

The distinguished Senator from Alaska is recognized.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR FISCAL YEAR 1999

The Senate continued with the consideration of the bill.

AMENDMENTS NOS. 121 THROUGH 123, EN BLOC

Mr. STEVENS. Mr. President, I send to the desk an amendment for Senator SESSIONS that deals with the Crop Loss Assistance Program. Senator SESSIONS' amendment is offered as one of Senator COCHRAN's relevant amendments in the agricultural area.

I also send to the desk an amendment on behalf of Senator COVERDELL making funds available for a scholarship fund in Honduras. Senator COVERDELL's amendment is offered as one of my relevant amendments on the list.

Finally, I send to the desk an amendment for Senator DASCHLE dealing with 801 housing at Ellsworth Air Force Base.

I ask unanimous consent that these amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes amendments numbered 121 through 123.

Mr. STEVENS. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 121

(Purpose: To improve the crop loss assistance program)

On page 7, between lines 8 and 9, insert the following:

GENERAL PROVISION, THIS CHAPTER

SEC. . CROP LOSS ASSISTANCE.—(a) IN GENERAL.—Section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (section 101(a) of division A of Public Law 105-277), is amended—

(1) in subsection (a), by inserting “(not later than June 15, 1999)” after “made available”; and

(2) in subsection (g)(1), by inserting “or private crop insurance (including a rain and hail policy)” before the period at the end.

(b) DESIGNATION AS EMERGENCY REQUIREMENT.—Such sums as are necessary to carry out the amendments made by subsection (a): *Provided*, That such amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement under section 251(b)(2)(A) of such Act.

Mr. SESSIONS. Mr. President, I rise to speak regarding my amendment to improve the crop loss assistance program. I would like to begin by expressing my appreciation to Chairman STEVENS, Senator COCHRAN, Senator

LUGAR, and Senator KOHL for their assistance in gaining an agreement on this amendment.

I believe this amendment will help provide much needed assistance to our Nation's farmers. In the fiscal year 1999 omnibus appropriations bill we provided emergency funds to the United States Department of Agriculture (USDA) to aid farmers who have suffered losses due to natural disasters in recent years. I believe the regulations that were promulgated by the USDA were inadequate to address the needs of many of our farmers.

Under the multi-year disaster assistance provisions contained in the fiscal year 1999 omnibus appropriations bill, farmers who experienced losses in three of the last five crop years (1994-1998) or 1998 alone were eligible for 25 percent of indemnities paid. Farmers would be paid the higher of the multi-year or single year loss but would not qualify under both.

Many farmers in parts of Alabama experienced losses in two out of five years, or experienced devastating losses in years other than 1998 and so were ineligible for the disaster assistance. In addition, many producers experienced losses but did not meet the eligibility requirement since they may have had up to 35-percent losses but no insurance indemnity was paid that crop year.

Farmers may have also experienced a loss with a private crop policy such as rain and hail but did not have enough of a loss to trigger the indemnity. This amendment would require that USDA count indemnity losses by private policies such as rain and hail that were paid during the crop years 1994-1998 to be counted as a loss, under the three out of five year crop loss requirement.

In determining eligibility for the multi-year provisions, the Risk Management Agency, RMA, simply generated a list of producers by taxpayer ID and if their production records showed a loss for either 1998 or three out of the five preceding crop years, RMA determined they were eligible. However, since these private crop policies are not offered under the Multi-Peril Crop Insurance program, MPCI, and purely a private contract between the insured producer and insurance company, RMA did not count these losses as qualifying under the multi-year provisions.

This amendment will simply provide equity for producers who might have experienced losses under their private policies such as rain and hail, but did not experience losses under the catastrophic or “buyup” policies. I believe this amendment will provide essential flexibility in the program so that farmers who have endured severe conditions in recent years can qualify for the assistance we provided in the omnibus bill last year.

I ask unanimous consent that a letter from me to Secretary Glickman be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, February 25, 1999.
Mr. DAN GLICKMAN,
Secretary, Department of Agriculture,
Washington, DC.

DEAR SECRETARY GLICKMAN: I am writing regarding some concerns I have about the Crop Loss Disaster Assistance Program that was authorized by the Supplemental Appropriations for Fiscal Year 1999.

