

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

Mr. STEVENS. I ask that we proceed with the amendment at the desk.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 120) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. STEVENS. Mr. President, earlier today we had an amendment that I did not move to reconsider and I indicated I would move to reconsider at a later time.

The PRESIDING OFFICER. That was amendment No. 80.

Mr. STEVENS. And the purpose?

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

To defer section 8 assistance for expiring contracts until October 1, 1999.

Mr. STEVENS. That amendment was agreed to. I move to reconsider the vote, and I ask unanimous consent that the motion to reconsider be laid on the table.

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

The motion to lay on the table was agreed to.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, March 17, 1999, the Federal debt stood at \$5,641,694,979,239.08 (Five trillion, six hundred forty-one billion, six

hundred ninety-four million, nine hundred seventy-nine thousand, two hundred thirty-nine dollars and eight cents).

One year ago, March 17, 1998, the Federal debt stood at \$5,536,664,000,000 (Five trillion, five hundred thirty-six billion, six hundred sixty-four million).

Five years ago, March 17, 1994, the Federal debt stood at \$4,553,032,000,000 (Four trillion, five hundred fifty-three billion, thirty-two million).

Ten years ago, March 17, 1989, the Federal debt stood at \$2,736,679,000,000 (Two trillion, seven hundred thirty-six billion, six hundred seventy-nine million) which reflects a debt increase of almost \$3 trillion—\$2,905,015,979,239.08 (Two trillion, nine hundred five billion, fifteen million, nine hundred seventy-nine thousand, two hundred thirty-nine dollars and eight cents) during the past 10 years.

CITY OF NEW ORLEANS CRASH

Mr. FITZGERALD. Mr. President, as my colleagues know, a tragic accident occurred in Bourbonnais, Illinois on Monday night when an Amtrak passenger train, the City of New Orleans, collided with a tractor trailer carrying steel rods. According to the National Transportation Safety Board, NTSB, a crew of 18 people and 196 passengers were aboard the City of New Orleans when the accident occurred.

Eleven people lost their lives in the accident, NTSB officials report. I wish to convey my deepest sympathy to the families of the victims and all others who have been touched by this tragedy. Illinois grieves with you.

I would also like to recognize the dedication of the local and State officials and citizens who have prevented this tragedy from becoming even worse. Local citizens worked through the night and into the early morning to locate victims, free them from the wreckage, and treat their injuries. Public safety officials from Bourbonnais, and from the communities and counties surrounding it, worked above and beyond the call of duty to save lives, rescue survivors, and prevent further harm from occurring.

Additionally, Federal officials from the Department of Transportation, the National Transportation Safety Board, the Highway Administration, the Railroad Administration, and Health and Human Services have traveled to Illinois to lend their expertise in the aftermath of this horrible accident.

And finally, nonprofit organizations like the American Red Cross have also served the victims, families, and friends associated with this accident. At times like this we remember the fragility of human life, and recognize the magnanimity of the human spirit. We commend the many volunteers and officials involved with the city of New Orleans accident. Their dedication to the welfare of those injured will be remembered in perpetuity.

Mr. COCHRAN. Mr. President, we were all saddened by the accident in-

volving the City of New Orleans Amtrak train in Illinois on Monday night.

Several Mississippians lost their lives in the accident including June Bonnin of Nesbit, and Raney and Lacey Lipscomb of Lake Cormorant. I know my colleagues join me in extending our sympathy to their families.

Mr. President, as is so often the case, tragedies such as this can bring out the best in individuals. Based on information provided to my office, it appears that three of the students from Covenant Christian High School in Clinton, Mississippi, who were on the train, became heroes.

These students were part of a group of 15 students returning from a spring break trip to Canada. According to persons on the scene, Michael Freeman, Caleb McNair, and Jeffrey Sartor, all 17-year-old Clinton residents, quickly reacted to the situation.

With fire quickly approaching from a nearby car, Michael and Caleb opened a window and began rescuing people trapped inside the train. Jeffrey and Mrs. Phyllis Hurley, a chaperone who was injured herself, began helping people get out of the train too.

Caleb also assisted firefighters in getting elderly people to safety and getting a young girl freed from the wreckage. When firefighters and other help arrived, Michael was still on top of a car helping people from other cars over to the closest ladder and down from the train. Even after the young men were escorted to the side, they continued to help carry stretchers of wounded to safety.

Mr. President, I extend my sympathy to all the victims and their families affected by the tragedy, and I commend the efforts of these young people and the many firefighters and emergency personnel who acted to save lives and assist the victims.

CERTIFIED NONSENSE

Mr. GRASSLEY. Mr. President, here we go again. It seems that around this time every year we launch into certification follies. The occasion is the annual requirement that the administration report to Congress on the progress or lack of progress that countries are making in cooperating on combating drugs. This debate more recently gets personalized around the issue of the certification of Mexico.

There seems to be two basic elements in this affair: The acceptance by some in Congress that the administration only lies on certification therefore we should do away with the process and quit the pretense. And those who argue that it is unfair to judge the behavior of others and to force the President to make such judgments.

