tax on merchandise sold via the Internet, through catalogs, or sold other than through local merchants in other to supplement the funding for elementary and secondary school teacher salaries; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. AKAKA, and Mr. CLELAND):

S. 1434. A bill to amend the National Historic Preservation Act to reauthorize that Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEVIN (for himself and Mr. KERRY):

S. 1435. A bill to amend section 9 of the Small Business Act to provide for the establishment of volunteer mentoring programs; to the Committee on Small Business.

By Mr. CONRAD:

S. 1436. A bill to amend the Agricultural Marketing Transition Act to provide support for United States agricultural producers that is equal to the support provided agricultural producers by the European Union, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MOYNIHAN:

S. 1437. A bill to protect researchers from compelled disclosure of research in Federal courts, 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. LOTT (for himself and Mr. DASCHLE):

S. Res. 162. A resolution to authorize testimony of employee of the Senate in State of New Mexico v. Felix Lucero Chavez; considered and agreed to.

By Mrs. BOXER:

S. Res. 163. A resolution to establish a special committee of the Senate to study the causes of firearms violence in America; to the Committee on Rules and Administration.

By Mr. THOMAS (for himself, Mr. ROBB, Mr. ROTH, and Mr. SMITH of Oregon):

S. Con. Res. 48. A concurrent resolution relating to the Asia-Pacific Economic Cooperation Forum; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THOMAS (for himself and Mr. SMITH of Oregon):

S. 1430. A bill to set forth the policy of the United States with respect to Macau, and for other purposes; to the Committee on Foreign Relations.

THE UNITED STATES-MACAU POLICY ACT OF 1999

Mr. THOMAS. Mr. President, as the chairman of the Subcommittee on East Asian and Pacific Affairs, I rise to introduce S. 1430, the United States-Macau policy Act of 1999. I ask unanimous consent that the text be printed in the RECORD.

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

S. 1430

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 ''United States—Macau Policy Act of 1999''.

SEC. 2 FINDINGS AND DECLARATIONS.

The Congress makes the following findings and declarations'

(1) The Congress recognizes that under the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau, dated April 13, 1987—

(A) the People's Republic of China and the Republic of Portugal have agreed that the People's Republic of China will resume the exercise of sovereignty over Macau on December 20, 1999, and until that time, Portugal will be responsible for the continuing administration of Macau;

(B) the People's Republic of China has guaranteed that, on and after December 20, 1999, the Macau Special Administrative Region of the People's Republic of China, will continue to enjoy a high degree of autonomy on all matters other than defense and foreign affairs;

(C) the People's Republic of China will implement a ''one country, two systems'' policy with respect to Macau, under which Macau will retain its current legal, social, and economic systems until at least the year 2049;

(D) provision is made for the continuation in force of bilateral and multilateral agreements implemented as of December 20, 1999, and for the ability of the Macau Special Administrative Region to conclude new agreements.

(2) The Congress supports the full and complete implementation of the provisions of the Joint Declaration.

(3) The Congress supports the policies and objectives set forth in the Joint Declaration.

(4) It is the sense of the Congress that—

(A) continued economic prosperity in Macau furthers United States interests in Asia and in our relationship with the People's Republic of China;

(B)(i) support for principles of democracy is a fundamental tenent of United States foreign policy, and as such, will also play a central role in United States policy toward Macau, now and after December 19, 1999; and

(ii) safeguarding the human rights of the people of Macau is of great importance to the United States and is directly relevant to United States interests in Macau;

(iii) a fully successful transition in the exercise of sovereignty over Macau must safeguard those human rights; and

(iv) human rights also serve as a basis for Macau's continued economic prosperity.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) prior to December 20, 1999, the term ''Macau'' means the Portuguese Dependent Territory of Macau, and on and after December 20, 1999, the term ''Macau'' means the Macau Special Administration Region of the People's Republic of China;

(2) the term ''Joint Declaration'' means the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau, dated April 13, 1987; and

(3) the term ''laws of the United States'' means provisions of law enacted by the Congress.

TITLE I—POLICY

SEC. 101. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) the United States should play an active role before, on, and after December 20, 1999, in assisting Macau in maintaining its confidence and prosperity, its unique cultural heritage, and the mutually beneficial ties between the people of the United States and the people of Macau; and

(2) through its policies, the United States should assist Macau in maintaining a high degree of autonomy in matters other than defense and foreign affairs as guaranteed by the People's Republic of China and the Republic of Portugal in the Joint Declaration, particularly with respect to such matters as trade, commerce, law enforcement, finance, monetary policy, aviation, shipping, communications, tourism, cultural affairs, sports, and participation in international organizations, consistent with the national security and other interests of the United States.

