

JEFFORDS (AND BINGAMAN)
AMENDMENT NO. 58

Mr. LOTT (for Mr. JEFFORDS for himself and Mr. BINGAMAN) proposed an amendment to amendment No. 56 proposed by Mrs. MURRAY to the bill, S. 280, *supra*; as follows:

In lieu of the instructions, insert the following:

Report back forthwith with the following amendment:

At the end of the bill, add the following:

SEC. 58. IDEA.

Section 307 of the Department of Education Appropriations Act, 1999, is amended by adding after subsection (g) the following:

“(h) Notwithstanding subsections (b)(2), and (c) through (g), a local educational agency may use funds received under this section to carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) in accordance with the requirements of such part.”

JEFFORDS AMENDMENT NO. 59

Mr. LOTT (for Mr. JEFFORDS) proposed an amendment to amendment No. 58 proposed by Mr. JEFFORDS to the bill, S. 280, *supra*; as follows:

In the pending amendment, strike all after the word “IDEA” and insert the following:

Section 307 of the Department of Education Appropriations Act, 1999, is amended by adding after subsection (g) the following:

“(h) Notwithstanding subsections (b)(2), and (c) through (g), a local educational agency may use funds received under this section to carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) in accordance with the requirements of such part.”

(i) This section shall become effective 1 day after enactment of this Act.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Wednesday, March 10, 1999, 9:30 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is “What Works: Education Research.” For further information, please call the committee, 202/224-5375.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Thursday, March 11, 1999, 10 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is “Key Patients’ Protections: Lessons From the Field.” For further information, please call the committee, 202/224-5375.

AUTHORITY FOR COMMITTEE TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. VOINOVICH. Mr President, I ask unanimous consent on behalf of the

Permanent Subcommittee on Investigations of the Governmental Affairs Committee to meet on Monday, March 8, 1999, at 9:30 a.m. for a hearing on the topic of “Deceptive Mailings and Sweepstakes Promotions.”

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

ADDITIONAL STATEMENTS

MAINTAINING THE FIGHT AGAINST “LOOSE NUKEs”

• Mr. BIDEN. Mr. President, with the end of the Cold War, the threat of a nuclear holocaust between the United States and Russia has largely receded. There remains a real risk, however, that former Soviet weapons of mass destruction or the technology needed to build them will find their way to rogue states, terrorist groups, or even criminal organizations. If such weapons should ever be used, their impact will be catastrophic. It will hardly matter that “only” one or two cities have been so hideously slaughtered.

The war against these so-called “loose nukes” is as important as any war we have fought. It is a war fought with assistance to states of the former Soviet Union, rather than with armed force. Its battles are the battles against unemployment and lax security. Its fronts are an array of firms and institutes and so-called “nuclear cities,” as well as the international frontiers where smugglers try to move sensitive materials to states like Iran, Iraq or Libya.

This is a war that we dare not lose. The Carnegie Endowment for International Peace reports that in December, the chief of Russia’s Federal Security Service in the Chelyabinsk region said that employees at one sensitive plant had tried to steal 40 pounds of weapons-usable nuclear material. A month earlier, 3,000 workers at Chelyabinsk-70, a “nuclear city” similar to our nuclear weapons design laboratories, had held a protest over unpaid wages. In 1996, the head of that city committed suicide in despair over his inability to pay his personnel.

THE EXPANDED THREAT REDUCTION INITIATIVE

The Clinton Administration recently announced an Expanded Threat Reduction Initiative that will enlarge existing Nunn-Lugar programs by 60 percent for the next five years. The Carnegie Endowment notes correctly that “this new funding commitment still does not match the threat.” But the Administration’s request for extra funding in the Fiscal Year 2000 budget is desperately needed and merits wholehearted support.

One especially important aspect of the President’s package is a major effort to find alternative employment for Russia’s biological weapons experts. The microbiologists and other scientists who built the Soviet Union’s massive biological warfare establishment are highly expert. They are quite

capable of doing research and development that would improve public health in Russia and around the world. But they would be equally capable of assisting rogue states to wreak massive destruction, if we and other countries did not enable them to survive in non-military pursuits.