I do not think that either of these views is accurate or does justice to the seriousness of the issues we are dealing with. They are also not consonant with the actual requirements in certification.

On the first point. The annual certification process does not require the administration to lie. If an administration chooses to do so, it is not the fault of the certification process. And the fix is not to change the law to enable a lie. The fix is to insist on greater honesty in the process and compliance with the legal requirements.

Now, the Congress is no stranger to elaborate misrepresentations from administrations. Given that fact, this does mean that differences in judgment necessarily mean that one party to the difference is lying. In the past, I have not accepted all the arguments by the administration in certifying Mexico.

Indeed, self-evident facts make such an acceptance impossible and the administration's insistence upon obvious daydreams embarrassing. But I have, despite this, supported the overall decision on Mexico. I have done this for several reasons.

Before I explain, let me summarize several passages from the law that requires the President to report to Congress. There seems to be some considerable misunderstanding about what it says. The requirement is neither unusual nor burdensome. The President must inform Congress if during the previous year any given major drug producing or transit country cooperated fully with the United States or international efforts to stop production or transit. These efforts can be part of a bilateral agreement with the United States. They can be unilateral efforts. Or they can be efforts undertaken in cooperation with other countries, or in conformity with international law.

In making this determination, the President is asked to consider several things: the extent to which the country has met the goals and objectives of the 1988 U.N. Convention on illicit drugs; the extent to which similar efforts are being made to combat money laundering and the flow of precursor chemicals; and the efforts being made to combat corruption.

The purpose for these requirements is also quite simple. It is a recognition by Congress, in response to public demand, that the U.S. Government take international illegal drug production and trafficking seriously. That it make this concern a matter of national interest. And that, in conjunction with our efforts here and abroad, other countries do their part in stopping production and transit. Imagine that. A requirement that we and others should take illicit drug production and transit seriously. That we should do something concrete about it. And that, from time to time, we should get an accounting of what was done and whether it was effective.

I do not read in this requirement the problem that many seem to see. This requirement is in keeping with the reality of the threat that illegal drugs pose to the domestic well-being of U.S. citizens. Illegal drugs smuggled into this country by criminal gangs resident overseas kill more Americans an-

nually than all the terrorist attacks on U.S. citizens in the past 10 years. It is consistent with international law. And it is not unusually burdensome on the administration—apart from holding it to some realistic standard of accountability.

I know that administrations, here and abroad, are uncomfortable with such standards. But that shilly shally should not be our guide. Congress has a constitutional foreign policy responsibility every bit as fundamental as the President's. Part of that responsibility is to expect accountability. The certification process is a key element in that with respect to drugs.

To seek to retreat from the responsibility because an administration does not like to be accountable is hardly sufficient ground for a change. To do so because another country does not like explaining how it is doing in cooperating to deal with a serious threat to U.S. national interests is equally unacceptable. To argue that we should cease judging others because we have yet to do enough at home is a logic that borders on the absurd. To believe that claims of sovereignty by some country trumps external judgment on its behavior is to argue for a dangerous standard in international law. To argue that we should bury our independent judgment on this matter of national interest in some vague multilateralized process is a confidence trick.

Try putting this argument into a different context. Imagine for a moment making these arguments with respect to terrorism. Think about the consequences of ignoring violations of human rights because a country claims it is unfair to meddle in internal matters.

When it comes to drugs, however, some seem prepared to carve out an exception. It offends Mexico, so let's not hold them accountable. The administration will not be honest, so let's stop making the judgment.

The administration, we are informed, does not want to offend an important ally. Really? Well, it seems the administration likes to pick and choose. At the moment, the administration is considering and threatening sanctions against the whole European Union—that is some of our oldest allies. And over what issue? Bananas. To my knowledge, not a single banana has killed an American. However serious the trade issue is that is involved, major international criminal gangs are not targeting Americans with banana peels. They are not smuggling tons of bananas into this country illegally. They are not corrupting whole governments.

So, what we are being asked to accept is that sanctions are an important national interest when it comes to bananas but not for drugs. That it is okay to judge allies on cooperation on tropical fruit but not on dangerous drugs. This strikes me as odd. Do not get me wrong. I am not against bananas. I believe there are serious trade issues in-

volved in this dispute over bananas. What strikes me as odd is that the administration is prepared to deploy serious actions against allies over this issue but finds it unacceptable to defend U.S. interests when it comes to drugs with similar dedication and seriousness.

But let me come back to Mexico and certification. I have two observations. The first concerns the requirements for certification. I refer again to the law. That is a good place to start. The requirement in the law is to determine whether a country is fully cooperating. It is not to judge whether a country is fully successful.

Frankly, that is an impossible standard to meet. One that we would fail. I agree, that deciding what full cooperation looks like is a matter of judgment. But to those who argue that certification limits the President's flexibility, on the contrary, it gives scope to just that in reaching such a decision. It is a judgment call. Sometimes a very vexed judgment.

Nevertheless, one can meet a standard of cooperation that is not bringing success. In such a case, an over-reliance upon purely material standards of evaluation cannot be our only guide. How many extraditions, how many new laws, how many arrests, how many drugs seized are not our only measures for judgment. There are others. And in the case of Mexico there is a major question that must be part of our thinking.