TITLE II—THE STATUS OF MACAU IN UNITED STATES LAW

SEC. 201. CONTINUED APPLICATION OF UNITED STATES LAW.

(a) IN GENERAL.—Notwithstanding any change in the exercise of sovereignty over Macau, and subject to subsections (b) and (c), the laws of the United States shall continue to apply with respect to Macau, on and after December 20, 1999, in the same manner as the laws of the United States were applied with respect to Macau before such date unless otherwise expressly provided by law or by Executive order under section 202.

(b) INTERNATIONAL AGREEMENTS.—For all purposes, including actions in any court of the United States, the Congress approves of the continuation in force on and after December 20, 1999, of all treaties and other international agreements, including multilateral conventions, entered into before such date between the United States and Macau, or entered into force before such date between the United States and the Republic of Portugal with respect to, or as applied to, Macau, unless or until terminated in accordance with law. If, in carrying out this title, the President determines that Macau is not legally competent to carry out its obligations under any such treaty or other international agreement, or that the continuation of Macau's obligations or rights under any such treaty or other international agreement is not appropriate under the circumstances, the President shall promptly notify the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate concerning such determination, and shall take appropriate action to modify or terminate such treaty or other international agreement.

(c) EXPORT CONTROLS.—Notwithstanding subsection (a) or any other provision of law, within 90 days after the date of the enactment of this Act the President—in close consultation with the relevant committees of the Congress—shall establish with respect to Macau, such export control policies and regulations as he determines to be necessary to protect fully the national security interests of the United States.

SEC. 202. PRESIDENTIAL ORDER.

(a) PRESIDENTIAL DETERMINATION.—On or after December 20, 1999, whenever the President determines that Macau is not sufficiently autonomous to justify treatment under a particular law of the United States, or any provision thereof, different from that accorded the People's Republic of China, the President may issue an Executive order suspending the application of section 201(a) to such law or provision of law. The President shall promptly notify the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate concerning any such determination.

(b) FACTOR FOR CONSIDERATION.—In making a determination under subsection (a) with respect to the application of a law of the United States, or any provision thereof, to Macau, the President should consider the terms, obligations, and expectations expressed in the Joint Declaration with respect to Macau.

(c) PUBLICATION IN FEDERAL REGISTER.—Any Executive order issued under subsection

(a) shall be published in the Federal Register and shall specify the law or provision of law affected by the order.

(d) TERMINATION OF SUSPENSION.—An Executive order issued under subsection (a) may be terminated by the President with respect to a particular law or provision of law whenever the President determines that Macau has regained sufficient autonomy to justify treatment under the law or provision of law in question. Notice of any such termination shall be published in the Federal Register.

SEC. 203. RULES AND REGULATIONS.

The President is authorized to prescribe such rules and regulations as he considers appropriate to carry out this Act.

SEC. 204. CONSULTATION WITH CONGRESS.

In carrying out this title, the President shall consult appropriately with the Congress, in particular with:

(a) the Committee on International Relations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(b) the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

TITLE III—REPORTING PROVISIONS

SEC. 301. REPORTING REQUIREMENT.

Not later than 90 days after the date of the enactment of this Act, and not later than March 31 of each of the years 2000, 2001, and 2002, the Secretary of State shall transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report on conditions in Macau of interest to the United States. This report shall cover (in the case of the initial report) the period since the date of the enactment of this Act or (in the case of subsequent reports) the period since the most recent report pursuant to this section, and shall describe, inter alia—

(1) significant developments in United States relations with Macau;

(2) significant developments related to any change in the exercise of sovereignty over Macau affecting United States interests in Macau or United States relations with Macau and the People's Republic of China;

(3) steps taken by the United States to implement section 201(c) (relating to export controls with respect to Macau), including any significant problems or other developments arising with respect to the application of United States export controls to Macau;

(4) the laws of the United States with respect to which the application of section 201(a) (relating to the application of United States laws to Macau) has been suspended pursuant to section 202(a) or with respect to which such a suspension has been terminated pursuant to section 202(d), and the reasons for the suspension or termination, as the case may be;

(5) the treaties and other international agreements with respect to which the President has made a determination described in the last sentence of section 201(b) (relating to the application of treaties and other international agreements to Macau), the reasons for each such determination, and the steps taken as a result of such determination;

(6) the development of democratic institutions in Macau;

(7) compliance by the Government of the People's Republic of China and the Government of the Republic of Portugal with their obligations under the Joint Declaration; and

(8) the nature and extent of Macau's participation in multilateral forums.

SEC. 302. SEPARATE PART OF COUNTRY REPORTS.