The United States is taking steps, in other programs, to better prepare for the awful possibility of a terrorist attack with chemical or biological weapons. The Expanded Threat Reduction Initiative will help give us the time we so desperately need, in which to improve our capability to combat those threats.

THE INITIATIVES FOR PROLIFERATION PREVENTION PROGRAM

Two weeks ago, the General Accounting Office issued a report on another of our non-proliferation assistance efforts, the Energy Department’s Initiatives for Proliferation Prevention—or IPP—program, that was critical of program management. Newspapers quoted a statement by my friend from North Carolina, Senator HELMS, who chairs the Foreign Relations Committee and commissioned the GAO study. He said that Energy Department failure to implement reforms recommended by the GAO would “jeopardize continued support” for the program and also “cast doubt” on the wisdom of the Expanded Threat Reduction Initiative.

Those stories made it sound as though threat reduction efforts were in danger. In my view, however, what we are actually witnessing are the normal growing pains of a basically successful program. I believe that the IPP program and other Nunn-Lugar efforts both deserve and will obtain the Senate’s continued support.

The IPP program is only five years old. Its objective is to foster non-military employment for weapons scientists in the former Soviet Union by assisting them to develop marketable ideas that can then be produced in joint commercial ventures with Western companies. The GAO report notes that over 400 projects have been funded by IPP—over 200 projects in its first year alone—at about 170 institutes and organizations.

Thousands of Russian scientists have found at least part-time employment through IPP projects, and the result has been to lessen the temptation to sell their goods and expertise to rogue states. The GAO report discusses those results as follows:

Officials from three institutes told us that the IPP program had prevented their laboratory or institute from shutting down and reduced the likelihood that scientists would be forced to seek other employment. A representative from Sarov [the new name for Arzamas-16, Russia’s equivalent of Los Alamos] told us that without the IPP program, the situation at the institute would be a disaster.

Some institute officials told us that the benefits of the IPP program went beyond financial support. . . . [and included] how to do business with the United States.

The GAO noted that the Energy Department’s National Laboratories

"have made great strides in helping to 'open up' NIS [former Soviet] institutes," stated that "the program has been successful in employing weapons scientists through research and development programs," and concluded that the overall effort is "in our national security interests."

Why, then, was the GAO critical of the IPP program? First, it found administrative lapses in the Department of Energy, such as not knowing how many scientists were engaged in particular projects, spending too much money in the United States and too little in the former Soviet Union, and allowing Russia to charge taxes on the assistance we provided. Secondly, it found many projects that had little or no chance of ever becoming commercially viable. Given that the IPP program is supposed to find Western investors for the projects it funds, the GAO's point was that the program was not achieving its long-term goals.

The GAO is right. But what they found was actually the tail end of the success story. They found a program that, in five short years, successfully reached into 170 former Soviet institutes and helped employ thousands of scientists. The IPP program made those crucial contacts and brought a message of hope that resonated throughout the community of Russian experts in weapons of mass destruction. It told them that we understood their need to survive economically and also their need to retain self-respect as skilled professionals.

After five years, it is time to tighten the administration of the IPP program. The good news is that the Energy Department is already working to do that. Indeed, of the GAO's 11 recommendations, the Energy Department accepted 10 completely and the 11th in part.

That 11th recommendation was to move more slowly in expanding the "Nuclear Cities Initiative" that will help Russia to downsize its nuclear complex without throwing weapons scientists out on the street. The Energy Department agrees on the need to move carefully, but reserves the right to take advantage of opportunities to expand the program beyond the three "nuclear cities" where it will begin.

When Chairman HELMS warns that the GAO recommendations must be implemented, he is sending a stern message to which the Energy Department should pay attention. But as I read the GAO report and the Energy Department's response, that Department is indeed paying attention. I have every hope, therefore, that even conservatives like my friend from North Carolina will conclude that the IPP program and the Expanded Threat Reduction Initiative deserve our support.

