

Whereas according to the 1998 State Department Human Rights Report, women in Afghanistan are not allowed to drive, and taxi drivers reportedly are beaten if they take unescorted women as passengers;

Whereas according to the 1998 State Department Human Rights Report, women in Afghanistan are forbidden to enter mosques or other places of worship; and

Whereas women and girls of all ages in Afghanistan have suffered needlessly and even died from curable illness because they have been turned away from health care facilities because of their gender: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the President should instruct the United States Representative to the United Nations to use all appropriate means to prevent the Taliban-led government in Afghanistan from obtaining the seat in the United Nations General Assembly reserved for Afghanistan so long as gross violations of internationally recognized human rights against women and girls persist; and

(2) the United States should refuse to recognize any government in Afghanistan which is not taking actions to achieve the following goals in Afghanistan:

(A) The effective participation of women in all civil, economic, and social life.

(B) The right of women to work.

(C) The right of women and girls to an education without discrimination and the reopening of schools to women and girls at all levels of education.

(D) The freedom of movement of women and girls.

(E) Equal access of women and girls to health facilities.

(F) Equal access of women and girls to humanitarian aid.

#### AMENDMENTS SUBMITTED

#### NATIONAL MISSILE DEFENSE ACT OF 1999

##### BINGAMAN AMENDMENT NO. 74

Mr. BINGAMAN proposed an amendment to the bill (S. 257) to state the policy of the United States regarding the deployment of a missile defense capable of defending the territory of the United States against limited ballistic missile attack; as follows:

On page 2, strike lines 7 through 11 and insert the following:

It is the policy of the United States that a decision to deploy a National Missile Defense system shall be made only after the Secretary of Defense, in consultation with the Director of Operational Test and Evaluation of the Department of Defense, has determined that the system has demonstrated operational effectiveness.

##### HARKIN AMENDMENT NO. 75

Mr. HARKIN proposed an amendment to the bill, S. 257, *supra*; as follows:

At the end, add the following:

#### SEC. 4. COMPARATIVE STUDY OF RELEVANT NATIONAL SECURITY THREATS.

(a) REQUIREMENT FOR STUDY.—Not later than January 1, 2001, the President shall submit to Congress the comparative study described in subsection (b).

(b) CONTENT OF STUDY.—(1) The study required under subsection (a) is a study that provides a quantitative analysis of the relevant risks and likelihood of the full range

of current and emerging national security threats to the territory of the United States. The study shall be carried out in consultation with the Secretary of Defense and the heads of all other departments and agencies of the Federal Government that have responsibilities, expertise, and interests that the President considers relevant to the comparison.

(2) The threats compared in the study shall include threats by the following means:

(A) Long-range ballistic missiles.

(B) Bombers and other aircraft.

(C) Cruise missiles.

(D) Submarines.

(E) Surface ships.

(F) Biological, chemical, and nuclear weapons.

(G) Any other weapons of mass destruction that are delivered by means other than missiles, including covert means and commercial methods such as cargo aircraft, cargo ships, and trucks.

(H) Deliberate contamination or poisoning of food and water supplies.

(I) Any other means.

(3) In addition to the comparison of the threats, the report shall include the following:

(A) The status of the developed and deployed responses and preparations to meet the threats.

(B) A comparison of the costs of developing and deploying responses and preparations to meet the threats.

#### INTERIM FEDERAL AVIATION ADMINISTRATION AUTHORIZATION ACT

##### MCCAIN (AND ROBB) AMENDMENT NO. 76

Mr. MCCAIN (for himself and Mr. ROBB) proposed an amendment to the bill (S. 643) to authorize the Airport Improvement Program for 2 months, and for other purposes; as follows:

At the end of the bill, add the following:

#### SEC. . RELEASE OF 10 PERCENT OF MWAAs FUNDS.

(a) IN GENERAL.—Notwithstanding sections 49106(c)(6)(C) and 49108 of title 49, United States Code, the Secretary of Transportation may approve an application of the Metropolitan Washington Airports Authority (an application that is pending at the Department of Transportation on March 17, 1999) for expenditure or obligation of up to \$30,000,000 of the amount that otherwise would have been available to the Authority for passenger facility fee/airport development project grants under subchapter I of chapter 471 of such title.