Whenever a report is transmitted to the Congress on a country-by-country basis, there shall be included in such report, where applicable, a separate subreport on Macau under the heading of the state that exercises sovereignty over Macau.

By Mr. LAUTENBERG:

S. 1431. A bill to suspend temporarily the duties on mixtures of sennosides; to the Committee on Finance.

S. 1432. A bill to suspend temporarily the duty on dark couverture chocolate; to the Committee on Finance.

DUTY SUSPENSION LEGISLATION

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 1431

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MIXTURES OF SENNOSIDES.

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

"	9902.39.00	Mixtures of sennosides (provided for in subheading 2938.90.00)	Free	No Change	No Change	On or before 12/31/2002.	"

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of enactment of this Act.

S. 1432

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DARK COUVERTURE CHOCOLATE.

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

"	9902.18.06	Dark couverture chocolate (provided for in subheading 1806.20.50)	Free	No Change	No Change	On or before 12/31/2002.	"

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

By Ms. LANDRIEU (for herself, Mr. AKAKA, and Mr. CLELAND):

S. 1434. A bill to amend the National Historic Preservation Act to reauthorize that Act, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. LANDRIEU. Mr. President, I rise on behalf of myself and Senators AKAKA and CLELAND to introduce this legislation that would extend the authorization for appropriations for the National Historic Preservation Fund, as established by the Historic Preservation Act amendments of 1976. On September 30, 1997, the authorization for deposits into the Historic Preservation Fund from revenues due and payable to the United States under the Outer Continental Shelf Lands Act expired. So we introduce this legislation with the purpose of reauthorizing the deposits at the same level of $150 million annually through the year 2005.

As you are aware, and others in this Chamber, this fund account supports roughly one-half of the cost of the Nation's historic preservation programs. State governments contribute the other half. This is a partnership that is working—preserving our communities, creating jobs, and providing opportunities for this partnership to flourish.

States and certain local governments and Native American tribes carry out our historic preservation programs under the act for the Secretary of the Interior and the Advisory Council on Historic Preservation. This program involves the identification of historic places, working with property owners in nominating significant places to the National Register, consulting with Federal agencies on projects that may adversely impact historic places, advising investors on important tax credits for the rehabilitation of historic buildings, and offering information and educational opportunities to the private and public sectors on historic preservation.

This program is made possible through the Historic Preservation Fund, and it contributes significantly, as I have said, to community revitalization and to economic development.

We believe it is extremely worthwhile, it is a program that works, and we must reauthorize this fund so the State historic preservation offices and the Advisory Council on Historic Preservation may continue this important work.

I would just like to state for the RECORD some very brief examples of how this has worked around the Nation.

One example is from my hometown in New Orleans. The Maginnis Cotton Mill, which was constructed in 1884, was the largest textile manufacturing plant in the South. It was once a ''model institution'' employing 450 workers. The Maginnis Mill remained the largest in the South until it closed in 1944. Over 50 years had passed before any restorative work was done to the mill.

In 1996, while maintaining the original ascetic integrity of this enormous complex in downtown New Orleans, the Historic Restoration Group, Inc., converted the old mill into 267 apartments. It has now been completed. It is a beautiful renovation project. It is now the home for 267 residents and their families, and it has increased the housing in that area by 26 percent. The building, which has been called a ''freeze frame'' of the development of the city, has greatly increased property values in that area, not to mention the surrounding area.

Another example is Chinatown, Honolulu. Once nearly engulfed with high-rise redevelopment, Chinatown today is protected by a requirement that new construction be reviewed by a design commission. Tools used include a National Register of Historic Places nomination, Advisory Council on Historic Preservation review, and the preservation tax incentives.

Another example is the Indianapolis Union Railway Station. A $40 million rehabilitation project over a decade drew on several Federal funding programs and extensive consultation with the State and has spurred other adjacent rehabilitations. The station now serves as a festival marketplace with hotel and transportation facilities.

Another example is Formosan Termite Control. A threat to the Vieux Carre and other historic districts in the South, the Formosan termite is immune to common treatment. A Historic Preservation Fund grant is enabling Louisiana State University to study ways of improving detection and eradication of the pest.

Another example is Ledbetter Heights low-income housing, Shreveport. Section 8 housing designation and the preservation tax incentives were used to purchase and rehabilitate shotgun houses in the St. Paul's Bottoms Historic District. Shreveport Landmarks, Inc., cooperated with a tenants' council in the process.

There are literally hundreds of other examples of successful renovation projects that would not be possible without the Historic Preservation Fund. From Hawaii to Maine, from Louisiana to North Dakota, and all in between, there are places in urban and rural areas that have greatly benefited by the presence of this fund.