On February 26, the New York Times published a very perceptive editorial regarding U.S.-Russian nuclear relationships. The last paragraph of that editorial spoke directly to the last GAO recommendation:

The G.A.O. report calls for closing down the nuclear-cities program until the problems in the institutes program have been resolved. That would be a mistake. The nuclear-cities agreement is more carefully drawn than its predecessor and already provides for exemption from Russian taxation. Tightened project review procedures are in place to make sure that Washington is not inadvertently subsidizing new Russian weapons development. These programs, along with Washington's contributions to Russia's plutonium and uranium conversion and security programs, should go forward as part of a coordinated drive to substantially eliminate Russia's cold-war nuclear infrastructure before the Clinton Administration leaves office.

The New York Times is right. Wars are not cheap. We cannot win the war against "loose nukes," "loose chemicals" and "loose pathogens," unless we give our government the means to fight. Given the terrible stakes in this war, we must move forward.

I ask that the New York Times editorial of February 26 and the Energy Department's response to the GAO report be printed in the RECORD at this point.

The material follows:

[From the New York Times, Feb. 26, 1999]

UNFINISHED COLD-WAR BUSINESS

History will judge the Clinton Administration's foreign policy record partly by its success in helping Russia reduce the nuclear remnants of the cold war. Nothing would do more to protect American security in the decades ahead than insuring that Russia's immense stockpile of nuclear weapons and materials is diminished and adequately controlled. The modest amount of money needed to achieve these goals now could save Washington many billions of dollars in the future to deal with the Russian nuclear threat if it is not reduced.

Moscow still has 6,000 nuclear warheads poised for long-distance delivery. Weapons-grade plutonium from dismantled warheads is stored in poorly secured buildings, vulnerable to theft. Russia also has tens of thousands of underpaid weapons scientists and workers in 170 scientific institutes and 10 closed cities that house the Russian nuclear weapons complex. If President Clinton hopes to leave an enduring mark in international affairs, he will work on these problems in the remaining 23 months of his term. Specifically, he should look for innovative ways to further reduce nuclear weapons and speed the conversion of Russia's nuclear establishment to civilian activities.

The last nuclear arms reduction treaty, negotiated more than six years ago, has yet to be ratified by Russia's Parliament. That treaty alone would cut nuclear weapons to levels nearly in half. Prime Minister Yevgeny Primakov recognizes the treaty's value for Russia, both in foreign policy and budget savings terms. Mr. Clinton should work closely with President Boris Yeltsin and Mr. Primakov to achieve ratification.

But hopes for deep nuclear cuts need not depend on Russia's Communist-dominated Parliament. In coordination with Russia's leaders, Mr. Clinton should initiate steps that go beyond the treaty, including parallel nuclear reductions and taking more weapons off hair-trigger alert. Such methods proved effective when tried by Presidents George Bush and Mikhail Gorbachev a decade ago.

Shrinking Russia's nuclear infrastructure also requires expanding the cooperative programs developed under legislation originally sponsored by Senators Sam Nunn and Rich-

ard Lugar. These efforts have already supported the dismantling of 5,000 Russian warheads. Additional work is needed now to safely convert as much of the plutonium and enriched uranium from these bombs into less dangerous forms and to store what remains under much more secure conditions. The Administration rightly seeks large spending increases in these programs in next year's budget. It is essential that Congress approve these requests.

Washington should also press ahead with its efforts to re-employ Russian weapons scientists in civilian work. Two American programs managed by the Energy Department are designed to achieve that goal. One, begun in 1994, is aimed at Russia's scientific institutes. A newer program deals with the closed nuclear cities. The scientific institutes program has succeeded in re-employing thousands of Russian scientists at home and keeping them out of the reach of terrorists or countries eager to make nuclear, biological or chemical weapons. But a report prepared for Congress this week by the General Accounting Office called attention to some problems, including taxation by Russia of some of the aid money and allegations that some assistance went to institutes and scientists still engaged in weapons work. However cash-starved the Russian Government is, taxation of American aid money is unacceptable. Nor should American subsidies support Russian weapons development.

