

Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Documentation for Work Smart Standards Applications: Characteristics and Considerations" (DOE G 450.3-1) received on March 11, 1999; to the Committee on Energy and Natural Resources.

EC-2214. A communication from the Acting Assistant General Counsel for Regulatory Law, Office of Human Resources and Administration, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Contractor Human Resource Management Programs" (DOE O 350.1 Chg 1) received on March 11, 1999; to the Committee on Energy and Natural Resources.

EC-2215. A communication from the Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Indiana Regulatory Program" (SPATS No. IN-144-FOR) received on March 11, 1999; to the Committee on Energy and Natural Resources.

EC-2216. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, notice of a proposed license for the export of Area Weapons Effect Simulator systems to the United Kingdom; to the Committee on Foreign Relations.

EC-2217. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the texts of international agreements other than treaties entered into by the United States (99-19 to 99-31) received on March 10, 1999; to the Committee on Foreign Relations.

EC-2218. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Department's Annual Performance Plan for fiscal year 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2219. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report on the 1993 Survey of Certified Commercial Applicators of Non-Agricultural Pesticides; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2220. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for 1998-99 Zante Currant Raisins" (Docket FV99-989-3 IFR) received on March 11, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2221. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Noxious Weeds; Update of Weed Lists" (Docket 98-063-2) received on March 11, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs:

Report to accompany the bill (S. 558) To Prevent the Shutdown of the Government at the Beginning of a Fiscal Year if a New Budget Is Not Yet Enacted (Rept. No. 106-15).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 278: A bill to direct the Secretary of the Interior to convey certain lands to the coun-

try of Rio Arriba, New Mexico (Rept. No. 106-16).

S. 293: A bill to direct the Secretaries of Agriculture and Interior and to convey certain lands in San Juan County, New Mexico, to San Juan College (Rept. No. 106-17).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. WYDEN, Mr. SCHUMER, Mr. SMITH of Oregon, Mr. DASCHLE, Mr. LEAHY, Mr. TORRICELLI, Mr. AKAKA, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BRYAN, Mr. CHAFEE, Mr. CLELAND, Mr. DODD, Mr. DURBIN, Mr. HARKIN, Mr. JEFFORDS, Mr. JOHNSON, Mr. KERREY, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SARBANES, and Mr. WELLSTONE):

S. 622. A bill to enhance Federal enforcement of hate crimes, and for other purposes; to the Committee on the Judiciary.

By Mr. CONRAD (for himself and Mr. DORGAN):

S. 623. A bill to amend Public Law 89-108 to increase authorization levels for State and Indian tribal, municipal, rural, and industrial water supplies, to meet current and future water quantity and quality needs of the Red River Valley, to deauthorize certain project features and irrigation service areas, to enhance natural resources and fish and wildlife habitat, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BURNS (for himself and Mr. BAUCUS):

S. 624. A bill to authorize construction of the Fort Peck Reservation Rural Water System in the State of Montana, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Mr. TORRICELLI, Mr. BIDEN, and Mr. SESSIONS):

S. 625. A bill to amend title 11, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself and Mr. BROWNBACK):

S. 626. A bill to provide from unfair interest and penalties on refunds retroactively ordered by the Federal Energy Regulatory Commission; to the Committee on Energy and Natural Resources.

By Mr. HUTCHINSON (for himself, Mr. BROWNBACK, Mr. BURNS, Mr. SMITH of New Hampshire, Mr. COVERDELL, Mr. MCCAIN, Mr. INHOFE, Mr. ASHCROFT, Mr. BUNNING, Mr. ALLARD, Mr. GRAMM, Mr. GORTON, Mr. DEWINE, Mr. GRAMS, Mr. BOND, Mr. DOMENICI, Mr. SESSIONS, Mr. HELMS, Mr. CRAIG, and Mr. CRAPO):

S. 627. A bill to terminate the Internal Revenue Code of 1986; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Ms. COLLINS, Mr. COCHRAN, Mr. CONRAD, Mr. WYDEN, and Mr. JEFFORDS):

S. 628. A bill to amend titles XVIII and XIX of the Social Security Act to expand and clarify the requirements regarding advance directives in order to ensure that an individual's health care decisions are compiled with, and for other purposes; to the Committee on Finance.