So I introduce this legislation tonight. I look forward to finding the funding for not just a one-time appropriation. As you know, S. 25 is a bill that seeks to find a permanent source of funding for many important environmental and wildlife conservation projects. Perhaps our National Historic Fund could become part of that so this permanent source of funding could go on to our cities and our communities so they would have a steady stream of revenue to continue to improve these areas in our communities, both in urban and rural parts of our Nation.

Mr. AKAKA. I join my colleague, Senator LANDRIEU, in introducing legislation to reauthorize the Historic Preservation Fund and the Advisory Council on Historic Preservation. As my colleagues may know, the authorization for the Historic Preservation Fund expired on September 30, 1997, and the authorization for the Advisory Council expires on September 30, 2000. This bill would reauthorize the fund and the Council through fiscal year 2005.

There is a growing backlog of preservation needs throughout our country that is not being met. To ensure that this situation is not exacerbated, and to address these shortfalls on a long-term basis, the Historic Preservation Fund should be reauthorized at the earliest opportunity.

The National Historic Preservation Act of 1966 was amended in 1976 to establish the Historic Preservation Fund. Administered by the National Park Service, the Fund provides grants-in-aid to States, certified local governments, and outlying areas. The National Historic Preservation Act provides that $150 million from Outer Continental shelf oil and gas receipts is deposited in the Fund each year. The revenue remains available in the Fund until appropriated by Congress. Since September 30, 1997, no additional deposits from OCS revenues into the Fund have been authorized.

Reauthorization of the Historic Preservation Fund is critical because it provides for the continuation of grants used by States, Tribes, Native Hawaiians, Alaska Natives, and local governments to pay the costs of surveys, comprehensive historic preservation plans, National Register nominations, brochures and educational materials, as well as architectural plans, historic structure reports, and engineering studies necessary to repair listed properties.

Since 1968, over $800 million in grant funds has been awarded to 59 States, territories, local governments, Native Hawaiian organizations, Indian tribes, and the National Trust for Historic Preservation. In Fiscal Year 1998, the States received a total of $29.4 million in historic preservation grants-in-aid, an average allocation of $524,000, which typically is matched by $350,000 in non-federal matching share contributions.

During 1998, States surveyed 14.9 million acres of historic resources and added 185,100 properties to their inventories. Also in 1998, States submitted 1,602 nominations to the National Register of Historic Places and reviewed 89,000 Federal projects for compliance with Section 106 of the National Historic Preservation Act. In Hawaii, over 38,000 properties are maintained on the state's inventory of known historic properties.

Besides providing grants-in-aid, the Historic Preservation Fund also administers a grant program for Native Hawaiians, Indian Tribes, and Alaska Natives for cultural heritage programs. The Tribal Preservation Program has directly assisted over 170 tribes through the award of 259 grants.

For example, the Hopi Tribe in Arizona received a grant to document the rock art sites at Antelope Mesa, resulting in 100 sites being included in their Cultural Resources Management Plan. In Alaska, the Native Village of Venetie drafted a historic preservation plan for Venetie and Arctic Village utilizing a grant from the Historic Preservation Fund. The Seneca Nation of Indians in New York used a grant to develop educational materials for their school children using oral interviews with tribal elders.

In all, more than $9 million in grant funds has been used to assist tribes in assuming State Historic Preservation Office responsibilities, in drafting preservation ordinances, implementing cultural resource management plans, identifying and protecting historic sites, and conducting preservation needs assessments.

In addition, the Fund provides matching grants to Historically Black Colleges and Universities to preserve threatened historic buildings located on their campuses. Funding for preservation projects has been used at Fisk University and Knoxville College in Tennessee; Miles College, Talladega College, Selma University, Stillman College, Concordia College in Alabama; Allen University, Claflin College, Voorhees College in South Carolina; and Rust College and Tougaloo University in Mississippi.

In addition to the Historic Preservation Fund, Congress created the Advisory Council on Historic Preservation under the National Historic Preservation Act of 1966. As an independent federal agency, in cooperation with the Secretary of the Interior, the Council is the major policy advisor to the Federal government on historic preservation. The Council administers programs including, but not limited to, the Historic Preservation Fund, the National Register, and programs of the National Trust. The Council also reviews the policies of Federal agencies in implementing the National Historic Preservation Act, conducts training and educational programs, and encourages public participation in historic preservation. The Council's authorization expires in Fiscal Year 2000.