Unless the United States can and is prepared unilaterally to stop drug production and trafficking in Mexico, then we have two choices. To seek some level of cooperation with legitimate authority in Mexico to give us some chance of addressing the problem. Or, to decide no cooperation is possible and to seal the border. The latter course, would involve an immense undertaking and is uncertain of success. It would also mean abandoning Mexico at a time of crisis to the very criminal gangs that threaten both countries. In my view, we cannot decertify Mexico until we can honestly and dispassionately answer this question: Is what we are getting in the way of cooperation from Mexico so unacceptable on this single issue that our only option is to tear up our rich and varied bilateral relationship altogether?

However frustrating our level of cooperation may be, I continue to think that we have not reached the point of hopelessness. And there are encouraging signs along with the disappointments. Having said this, I do not believe that we can or should forego judgment on the continuing nature of cooperation. With Mexico or with any country. To those who would change the certification process I would say, let's give the process a chance not a change. Let's actually apply it. This does not mean in some rote way. But wisely. With understanding. With due regard to both the nuance of particular situations and a sense of responsibility.

REFERRAL OF S. 623

Mr. STEVENS. Mr. President, I ask unanimous consent that S. 623 be discharged from the Committee on Environment and Public Works and referred to the Committee on Energy and Natural Resources.

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

AUTHORIZATION OF SENATE REPRESENTATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 70, submitted earlier today by Senators LOTT and DASCHLE.

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

The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 70) to authorize representation of Senate and Members of the Senate in the case of James E. Pietrangelo, *II v. United States Senate, et al.*

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, this resolution concerns a civil action commenced in the United States District Court for the Northern District of Ohio against the United States Senate and all Members of the Senate by a *pro se* plaintiff during the impeachment trial of President Clinton. The amended complaint improperly seeks judicial intervention directing Senators on how they should have voted on the question of whether to convict on the impeachment articles.

The action is subject to dismissal on numerous jurisdictional grounds, including lack of constitutional standing, political question, sovereign immunity, and the Speech or Debate Clause. This resolution authorizes the Senate Legal Counsel to represent the Senate and Senators in this suit to move for its dismissal.

Mr. STEVENS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 70) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 70

Whereas, in the case of *James E. Pietrangelo, II v. United States Senate, et al.*, Case No. 1:99-CV-323, pending in the United States District Court for the Northern District of Ohio, the plaintiff has named the United States Senate and all Members of the Senate as defendants;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend the Senate and Members of the Senate in civil

actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate and all Members of the Senate in the case of *James E. Pietrangelo, II v. United States Senate, et al.*

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF THE NATIONAL ENDOWMENT FOR DEMOCRACY FOR FISCAL 1998—MESSAGE FROM THE PRESIDENT—PM 17

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations.

To the Congress of the United States:

As required by the provisions of section 504(h) of Public Law 98-164, as amended (22 U.S.C. 4413(i)), I transmit herewith the 15th Annual Report of the National Endowment for Democracy, which covers fiscal year 1998.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 18, 1999.

REPORT OF THE CORPORATION FOR PUBLIC BROADCASTING—MESSAGE FROM THE PRESIDENT—PM 18

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation.

To the Congress of the United States:

As required by section 19(3) of the Public Telecommunications Act of 1992 (Public Law 102-356), I transmit herewith a report of the Corporation for Public Broadcasting. This report outlines, first, the Corporation's efforts to facilitate the continued development of superior, diverse, and innovative programming and, second, the Corporation's efforts to solicit the views of the public on current programming initiatives.

This report summarizes 1997 programming decisions and outlines how Corporation funds were distributed—\$47.9 million for television program development, \$18.8 million for radio programming development, and \$15.6 million for general system support. The

report also reviews the Corporation's Open to the Public campaign, which allows the public to submit comments via mail, a 24-hour toll-free telephone line, or the Corporation's Internet website.

I am confident this year's report will meet with your approval and commend, as always, the Corporation's efforts to deliver consistently high quality programming that brings together American families and enriches all our lives.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 18, 1999.

MESSAGES FROM THE HOUSE

At 1:30 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 820. An act to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes.

H.R. 975. An act to provide for a reduction in the volume of steel imports, and to establish a steel import notification and monitoring program.

The message also announced that pursuant to the provisions of public law 96-388, as amended by Public Law 97-84 (36 U.S.C. 1402(a)), the Speaker appoints the following Members of the House to the United States Holocaust Memorial Council: Mr. GILMAN of New York, Mr. LATOURETTE of Ohio, and Mr. CANNON of Utah.

MEASURE REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 820. An act to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 334. A bill to amend the Federal Power Act to remove the jurisdiction of the Federal Energy Regulatory Commission to license projects on fresh waters in the State of Hawaii (Rept. No. 106-26).

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. REED:

S. 656. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence; to the Committee on the Judiciary.

By Mr. INHOFE:

S. 657. A bill to amend the Internal Revenue Code of 1986 to expand the availability