDING RELIEF FROM UNFAIR TRADE PRACTICES AFFECTING UNITED STATES AGRICULTURAL COMMODITIES.

(a) FINDINGS.—Congress finds that—

(1) often dispute settlement proceedings to resolve unfair trade practices of foreign countries that restrict market access of United States agricultural commodities are inadequate, time consuming, and cumbersome; and

(2) practices that unfairly limit market access opportunities for United States agricultur-

tural commodities through export subsidies and import barriers include—

(A) unfair or trade-distorting activities of state trading enterprises, and similar public and private trading enterprises, that result in inadequate price transparency;

(B) unjustified restrictions or commercial requirements affecting new technologies, including biotechnology, that are not scientifically defensible;

(C) unjustified sanitary or phytosanitary restrictions;

(D) restrictive rules for the establishment and administration of tariff-rate quotas;

(E) requirements that substantial direct investment in the foreign country be made as a condition for carrying on business in the foreign country; and

(F) requirements that intellectual property be licensed to the foreign country or to any firm of the foreign country.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Agriculture should aggressively use the authorities granted to the Secretary under section 302 of the Agricultural Trade Act of 1978 (7 U.S.C. 5652), which provides the Secretary with the authority to use programs of the Department of Agriculture for the agricultural commodity involved when there is undue delay in a dispute resolution proceeding of an international trade agreement (such as an agreement administered by the World Trade Organization).

#### SEC. 7. MICRONUTRIENT FORTIFICATION PILOT PROGRAM.

Section 415 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736g-2) is repealed.

#### SEC. 8. TECHNICAL CORRECTIONS.

(a) ADMINISTRATIVE PROVISIONS.—Section 216 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127; 110 Stat. 957) is amended—

(1) in paragraph (2), by striking “subsection (c)” and inserting “subsection (b)”;

(2) in paragraph (3), by striking “subsection (d)” and inserting “subsection (c)”;

(3) in paragraph (4), by striking “subsection (g)(2)” and inserting “subsection (f)(2)”;

(4) in paragraph (5), by striking “subsection (h)” and inserting “subsection (g)”.

(b) EMERGING MARKETS.—Section 1542(d)(1)(A)(i) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101-624; 7 U.S.C. 5622 note) is amended by striking “such democracies” and inserting “the markets”.

(c) TRADE COMPENSATION AND ASSISTANCE PROGRAMS.—Section 417(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5677(a)) is amended by inserting “of an agricultural commodity” after “causes exports”.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on April 4, 1996.

#### ADDITIONAL COSPONSORS

S. 38

At the request of Mr. CAMPBELL, the names of the Senator from Minnesota (Mr. GRAMS) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 38, a bill to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period.

S. 51

At the request of Mr. BIDEN, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from Nevada (Mr. BRYAN) were added