The Council's role in working with Federal agencies to support the National Historic Preservation Act is essential for protecting this country's historical resources. The Council coordinates many different preservation programs. The Council works with the Housing and Urban Development's HOME program for affordable housing, promotes preservation of historic properties during natural disasters, and promotes preservation and reuse of historic properties during military base closures. The Council, working with State and local governments through State Historic Preservation Officers, has significantly enhanced our ability to preserve our national heritage.

Both the Historic Preservation Fund and the Advisory Council contribute to ongoing Federal, Native Hawaiian, Tribal, State, local and private partnerships in historic preservation. Matching funds are contributed by the States and local and private partners to enhance the investment in our historic heritage. Federal and State funding for historic preservation creates jobs, promotes economic development, and helps leverage commitments from private and public sources.

Historic sites in our country are tangible reminders of our diverse and rich heritage and provide us with a sense of continuity with our past. The Historic Preservation Fund has provided numerous opportunities for preserving our country's irreplaceable historic and archeological resources. For example, in Hawaii, preservation projects in the Oahu Market in Chinatown and at the Mission Houses were funded through Historic Preservation Fund grants. Similarly, New Hampshire used preservation funding to assist with the transformation of the 1925 Goffstown High School into an apartment complex for the town's older inhabitants. The Alaska Gold Rush Centennial was developed as a heritage tourism initiative of the Alaska State Historic Preservation Office using historic preservation funds to establish State-community partnerships. Also, the Save America's Treasures program funded by the Historic Preservation Fund has provided grants for preservation projects of national scope and significance, including restoration of the Star-Spangled Banner and the Declaration of Independence.

A similar bill introduced by the Senator from Louisiana (Ms. LANDRIEU) passed the Senate last year by unanimous consent but was not acted on by the House. I hope that the legislation we are offering today—a simple reauthorization of the Fund and Council through 2005—can be adopted expeditiously.

This legislation is supported by the National Trust for Historic Preservation, the National Conference of State Historic Preservation Officers, the National Alliance of Statewide Preservation Organizations, the National Coordinating Committee for the Promotion of History, Preservation Action, the Society for American Archaeology, and the American Historical Association. I urge my colleagues to support this measure as well.

By Mr. LEVIN (for himself and Mr. KERRY):

S. 1435. A bill to amend section 9 of the Small Business Act to provide for the establishment of volunteer mentoring programs; to the Committee on Small Business.

LEGISLATION TO ESTABLISH A VOLUNTEER MENTORING PROGRAM FOR THE SBIR AND STTR PROGRAMS

Mr. LEVIN. Mr. President, small businesses are the biggest job producers in our economy and technology is an increasingly important component to those growth figures. Contributing to that continued high technology job growth is a high technology procurement program that allows small and innovative high technology companies to bid on some of the federal government's research and development proposals. The Small Business Innovation Research (SBIR) program gives these small technology companies a tool to compete in the big leagues by giving them fairer access to federal research and a way to finance that research in order to commercialize it. It also gives the federal government access to highly innovative companies that can custom design and develop specialized technology for an agency's specific needs—something bigger companies may not be able to do as well.

The SBIR program does this by mandating that each federal agency with a research and development budget that is contracted to outside vendors in excess of $100 million designate 2.5 percent of this budget for awards to small businesses. Currently there are 10 federal agencies participating in the SBIR program. A smaller component of this program is the Small Business Technology Transfer program (STTR), which allows 5 agencies to allocate three twentieths of one percent of these funds to small businesses that partner with non-profit institutions to do the research and development.

The SBIR program creates jobs, increases our capacity for technological innovation and boosts our international competitiveness. According to an April 1998 GAO study, about 50 percent of SBIR research is commercialized or receives additional research funding. That's a pretty good success rate. It's also a great example of federal agencies working together with small businesses to develop technologies to solve specific problems and fill government procurement needs in a cost effective way.

The SBIR and STTR programs are successful programs and we can make them even more successful by establishing a volunteer mentoring program. Such a program would partner CEOs of small high technology companies that have successfully completed a SBIR or STTR program with small businesses in low participation areas to guide them through the process, increasing their chances for success and, ultimately, the commercialization of their research.

Many states believe they can do better regarding the number of SBIR awards their small businesses win. Since the SBIR and STTR programs are highly competitive and merit-based programs and should remain so, I believe the best way to increase participation is through outreach and mentoring. My bill would target its mentoring program to low participation areas which receive a disproportionately low number of SBIR awards as compared with other areas in the state or in the country.

Michigan is just one example of a state which has many low participation areas within it that could improve their participation in the program. In 1997 Michigan small businesses nevertheless won 102 SBIR awards worth a total of $24.6 million, ranking it 14th nationally. But Michigan should be doing better. Based on its population, Michigan ranks 8th nationally, not 14th as it does in number of SBIR awards. I believe the volunteer mentoring program I am proposing will help small high technology businesses from those areas within Michigan and around the country that lack access to research universities, venture capital or other resources to increase their chances of participating successfully in this program.