The G.A.O. report calls for slowing down the nuclear-cities program until the problems in the institutes program have been resolved. That would be a mistake. The nuclear-cities agreement is more carefully drawn than its predecessor and already provides for exemption from Russian taxation. Tightened project review procedures are in place to make sure that Washington is not inadvertently subsidizing new Russian weapons development. These programs, along with Washington's contributions to Russia's plutonium and uranium conversion and security programs, should go forward as part of a coordinated drive to substantially eliminate Russia's cold-war nuclear infrastructure before the Clinton Administration leaves office.

—
DEPARTMENT OF ENERGY,
Washington, DC, February 10, 1999.

MR. VICTOR S. REZENDES,
*Director, Energy, Resources and Science Issues,
U.S. General Accounting Office, Washington, DC.*

DEAR MR. REZENDES: The Department of Energy appreciates the opportunity to review the draft General Accounting Office report, GAO/RCED-99-54, "Nuclear Proliferation: Concerns With DOE's Efforts to Reduce the Risks Posed by Russia's Unemployed Weapons Scientists." The report, as written, provides valuable insight into our Initiatives for Proliferation Prevention Program and will assist the Department to better manage this valuable program. Technical comments to this report have been provided separately. Our comments on the report's recommendations are attached.

Sincerely,

LEONARD SPECTOR, *Director,
Office of Arms Control and Nonproliferation.
Attachment.*

COMMENTS ON DRAFT GENERAL ACCOUNTING OFFICE REPORT—NUCLEAR NONPROLIFERATION: CONCERN WITH DOE'S EFFORTS TO REDUCE THE RISKS POSED BY RUSSIA'S UNEMPLOYED WEAPONS SCIENTISTS, FEBRUARY, 1999

GENERAL COMMENTS

The Department of Energy appreciates the effort that the General Accounting Office put into this report. We agree with the vast

majority of its recommendations, and the IPP Program will be significantly strengthened as the result of this independent, in-depth evaluation. There are, however, a number of issues that we believe need further clarification.

First, the report expresses concern that certain IPP projects may have supported the development of dual-use technology that could inadvertently strengthen Russian military capabilities. We note that the specific projects identified in the report date from an earlier period of the program and, at worst, might have provided only incidental military benefits to Russia—and not to its weapon of mass destruction or missile programs. We are firmly committed to ensuring that IPP projects do not support dual-use technologies and are directed exclusively to peaceful objectives. This is an explicit project requirement as noted in guidance. Over the past eighteen months, the new management of the IPP Program has intensified project reviews to reinforce implementation of this standard.

We have been particularly sensitive to the dual-use potential of projects in the NIS chemical and biological institutes. The Department recognized from the onset of the program that the dividing line between commercial and weapons technologies was subtle in this area of technology. As a result, DOE instituted a special review process, which included the U.S. interagency, the U.S. chemical and biological community, and the DOE National Laboratories. Although the GAO report states that some reviewers may have provided only cursory analysis of particular projects, we believe that every IPP project with a chemical and biological institute received extensive scrutiny from numerous participants in the review process and that this process deliberately erred on the side of disapproval when questions on potential dual-use applications were raised. Nonetheless, we recognize that improvements are needed to make the review process more consistent and, as noted below, we accept the GAO's recommendation on this issue.