By Mr. BAUCUS (for himself and Mr. CRAIG):

S. 629. A bill to amend the Federal Crop Insurance Act and the Agricultural Market Transition Act to provide for a safety net to producers through cost of production crop insurance coverage, to improve procedures used to determine yields for crop insurance, to improve the noninsured crop assistance program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BURNS (for himself and Mr. BAUCUS):

S. 630. A bill to provide for the preservation and sustainability for the family farm through the transfer of responsibility for operation and maintenance of the Flathead Irrigation Project, Montana; to the Committee on Energy and Natural Resources.

By Mr. DEWINE (for himself, Mr. BROWNBACK, Mr. BINGAMAN, Mr. INOUE, Mr. LEVIN, Mr. HOLLINGS, and Mr. DURBIN):

S. 631. A bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the medicare program, to provide continued entitlement for such drugs for certain individuals after medicare benefits end, and to extend certain medicare secondary payer requirements; to the Committee on Finance.

By Mr. DEWINE (for himself, Mr. ABRAHAM, Mr. CHAFEE, Mr. GRAHAM, Mr. BOND, Mr. DOMENICI, Mr. KENNEDY, Mr. DURBIN, Mr. BURNS, and Mr. DODD):

S. 632. A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ASHCROFT:

S. 633. A bill to amend title II of the Social Security Act to require that investment decisions regarding the social security trust funds be made on the basis of the best interests of beneficiaries, and for other purposes; to the Committee on Finance.

By Mr. BROWNBACK (for himself, Mr. HARKIN, Mr. HELMS, Mr. MACK, Mr. ROBB, Mr. GORTON, Mr. KYL, and Mr. ROBERTS):

S. 634. A bill to suspend certain sanctions with respect to India and Pakistan; to the Committee on Foreign Relations.

By Mr. MACK (for himself, Mr. GRAMS, Mr. LIEBERMAN, and Mr. KYL):

S. 635. A bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of printed wiring board and printed wiring assembly equipment; to the Committee on Finance.

By Mr. REED:

S. 636. A bill to amend title XXVII of the Public Health Service Act and part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 to establish standards for the health quality improvement of children in managed care plans and other health plans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 637. A bill to amend title 18, United States Code, to regulate the transfer of firearms over the Internet, and for other purposes; to the Committee on the Judiciary.

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 himself, Mr. LOTT, Mr. EDWARDS, Mr. HAGEL, Mr.

CLELAND, Mr. MCCAIN, Mr. HARKIN, Mr. KERRY, Mr. ROBB, Mr. REED, Mr. SMITH of New Hampshire, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mr. ASHCROFT, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BRYAN, Mr. BUNNING, Mr. BURNS, Mr. BYRD, Mr. CAMPBELL, Mr. CHAFEE, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COVERDELL, Mr. CRAIG, Mr. CRAPO, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HATCH, Mr. HELMS, Mr. HOLLINGS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MACK, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. REID, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. ROTH, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN):

S. Res. 61. A resolution commending the Honorable J. Robert Kerrey, United States Senator from Nebraska, on the 30th anniversary of the events giving rise to his receiving the Medal of Honor; considered and agreed to.

By Mr. MACK (for himself, Mrs. FEINSTEIN, Mr. ABRAHAM, Mr. AKAKA, Mrs. BOXER, Mr. CLELAND, Mr. DEWINE, Mr. DODD, Mr. DURBIN, Mr. FITZGERALD, Mr. FRIST, Mr. GRASSLEY, Mr. GORTON, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. HUTCHINSON, Mr. INOUE, Mr. KENNEDY, Mr. LAUTENBERG, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MURKOWSKI, Mrs. MURRAY, Mr. ROTH, Mr. SARBANES, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THURMOND, and Mr. TORRICELLI):

S. Res. 62. A resolution proclaiming the month of January 1999 as "National Cervical Health Month"; to the Committee on the Judiciary.

By Mr. MOYNIHAN (for himself, Mr. LOTT, Mr. DASCHLE, Mr. SCHUMER, Mrs. BOXER, Mrs. FEINSTEIN, Mr. LEAHY, Mr. JOHNSON, Mr. HELMS, and Mr. BUNNING):

S. Res. 63. A resolution recognizing and honoring Joe DiMaggio; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. WYDEN, Mr. SCHUMER, Mr. SMITH of Oregon, Mr. DASCHLE, Mr. LEAHY, Mr. TORRICELLI, Mr. AKAKA, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BRYAN, Mr. CHAFEE, Mr. CLELAND, Mr. DODD, Mr. DURBIN, Mr. HARKIN, Mr. JEFFORDS, Mr. JOHNSON, Mr. KERREY, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG,