Last summer, the Senate Small Business Committee held an SBIR oversight hearing to begin to develop a hearing record in preparation for SBIR's reauthorization. At that hearing, GAO presented a study favorably reviewing the program. It pointed out, however, that because agencies are adhering to the program requirements that they not use SBIR funds to pay for the administrative costs of the program, this funding restriction has limited their ability to provide some needed administrative support. For example, some agencies reported they do not have the necessary funds to provide personnel to act as mentors to their SBIR companies or engage in activities that could possibly increase the program's success in phase III. GAO also said the lack of administrative support means agencies are unable to provide SBIR participants with much-needed training in business skills. A volunteer mentoring program could fill this void.

Also at that hearing, a number of Senators expressed a desire to see more geographical distribution of SBIR awards and hearing witnesses suggested this could be addressed through outreach to make more high technology small businesses aware of the program. A natural complement to reaching out to new companies to tell them about the SBIR and STTR programs is the establishment of a mentoring program to increase their odds for success in those programs.

Many SBIR-company CEOs have benefitted from the program, are committed to its success and have told me they want to give something back. They propose doing this in the way of mentoring small businesses that are new to the SBIR process. The bill I am introducing today would establish a program to coordinate that process and reimburse volunteer mentors for their out-of-pocket-expenses. It would also address the desire to expand participation in the program by targeting the mentoring to low participation areas.

I am pleased to have the Senate Small Business Committee Ranking Member, JOHN KERRY, join me as an original cosponsor of this bill. My legislation also has the support of key members of the SBIR community.

My bill would establish a Mentoring program where past SBIR and STTR recipients partner with new applicant companies in low participation areas to help guide them through the process and increase their chances of success. A small business's failure to obtain a phase I or Phase II award may have nothing to do with the capability of its technology but rather is often a result of a lack of understanding the government procurement process and procedures. This mentoring program would help bring new companies into the SBIR program from areas that have not traditionally participated at high rates. It would also increase Phase III awards and commercialization of the technology being developed.

Specifically, my bill would establish a competitively bid volunteer mentoring grant program for the SBIR and STTR programs. The Small Business Administration would be responsible for administering the program. Organizations representing SBIR and STTR awardees could apply for grants ranging from $50,000 -$200,000 to participate in the program. Qualifying organizations would match small businesses in low participation areas new to the SBIR/STTR process with CEOs and others of small, high technology companies that have successfully completed one or more SBIR/STTR contracts, grants or cooperative agreements. The ''volunteer mentors'' would be reimbursed only for their out-of-pocket expenses. Their time, energy and know-how would be donated free-of-charge. The program would be authorized at $1 million per year to cover administration of the program and reimbursement of volunteer mentors for their out-of-pocket expenses.

There are a number of effective organizations and entities representing SBIR and STTR companies that would be eligible to apply for the program. This legislation is intended to attract organizations such as the Small Business Technology Coalition, various regional groups or entities working with SBIR companies as well as some technology oriented specialized Small Business Development Centers, and others. Some of these eligible entities and organizations may even chose to partner together in a collaborative effort to apply to the program.

The SBIR program, originally established in 1982 and reauthorized and expanded in 1992, expires in fiscal year 2000. This highly competitive program has a well deserved reputation for success and has enjoyed bipartisan support over the years. I hope my bill can be included in that reauthorizing legislation to improve what is already a successful program giving small high technology companies access to federal research and development and the federal government access to some of the world's best innovation.

Mr. President, I ask unanimous consent that the letters of endorsement for the bill be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SMALL BUSINESS TECHNOLOGY COALITION,
Washington, DC, July 22, 1999.

Hon. CARL LEVIN,
U.S. Senate, Washington, DC.

DEAR SENATOR LEVIN: The Small Business Technology Coalition (SBTC) wishes to express its support for your ''mentoring'' bill to amend the reauthorization of the Small Business Innovation Research (SBIR) Program. The amendment would provide much needed support to small business in ''low participating areas'' applying for grants under the SBIR program.

As you know, the amendment would establish a competitively bid volunteer mentoring grant program for the SBIR. The Small Business Administration would be responsible for administering the program. Organizations representing SBIR awardees could apply for grants ranging from $50,000 to $200,000 to participate in the program. Qualifying organizations would match small businesses new to the SBIR process with CEOs and other of small, high-technology companies that have been successful SBIR award winners. These ''volunteer mentors'' would be reimbursed only for their out-of-pocket expenses incurred while mentoring, not for their time. The program would be authorized at $1 million per year to cover administration of the program and reimbursement of volunteer mentors for their out-of-pocket expenses.