The GAO report also raised the concern that some Russian weapon scientists are being paid by the IPP Program even though they remain employed at their respective weapons-related institutes. The implicit criticism of the program is that this practice is subsidizing Russian weapon-of-mass destruction activities. We believe this implication is misplaced. The fundamental goal of the IPP Program is to keep weapons specialists working in their home countries—in the face of grim domestic employment prospects—rather than selling their services to foreign states or organizations of proliferation concern. At virtually all Russian weapons institutes, salaries are going unpaid for months, even for those who are nominally “employed” there. These scientists, and those who have been dismissed, are the proper targets of the IPP Program, because these are the individuals who are most likely to be tempted to sell their services abroad. IPP policy clearly states that the Program does not pay scientists to perform weapons work, and we match the scale of payments to those of deliverables required by our contracts, so that we are not inadvertently subsidizing other work at the host institute. Moreover, time spent on IPP activities is time scientists cannot spend working on Russian military programs.

Finally, GAO notes that only two of the IPP projects have progressed to Thrust III. Commercialization of science and engineering requires time, and the IPP program has only recently shifted its emphasis to commercialization. In the United States, commercialization efforts normally take five to seven years. In just the past year, the IPP

Program has placed increased emphasis on projects cost-shared with U.S. industry (Thrust II) and on moving such projects towards commercial viability (Thrust III). This progression is important, we believe, to create viable long-term employment opportunities for Russian scientists who are leaving weapons work. We recognize, however, that IPP cannot by itself create commercial entities; it can only set measures and procedures in place to maximize the likelihood of their creation by U.S. industry. If Russian economic conditions stabilize, we believe the coming eighteen months will see the fruits of these and earlier efforts.

Fortunately, as the GAO notes, even if IPP commercialization success remains limited, the fundamental objective of the IPP Program—keeping former Soviet weapon-of-mass-destruction scientists at home—is succeeding.

RESPONSES TO GAO RECOMMENDATIONS

A. Recommendations on the IPP Program

Recommendation 1

Re-examine the role and the costs of the national laboratories with a view towards maximizing the amount of program funds going to the NIS institutes.

DOE management position

Concur.

The Department will continue its examination of laboratory roles to utilize their expertise more efficiently. In coming months, we expect to increase significantly the proportion of project dollars going to the NIS and to correspondingly reduce the proportion of funds spent at the national laboratories. An increased emphasis on Thrust II and Thrust III projects will help to promote this shift in funding. The Department notes that the enabling legislation for IPP calls for a “... program of cooperation between scientific and engineering institutes in the New Independent States of the former Soviet Union and national laboratories and other qualified academic institutions in the United States designed to stabilize the technology base in the cooperating states as each strives to convert defense industries to civilian applications . . .”

Recommendation 2

Obtain information on how program money is being spent by the NIS recipients of program funds.

Management position

Concur.

The IPP Program office will issue guidance to participating laboratories to ensure more complete tracking of the expenditure of funds by the NIS recipients. The program will establish quarterly reporting on funds spent in the NIS.

Recommendation 3

Seek assurances from the Russian government, either through a government-to-government agreement or through other means, that program funds are exempt from Russian taxes.

Management position

Concur.

The Department of Energy agrees with this recommendation and will work with the Department of State to facilitate a government-to-government agreement. In the meantime, the Department will continue its efforts within the U.S. interagency structure to resolve this issue. This effort has led to discussions by the Vice President with his Russian counterparts on taxation issues and to the renewal of the Panskov-Pickering agreement as the basis for seeking case-by-case tax exemptions for IPP funds expended in Russia.

Recommendation 4

Require that program officials, to the extent possible, obtain accurate data on the

number and backgrounds of scientists participating in program projects, and eliminate funding for institutes that did not formerly work on weapons of mass destruction.

Management position

Concur.

The IPP Program has issued, and will re-emphasize, program guidance instructing principal investigators to obtain accurate data regarding the number and backgrounds of scientists participating in program projects. Scientists with weapons knowledge now employed at nonweapons institutes will continue to be eligible to participate in the IPP Program, as they represent a continuing potential proliferation concern.

Recommendation 5

Clarify program guidance as to whether scientists currently employed in weapons of mass destruction programs are eligible for program funding.

Management position

Concur.