I am concerned about the regulations that have been formulated by the USDA with regards to this program. Congress provided these funds to aid farmers that have faced extreme conditions during the past few years. Having been contacted by several of my constituents, it has come to my attention that the program is not adequate in addressing many farmers needs. Although numerous farmers suffered significant losses in 1998, many still will not qualify for assistance under the provisions specifically designed to address 1998 losses due to disasters. Furthermore, the provisions relating to multi-year losses precludes many farmers from receiving the assistance they so desperately need, even when they had two devastating years. While I understand that these types of programs must have limits, I request that you investigate this disparity to determine if a possible solution is available.

I am also concerned about the disproportionate impact that the program will have on different geographic areas. While I am aware that different areas face distinct weather problems, I have some concerns that certain areas of the U.S. are going to receive a much larger portion of the assistance funds than other areas. I believe this could be due to the way the regulations were formulated. Again, I request that you investigate this inequity to determine if we are implementing the best system possible.

Thank you for your time and attention to this matter. I know we share the common goal of aiding the American farmer in the fairest and most equitable way possible. I would appreciate your contacting me or my office with any findings. If you have any questions or require more information, please feel free to contact John Little, my legislative counsel for this issue.

Very truly yours,

JEFF SESSIONS,
United States Senator.

AMENDMENT NO. 122

(Purpose: To make available funds for a scholarship fund for Zamorano Agricultural University in Honduras)

On page 8, line 21, by inserting after “Honduras:” the following: *Provided further*, That, of the amount appropriated under this heading, up to \$10,000,000 may be made available to establish and support a scholarship fund for qualified low-to-middle income students to attend Zamorano Agricultural University in Honduras:”

Mr. COVERDELL. Mr. President, I commend my colleague from Alaska for his leadership on this very important supplemental appropriations bill. It goes without saying that these funds are much needed both in our country and in the countries of Central America and the Caribbean affected by Hurricane Mitch. The funds will go to some of the neediest people in this hemisphere and will address immediate and long-term needs. I have traveled the region personally in the wake of this disaster, and I know that these resources

are imperative to its economic viability and recent strong advances in freedom and democracy.

In considering this large assistance measure, however; we should recognize that there are problems in some of the recipient countries. In particular, we have heard of many difficulties with American companies trying to do business in the region. Currently, there are a group of Senators, led by the chairman of the Foreign Relations Committee, who are concerned about an airport project in Honduras and the government's apparent refusal to pay the American company performing the work. In the Dominican Republic, I have consistently been informed of problems the American energy sector is having in trying to do business in that country. While U.S. State Department personnel have been responsive and have tried to be helpful in providing consular assistance, a group of American energy companies still are having problems getting paid on time—or at all—under the terms of their established contracts. This is worrisome. It obviously hurts domestic confidence in investing in this region—or in these countries particularly.

I would appreciate it if the chairman would review the material I will provide him on these situations and consider developing report language to accompany this legislation which would address this recurring problem. In the language, I would like to encourage these countries to honor their contracts to the best of their abilities and to abide by the rule of law. If we are going to provide this infusion of resources, we need to assure that our companies operating in the region are treated fairly. It is certainly best for both us and the countries in which we invest. I thank the chairman for his leadership on this measure.

AMENDMENT NO. 123

(Purpose: To provide for the use at Ellsworth Air Force Base, South Dakota, of the amount received by the United States in settlement of claims with respect to a family housing project at Ellsworth Air Force Base, and to increase the amount of rescission of the "Operation and Maintenance, Defense-Wide" account of the Department of Defense)

On page 39, line 20, strike "\$209,700,000" and insert "\$217,700,000".

On page 58, between lines 15 and 16, insert the following:

TITLE V—MISCELLANEOUS

SEC. 5001. (a) AVAILABILITY OF SETTLEMENT AMOUNT.—Notwithstanding any other provision of law, the amount received by the United States in settlement of the claims described in subsection (b) shall be available as specified in subsection (c).

(b) COVERED CLAIMS.—The claims referred to in this subsection are the claims of the United States against Hunt Building Corporation and Ellsworth Housing Limited Partnership relating to the design and construction of an 828-unit family housing project at Ellsworth Air Force Base, South Dakota.