As the nation-wide trade association of small high tech business CEOs, SBTC can attest to the value of a mentoring program to help small businesses new to the SBIR process. SBTC members have hands-on experience and know the importance of expert technical assistance in locating venture capital, seeking Phase III partners and commercialization. SBTC speaks for the small high tech business community and knows through experience that mentoring is a key to success in the SBIR process.

The anticipated result of your amendment would be an increase in SBIR awards to businesses in areas which traditionally have had low numbers of awards. With the passage of this amendment, businesses in certain areas that do not have access to research or venture capital for example, could connect with companies with demonstrated expertise in those fields. Successful mentoring in these low participating areas would broaden the geographic and demographic distribution of SBIR awards.

As the leading industry association representing the interest and needs of small, emerging, research-intensive, technology-based companies, we support your amendment to help small businesses in rural areas succeed in the SBIR program.

Sincerely,

JEFF NOAH.

SMALL BUSINESS LEGISLATIVE COUNCIL,
Washington, DC, June 28, 1999.

Hon. OLYMPIA J. SNOWE,
U.S. Senate, Washington, DC.

DEAR SENATOR SNOWE: On behalf of the Small Business Legislative Council (SBLC), I urge you to support an amendment to the Small Business Innovation Research (SBIR) reauthorization to be offered by Senator Levin. The purpose of the amendment is to create a ''mentoring'' program to encourage small businesses in states not currently benefitting from the SBIR program to participate.

As you know, the SBIR program is a ''win-win'' program. The federal government obtains necessary research and small businesses obtain the opportunity to develop commercially feasible products and processes.

SBLC is a permanent, independent coalition of eighty trade and professional associations that share a common commitment to the future of small business. Our members represent the interest of small businesses in such diverse economic sectors as manufacturing, retailing, distribution, professional and technical services, construction, transportation, tourism and agriculture. Our policies are developed through a consensus among our membership. Individual associations may express their own views. For your information, a list of our members is enclosed.

Sincerely,

JOHN S. SATAGAJ,
President and General Counsel.

MEMBERS OF THE SMALL BUSINESS LEGISLATIVE COUNCIL

ACIL.
Air Conditioning Contractors of America.
Alliance for Affordable Services.
Alliance for American Innovation.
Alliance of Independent Store Owners and Professionals.
American Animal Hospital Association.
American Association of Equine Practitioners.
American Bus Association.
American Consulting Engineers Council.
American Machine Tool Distributors Association.
American Nursery and Landscape Association.
American Road & Transportation Builders Association.
American Society of Interior Designers.
American Society of Travel Agents, Inc.
American Subcontractors Association.
American Textile Machinery Association.
Architectural Precast Association.
Associated Equipment Distributors.
Associated Landscape Contractors of America.
Association of Small Business Development Centers.
Association of Sales and Marketing Companies.
Automative Recyclers Association.
Automotive Service Association.
Bowling Proprietors Association of America.
Building Service Contractors Association International.
Business Advertising Council.
CBA.
Council of Fleet Specialists.
Council of Growing Companies.
Direct Selling Association.
Electronics Representative Association.
Florists Transworld Delivery Association.
Health Industry Representatives Association.
Helicopter Association International.
Independent Bankers Association of America.
Independent Medical Distributors Association.
International Association of Refrigerated Warehouses.
International Formalwear Association.
International Franchise Association.
Machinery Dealers National Association.
Mail Advertising Service Association.
Manufacturers Agents for the Food Service Industry.
Manufacturers Agents National Association.
Manufacturers Representatives of America, Inc.
National Association for the Self-Employed.
National Association of Home Builders.
National Association of Plumbing-Heating-Cooling Contractors.

National Association of Realtors.
National Association of RV Parks and Campgrounds.
National Association of Small Business Investment Companies.
National Association of the Remodeling Industry.
National Chimney Sweep Guild.
National Community Pharmacists Association.
National Electrical Contractors Association.
National Electrical Manufacturers Representatives Association.
National Funeral Directors Association, Inc.
National Lumber & Building Materials Dealers, Association.
National Moving and Storage Association.
National Ornamental & Miscellaneous Metals Association.
National Paperbox Association.
National Society of Accountants.
National Tooling and Machining Association.
National Tour Association.
National Wood Flooring Association.
Organization for the Promotion and Advancement of Small Telephone Companies.
Petroleum Marketers Association of America.
Printing Industries of America, Inc.
Professional Lawn Care Association of America.
Promotional Products Association International.
The Retailer's Bakery Association.
Saturation Mailers: Coalition.
Small Business Council of America, Inc.
Small Business Exporters Association.
Small Business Technology Coalition.
SMC Business Councils.
Society of American Florists.
Turfgrass Producers International.
Tire Association of North America.
United Motorcoach Association.