The basic goal of the program is to retain former Soviet WMD scientists in their home countries; the key question is the expertise they possess and might offer to others, not whether they are currently on the roster of an NIS WMD institute. Through its increasing emphasis on commercialization, IPP will continue to develop long-term opportunities for scientists to leave WMD institutes. Explicit program guidance regarding scientists currently employed in weapons of mass destruction programs will be issued within 90 days.

Recommendation 6

Require that project reviewers consider all military applications of projects to ensure that useful defense related information is not unintentionally transferred.

Management position

Concur.

The IPP Program has always been sensitive to the question of transfer of weapons-sensitive technology to the NIS. Based on the GAO's report, however, we recognize that our review process was not as complete as it should be. Accordingly, the program has revised its procedures to request a direct review of projects by the Department of Defense instead of forwarding projects through the Department of State.

Recommendation 7

Strengthen and formalize DOE's process for reviewing proposed chemical and biological projects by:

- (1) providing complete project information to all reviewing U.S. Government agencies and organizations.

Management Position

Concur.

Based on the GAO's report, the program has revised its procedures to ensure that all appropriate government agencies and organizations have complete project information.

- (2) developing criteria to help frame the evaluation process.

Management Position

Concur.

This recommendation was completed during the course of the GAO's audit.

- (3) providing feedback to all of the reviewing agencies about the final disposition of the projects.

Management Position

Concur.

The Department will provide feedback to all reviewers regarding the status of final approval of IPP projects.

Recommendation 8

Re-evaluate the large number of Thrust 1 projects, particularly those that have been

funded for several years, and eliminate those that do not have commercial potential.

Management Position

Concur.

The Department has implemented a re-evaluation of Thrust 1 projects based on GAO's review.

Recommendation 9

Develop criteria and time frames for determining when Thrust 1 projects should be terminated if they do not meet the criteria of graduation to the program's next phase.

Management Position

Concur.

Based on GAO's review, this recommendation will be accomplished within 120 days.

B. Recommendations on Nuclear Cities Initiative

Because DOE plans to implement the Nuclear Cities Initiative in a relatively short amount of time (5 to 7 years) at a potential cost of up to \$600 million during uncertain economic times in Russia, we believe it is critical that program implementation be based on solid thinking and planning which considers the problems experienced under the IPP Program. Therefore, we recommend that DOE:

Recommendation 10

Develop a strategic plan for the Initiative before large scale funding begins and include in the plan-program goals, costs, time frames, performance measures, and expected outcomes, such as the number of jobs created for each city.

Management Position

Concur.

The Department is preparing a strategic plan that will be published within 90 days.

Recommendation 11

Not expand the Initiative beyond the three nuclear cities until DOE has demonstrated that its efforts are achieving program objectives, that is, that jobs are being created in the civilian sector for displaced weapons scientists, engineers, and technicians.

Management Position

Concur, with qualification.

Some existing IPP projects in other closed cities may naturally transition to work under the Nuclear Cities Initiative. Similarly, the Department does not want to preclude the possibility of accomplishing significant reductions in nuclear weapons related activities in another closed nuclear city should the opportunity arise to assist in the shutdown of facilities there. It is also the intent of the Department to structure the second year of the Nuclear Cities Initiative based upon lessons learned the first year. The Department has a process for reviewing program objectives to determine lessons learned and next steps.●

POST OFFICE COMMUNITY PARTNERSHIP ACT OF 1999

• Mr. JEFFORDS. Mr. President, I rise today to discuss a bill that my colleague Senator BAUCUS and I are re-introducing titled the, "Post Office Community Partnership Act of 1999."

Aside from a few technical changes, the bill is similar to the one we introduced in the 105th Congress that was supported by so many of our colleagues in a 76-21 vote last July. Unfortunately our postal language was dropped from the underlying bill during conference with the House. However, I am hopeful that this year our bill will become law.

I should add that this year we have co-ordinated our efforts with Representative BLUMENAUER of Oregon and an identical companion bill is being put forward in both the Senate and the House.

Mr. President, I live in a small town in Vermont. I understand the importance downtowns and village centers play in the identity and longevity of communities. Downtowns are the social and economic hearts of small communities. They are where neighbors catch up on the news, shop, worship, and celebrate national holidays.