(b) LIMITATION.—The Authority may not execute contracts, for applications approved under subsection (a), that obligate or expend amounts totalling more than the amount for which the Secretary may approve applications under that subsection, except to the extent that funding for amounts in excess of that amount are from other authority or sources.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR FISCAL YEAR 1999

##### SPECTER (AND OTHERS) AMENDMENT NO. 77

Mr. SPECTER (for himself, Mr. HARKIN, Mr. JEFFORDS, Mr. KENNEDY, and

Mr. DURBIN) proposed an amendment to the bill (S. 544) making emergency supplemental appropriations and rescissions for recovery from natural disasters, and foreign assistance, for the fiscal year ending September 30, 1999, and other purposes; as follows:

Beginning on page 35, strike line 13 and all that follows through line 24 on page 36 and insert the following:

SEC. 2011. WAIVER OF RECOUPMENT OF MEDICAID TOBACCO-RELATED RECOVERIES IF RECOVERIES USED TO REDUCE SMOKING AND ASSIST IN ECONOMIC DIVERSIFICATION OF TOBACCO FARMING COMMUNITIES. (a) FINDINGS.—Congress makes the following findings:

(1) Tobacco products are the foremost preventable health problem facing America today. More than 400,000 individuals die each year as a result of tobacco-induced illness and conditions.

(2) Each day 3,000 young individuals become regular smokers. Of these children, 1,000 will die prematurely from a tobacco-related disease.

(3) Medicaid is a joint Federal-State partnership designed to provide to provide health care to citizens with low-income.

(4) On average, the Federal Government pays 57 percent of the costs of the medicaid program and no State must pay more than 50 percent of the cost of the program in that State.

(5) The comprehensive settlement of November 1998 between manufacturers of tobacco products and States, and the individual State settlements reached with such manufacturers, include claims arising out of the medicaid program.

(6) As a matter of law, the Federal Government is not permitted to act as a plaintiff in medicaid recoupment cases.

(7) Section 1903(d) of the Social Security Act (42 U.S.C. 1396b(d)) specifically requires that the State reimburse the Federal Government for its pro rata share of medicaid-related expenses that are recovered from liability cases involving third parties.

(8) In the comprehensive tobacco settlement, the tobacco companies were released from all relevant claims that can be made against them subsequently by the States, thereby effectively precluding the Federal Government from recovering its share of medicaid claims in the future through the established statutory mechanism.

(9) The Federal Government has both the right and responsibility to ensure that the Federal share of the comprehensive tobacco settlement is used to reduce youth smoking, to improve the public health, and to assist in the economic diversification of tobacco farming communities.

(b) AMENDMENT TO SOCIAL SECURITY ACT.—Section 1903(d)(3) of the Social Security Act (42 U.S.C. 1396b(d)(3)) is amended—

(1) by inserting “(A)” before “The”; and

(2) by adding at the end the following:

“(B) Subparagraph (A) and paragraph (2)(B) shall not apply to any amount recovered or paid to a State as part of the comprehensive settlement of November 1998 between manufacturers of tobacco products (as defined in section 5702(d) of the Internal Revenue Code of 1986) and States, or as part of any individual State settlement or judgment reached in litigation initiated or pursued by a State against one or more such manufacturers, if (and to the extent that) the Secretary finds that following conditions are met:

“(i) The Governor or Chief Executive Officer of the State has filed with the Secretary a plan which specifically outlines how—

“(I) at least 20 percent of such amounts recovered or paid in any fiscal year will be spent on programs to reduce the use of tobacco products using methods that have been

shown to be effective, such as tobacco use cessation programs, enforcement of laws relating to tobacco products, community-based programs to discourage the use of tobacco products, school-based and child-oriented education programs to discourage the use of tobacco products, and State-wide awareness and counter-marketing advertising efforts to educate people about the dangers of using tobacco products, and for ongoing evaluations of these programs; and

"(II) at least 30 percent of such amounts recovered or paid in any fiscal year will be spent—

"(aa) on Federally or State funded health or public health programs; or

"(bb) to assist in economic development efforts designed to aid tobacco farmers and tobacco-producing communities as they transition to a more broadly diversified economy.

"(ii) All programs conducted under clause (i) take into account the needs of minority populations and other high risk groups who have a greater threat of exposure to tobacco products and advertising.

"(iii) All amounts spent under clause (i) are spent only in a manner that supplements (and does not supplant) funds previously being spent by the State (or local governments in the State) for such or similar programs or activities.

"(iv) Before the beginning of each fiscal year, the Governor or Chief Executive Officer of the State files with the Secretary a report which details how the amounts so recovered or paid have been spent consistent with the plan described in clause (i) and the requirements of clauses (ii) and (iii)."

(c) EFFECTIVE DATE.—The amendments made by subsection (a) apply to amounts recovered or paid to a State before, on, or after the date of enactment of this Act.

#### HUTCHINSON AMENDMENT NO. 78

(Ordered to lie on the table.)

Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill, S. 544, supra; as follows:

At the appropriate place, insert the following new title:

#### TITLE.—REQUIREMENT FOR CONGRESSIONAL APPROVAL OF ADMISSION OF CHINA TO WTO.

##### SEC. —01. PRIOR CONGRESSIONAL APPROVAL FOR SUPPORTING ADMISSION OF CHINA INTO THE WTO.

(a) IN GENERAL.—Notwithstanding any other provision of law, the United States may not support the admission of the People's Republic of China as a member of the World Trade Organization unless a provision of law is passed by both Houses of Congress and enacted into law after the enactment of this Act that specifically allows the United States to support such admission.

(b) PROCEDURES FOR CONGRESSIONAL APPROVAL OF UNITED STATES SUPPORT FOR ADMISSION OF CHINA INTO THE WTO.—

(1) NOTIFICATION OF CONGRESS.—The President shall notify the Congress in writing if he determines that the United States should support the admission of the People's Republic of China into the World Trade Organization.

(2) SUPPORT OF CHINA'S ADMISSION INTO THE WTO.—The United States may support the admission of the People's Republic of China into the World Trade Organization if a joint resolution is enacted into law under subsection (c) and the Congress adopts and transmits the joint resolution to the President before the end of the 90-day period (excluding any day described in section 154(b) of the Trade Act of 1974), beginning on the date on which the Congress receives the notification referred to in paragraph (1).

(c) JOINT RESOLUTION.—

(1) JOINT RESOLUTION.—For purposes of this section, the term "joint resolution" means only a joint resolution of the 2 Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress approves the support of the United States for the admission of the People's Republic of China into the World Trade Organization."

(2) PROCEDURES.—

(A) IN GENERAL.—A joint resolution may be introduced at any time on or after the date on which the Congress receives the notification referred to in subsection (b)(1), and before the end of the 90-day period referred to in subsection (b)(2). A joint resolution may be introduced in either House of the Congress by any member of such House.

(B) APPLICATION OF SECTION 152.—Subject to the provisions of this subsection, the provisions of subsections (b), (d), (e), and (f) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192(b), (d), (e), and (f)) apply to a joint resolution under this section to the same extent as such provisions apply to resolutions under section 152.

(C) DISCHARGE OF COMMITTEE.—If the committee of either House to which a joint resolution has been referred has not reported it by the close of the 45th day after its introduction (excluding any day described in section 154(b) of the Trade Act of 1974), such committee shall be automatically discharged from further consideration of the joint resolution and it shall be placed on the appropriate calendar.

(D) CONSIDERATION BY APPROPRIATE COMMITTEE.—It is not in order for—

(i) the Senate to consider any joint resolution unless it has been reported by the Committee on Finance or the committee has been discharged under subparagraph (C); or

(ii) the House of Representatives to consider any joint resolution unless it has been reported by the Committee on Ways and Means or the committee has been discharged under subparagraph (C).

(E) CONSIDERATION IN THE HOUSE.—A motion in the House of Representatives to proceed to the consideration of a joint resolution may only be made on the second legislative day after the calendar day on which the Member making the motion announces to the House his or her intention to do so.

(3) CONSIDERATION OF SECOND RESOLUTION NOT IN ORDER.—It shall not be in order in either the House of Representatives or the Senate to consider a joint resolution (other than a joint resolution received from the other House), if that House has previously adopted a joint resolution under this section.

##### SEC. —03. CONFORMING AMENDMENT.

Section 125(b)(1) of the Uruguay Round Agreements Act (19 U.S.C. 3535(b)(1)) is amended by striking ", and only if,".

#### NOTICE OF HEARINGS

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Full Energy and Natural Resources Committee to consider the results of the December 1998 plebiscite on Puerto Rico.

The hearing will take place on Thursday, May 6, 1999, at 9:30 a.m., in room SH-216 of the Hart Senate Office Building.

For further information, please call James Beirne, Deputy Chief Counsel at (202) 224-2564 or Betty Nevitt, Staff Assistant at (202) 224-0765.

##### SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH of Oregon. Mr. President, I would like to announce for the public that a field hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, April 6 at 10:30 a.m., at the Hood River Inn in Hood River, OR.

The purpose of the hearing is to conduct oversight on the process to determine the future of the four lower Snake River dams.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please contact Ms. Julia McCaul or Colleen Deegan at 202-224-8115.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Wednesday, March 17, 1999. The purpose of this meeting will be to review the current status of the Federal Crop Insurance Program and explore the various proposals to expand and/or restructure the program.

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COCHRAN. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Full Energy and Natural Resources Committee to consider Nuclear Waste Storage and Disposal Policy, including S. 608, the Nuclear Waste Policy Act of 1999.

The hearing will take place on Wednesday, March 24, 1999, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

For further information, please call Karen Hunsicker at (202) 224-3543 or Betty Nevitt, Staff Assistant at (202) 224-0765.

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a business meeting to consider pending business Wednesday, March 17, 9 a.m., Hearing Room (SD-406).

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a hearing on loss of open space