(c) SPECIFIED USES.—

(1) IN GENERAL.—Subject to paragraph (2), the amount referred to in subsection (a) shall be available as follows:

(A) Of the portion of such amount received in fiscal year 1999—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund for the civil debt collection litigation activities of the Department with respect to the claims referred to in subsection (b), as provided for in section 108 of Public Law 103-121 (107 Stat. 1164; 28 U.S.C. 527 note); and

(ii) of the balance of such portion—

(I) an amount equal to $\frac{7}{8}$ of such balance shall be available to the Secretary of Transportation for purposes of construction of an access road on Interstate Route 90 at Box Elder, South Dakota (item 1741 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (Public Law 105-178; 112 Stat. 320)); and

(II) an amount equal to $\frac{1}{8}$ of such balance shall be available to the Secretary of the Air Force for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(B) Of the portion of such amount received in fiscal year 2000—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund in accordance with subparagraph (A)(i); and

(ii) an amount equal to the balance of such portion shall be available to the Secretary of Transportation for purposes of construction of the access road described in subparagraph (A)(ii)(I).

(C) Of any portion of such amount received in a fiscal year after fiscal year 2000—

(i) an amount equal to 3 percent of such portion shall be credited to the Department of Justice Working Capital Fund in accordance with subparagraph (A)(i); and

(ii) an amount equal to the balance of such portion shall be available to the Secretary of the Air Force for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(2) LIMITATION ON AVAILABILITY OF FUNDS FOR ACCESS ROAD.—

(A) LIMITATION.—The amounts referred to in subparagraphs (A)(ii)(I) and (B)(ii) of paragraph (1) shall be available as specified in such subparagraphs only if, not later than September 30, 2000, the South Dakota Department of Transportation enters into an agreement with the Federal Highway Administration providing for the construction of an interchange on Interstate Route 90 at Box Elder, South Dakota.

(B) ALTERNATIVE AVAILABILITY OF FUNDS.—If the agreement described in subparagraph (A) is not entered into by the date referred to in that subparagraph, the amounts described in that subparagraph shall be available to the Secretary of the Air Force as of that date for purposes of real property and facility maintenance projects at Ellsworth Air Force Base.

(3) AVAILABILITY OF AMOUNTS.—

(A) ACCESS ROAD.—Amounts available under this section for construction of the access road described in paragraph (1)(A)(ii)(I) are in addition to amounts available for the construction of that access road under any other provision of law.

(B) PROPERTY AND FACILITY MAINTENANCE PROJECTS.—Notwithstanding any other provision of law, amounts available under this section for property and facility maintenance projects at Ellsworth Air Force Base shall remain available for expenditure without fiscal year limitation.

Mr. STEVENS. Mr. President, I ask that the amendments be adopted.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 121 through 123) were agreed to.

Mr. STEVENS. I move to reconsider the vote by which the amendments were agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent to strike the following amendments which are on the list of proposed amendments: Senator HATCH's amendment on ethical standards; Senator DEWINE's amendment on counterdrug funding; Senator ENZI's amendment, which is the first livestock assistance amendment; Senator FEINSTEIN's WIC increase amendment; Senator HARKIN's tobacco and two relevant amendments, leaving Senator HARKIN with one relevant amendment; and Senator BURNS' sheep improvement program.

I further ask unanimous consent that an additional slot be added to the list entitled "managers' amendment" for use by the managers—Senator BYRD and myself—for a final package of cleared amendments when we get to the end of the bill.

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

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business, to expire at 1 p.m. this afternoon, with Senators permitted to speak therein for not to exceed 10 minutes.

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

Mr. GREGG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

KOSOVO

Mr. GREGG. Mr. President, I rise to speak about the issue of Kosovo. It is obviously a topic of extreme importance. It appears that the administration and the President have decided to use American military force in Kosovo in conjunction with NATO. This, to me, is a serious mistake.

I wish this administration had a set policy we could turn to and say, "This is why they have decided to do this." But they do not. In fact, the Kosovo decision has many parallels to the Haiti decision, and the Haiti decision, as we know, has turned into a complete disaster, costing millions of dollars—potentially, I think, billions of dollars—although luckily no American lives, but it has not corrected the problem in Haiti in any significant way.

Kosovo, on the other hand, has the potential of not only to cost billions of dollars, but also to cost American lives. It is a mistake to pursue a policy of using American force without a doctrine or a guideline or a theorem as to why you are using that force.