Our bill will enable the residents of small villages and large towns to have a say when the Postal Service decides that their local post office will be closed, relocated, or consolidated. Local post offices are important tenants in any vibrant downtown. A recent article in USA Today cited a 1993 study that found that 80 percent of people who shopped downtown planned their visit around a visit to the post office.

There is much talk in the news today about revitalizing our downtowns and encouraging smart growth. I say to my colleagues, if you want to encourage smart growth, let's start by doing what we can to keep federal facilities such as post offices in downtowns.

Some of my colleagues may ask why this legislation is necessary. A story from my home state of Vermont will answer that question.

A few years ago the general store on the green in Perkinsville, Vermont went bankrupt and the adjacent post office wanted to leave the small village center for a new building outside of town. By the time the community was aware of the relocation, plans were so far along—the new building had actually been constructed based on the promise of the post office as the anchor tenant—that there was no time to fully investigate in-town alternatives. One elderly resident wrote that in contrast to families now being able to walk to the post office, "we certainly won't be walking along the busy Route 106 two miles or more to get our mail." The State Historic Preservation Officer commented that as people meet neighbors at the post office, the threads of community are woven and reinforced. "It may be intangible, but its real, and such interaction is critically important to the preservation of the spirit and physical fabric of small village centers like Perkinsville."

In other Vermont towns such as Springfield, Arlington, and St. Albans, the threat of our legislation has encouraged the Postal Service to work more closely with these communities as plans are developed to expand their local post offices. Our bill would codify the process that communities should go through and would avoid a one-size fits all approach to community needs.

Mr. President, post office closings and relocations are occurring all across the country and especially in small and rural communities. My colleagues will

quickly discover similar examples in their own states where the removal of the post office has harmed the economic vitality of the downtown area, deprived citizens without cars of access, and contributed to sprawl.

The basic premise for this legislation is to give the individuals in a community a voice in the process of a proposed relocation, closing, consolidation, or construction of a post office. This bill does not give the citizenry the ultimate veto power over a relocation, closing, consolidation, or construction. Instead, the bill sets up a process that makes sure community voices and concerns are heard and taken into account by the Postal Service.

Additionally, this bill will require the Postal Service to abide by local zoning laws and the historic preservation rules regarding federal buildings. Because it is a federal entity, the Postal Service has the ability to override local zoning requirements. In some cases this has led to disruption of traffic patterns, a rejection of local safety standards, and concerns about environmental damage from problems such as storm water management.

Mr. President, post offices in Vermont and across the nation are centers of social and business interaction. In communities where post offices are located on village greens or in downtowns, they become integral to these communities' identities. I believe that this legislation will strengthen the federal-local ties of the Postal Service, help preserve our downtowns, and combat the problem of sprawl. I urge my colleagues to join Senator BAUCUS and I in support of this important legislation. I ask to have the text of the bill printed in the RECORD.

The text of the bill follows:

S. 556

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 "Post Office Community Partnership Act of 1999".

SEC. 2. GUIDELINES FOR RELOCATION, CLOSING, CONSOLIDATION, OR CONSTRUCTION OF POST OFFICES.

Section 404 of title 39, United States Code, is amended by striking subsection (b) and inserting the following:

"(b)(1) Before making a determination under subsection (a)(3) as to the necessity for the relocation, closing, consolidation, or construction of any post office, the Postal Service shall provide adequate notice to persons served by that post office of the intention of the Postal Service to relocate, close, consolidate, or construct that post office not later than 60 days before the final determination is made to relocate, close, consolidate, or construct.

"(2)(A) The notification under paragraph (1) shall be in writing, hand delivered or delivered by mail to persons served by that post office, and published in 1 or more newspapers of general circulation within the zip codes served by that post office.

"(B) The notification under paragraph (1) shall include—

"(i) an identification of the relocation, closing, consolidation, or construction of the post office involved;