Mr. LEVIN, Mr. LIEBERMAN, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SARBANES, and Mr. WELLSTONE):

S. 622. A bill to enhance Federal enforcement of hate crimes, and for other purposes; to the Committee on the Judiciary.

THE HATE CRIMES PREVENTION ACT OF 1999

Mr. KENNEDY. Mr. President, it is a privilege to join Senator SPECTOR, Senator WYDEN, Senator SCHUMER, and Senator SMITH in introducing the Hate Crimes Prevention Act of 1999. This bill has the support of the Department of Justice, constitutional scholars, law enforcement officials, and many organizations with a long and distinguished history of involvement in combating hate crimes, including the Leadership Conference on Civil Rights, the Anti-Defamation League, the Human Rights Campaign, the National Gay and Lesbian Task Force, the National Organization for Women Legal Defense and Education Fund, the National Coalition Against Domestic Violence and The Consortium for Citizens with Disabilities Rights Task Force.

Congress has a responsibility to act this year to deal with the festering problem of hate crimes. The silence of Congress on this basic issue has been deafening, and it is unacceptable. We must stop acting like we don't care—that somehow this fundamental issue is just a state problem. It isn't. It's a national problem, and it's an outrage that Congress has been A.W.O.L.

Few crimes tear more deeply at the fabric of our society than hate crimes. These despicable acts injure the victim, the community, and the nation itself. The brutal murders in Texas, Wyoming, and most recently in Alabama have shocked the conscience of the nation. Sadly, these three crimes are only the tip of the hate crimes iceberg. We need to do more—much more—to combat them.

I'm convinced that if Congress acted today, and President Clinton signed our bill tomorrow, we'd have fewer hate crimes in all the days that follow.

Current federal laws are clearly inadequate. It's an embarrassment that we haven't already acted to close these glaring gaps in present law. For too long, the federal government has been forced to fight hate crimes with one hand tied behind its back.

Our bill does not undermine the role of the states in investigating and prosecuting hate crimes. States will continue to take the lead. But the full power of federal law should also be available to investigate, prosecute, and punish these crimes.

The Hate Crimes Prevention Act of 1999 addresses two serious deficiencies in the principal federal hate crimes statutes, 18 U.S.C. §245, which applies to hate crimes committed on the basis of race, color, religion, or national origin.

First, the statute requires the government to prove that the defendant

committed an offense not only because of the victim's race, color, religion, or national origin, but also because of the victim's participation in one of six narrowly defined "federally protected activities" enumerated in the statute. These activities are: (A) enrolling in or attending a public school or public college; (B) participating in or enjoying a service, program, facility or activity provided or administered by any state or local government; (C) applying for or enjoying employment; (D) serving in a state court as a grand or petit juror; (E) traveling in or using a facility of interstate commerce; and (F) enjoying the goods or services of certain places of public accommodation.

Second, the statute provides no coverage for hate crimes based on the victim's sexual orientation, gender, or disability. Together, these limitations prevent the federal government from working with state and local law enforcement agencies in the investigation and prosecution of many of the most vicious hate crimes.

Our legislation amends 18 U.S.C. §245 to address each of these limitations. In cases involving racial, religious, or ethnic violence, the bill prohibits the intentional infliction of bodily injury without regard to the victim's participation in one of the six "federally protected activities". In cases involving hate crimes based on the victim's sexual orientation, gender, or disability, the bill prohibits the intentional infliction of bodily injury whenever the act has a nexus, as defined in the bill, to interstate commerce. These provisions will permit the federal government to work in partnership with state and local officials in the investigation and prosecution of hate crimes. I urge the Senate to act quickly on this important legislation, and I look forward to working with my colleagues to bring it to a vote. I ask unanimous consent that the bill and a more detailed description of the bill be printed in the RECORD.

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

S. 618

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 "Hate Crimes Prevention Act of 1999".

SEC. 2. FINDINGS.

Congress finds that—

(1) the incidence of violence motivated by the actual or perceived race, color, national origin, religion, sexual orientation, gender, or disability of the victim poses a serious national problem;

(2) such violence disrupts the tranquility and safety of communities and is deeply divisive;

(3) existing Federal law is inadequate to address this problem;

(4) such violence affects interstate commerce in many ways, including—

(A) by impeding the movement of members of targeted groups and forcing such members to move across State lines to escape the incidence or risk of such violence; and