• Mr. KERRY. Mr. President, today I join my colleague from Michigan, Senator LEVIN, in introducing the Small Business Innovation Research (SBIR) and Small Technology Transfer (STTR) Volunteer Mentoring Program. This bill seeks to increase, through company-to-company mentoring, the number of SBIR awards given to small businesses located in areas, known as ''low participation areas,'' where historically few awards have been made in proportion to other areas of the country.

The Small Business Innovation Research (SBIR) program is a great example of how government and business can work together to advance the cause of science and a healthy economy. The results have been dramatic for small, high-technology companies participating in the program. Since 1983 when the program was started, some 16,000 small, high-technology firms have received more than 46,000 SBIR research awards through 1997, totaling $7.5 billion.

Complementing the SBIR program, we have the Small Business Technology Transfer (STTR) program, another important R&D opportunity for small businesses. It was established to provide a strong incentive for small businesses and technical experts at research institutions to team up and move ideas from the laboratory to the marketplace.

Technological advancement is a key element of economic growth. According to a recent Congressional Research Service Report, Small, High Tech Companies and Their Role in the Economy: Issues in the Reauthorization of the Small Business Innovation (SBIR) Program, ''technical progress is responsible for up to one-half the growth of the U.S. economy and is one of the principle driving forces for increases in our standard of living.''

As Ranking Member of the Senate Small Business Committee, and a Senator representing a state with one of the most active hi-tech industries in the country, I am always interested in new initiatives, or improving existing ones, to develop and nurture technology-based companies throughout the region and the nation.

The SBIR program has been good to my home state of Massachusetts. So good that we are the second largest recipient of SBIR awards in the country. In 1997, Massachusetts' small, hi-tech firms won 702 awards, totaling $164 million. But it's not by coincidence—it's because we have the right mix of small high-tech companies, an active venture capital community, and a cluster of universities that understand the benefits of technology transfer, attract academic research funds and graduate a highly qualified workforce.

Similarly, a variation of that combination is also what cultivates and supports innovative hi-tech companies in states such as California, Virginia and Ohio that have historically been among the largest recipients of SBIR awards.

We on the Senate Small Business Committee have the tough job of crafting a solution that helps small businesses in states that don't have this infrastructure. However, we should not change the program's reliance on competition. Merit is the only way to maintain the integrity of the research. Only one in seven or eight Phase I proposals is awarded. The highly competitive nature of SBIR awards is one of the main reasons the program has been so popular and successful.

One of the experiments working around the country is mentoring—experienced SBIR award winners helping SBIR applicants navigate the process. For example, Innovative Training Systems (ITS) in Newton, Mass., mentored Pro-Change Behavior Systems out of West Kingston, RI, when it applied for its first SBIR award. ITS specializes in health care multi-media programs such as smoking prevention and cessation for high school students and has gotten several SBIR awards from the National Institutes of Health (NIH). Pro-Change also specializes in health care multi-media for health behavior change and needed help getting an SBIR award for cancer prevention from NIH. Pro-Change says, among many things, the mentoring helped by explaining the rating system (it learned to target resources to those aspects of the proposal that counted most) and by saving the company time and reducing confusion on the financial and business requirements behind a proposal. As a representative for Pro-Change said, ''SBIR mentoring leads to long-lasting business partnerships, spawning exciting new ventures.''

Mentoring may not be exclusively responsible for Pro-Change's success in getting its first SBIR award, but it played an important role. Just look at the numbers. The process is highly competitive, with only one in seven or eight Phase I proposals getting funded. Furthermore, this company got another award in Rhode Island, a state where only six awards were given in 1997. Since that first award in 1998, Pro-Change has gone on to apply for three more Fast-Track Phase II proposals and one Phase I proposal to NIH. We can and should replicate and facilitate this process.

This bill would elevate and reinforce that informal mentoring by authorizing competitive grants, ranging from $50,000 to $200,000, to any entity that represents small businesses that participate in SBIR or STTR programs. The entity would be obligated to match experienced, successful SBIR or STTR award winners with small businesses located in low SBIR-participation areas—advising and guiding them from application to award to project completion.

Though it will be up to the SBA Administrator to define what areas receive a disproportionate amount of awards, this bill is intended to help states such as such as Maine and Montana, which received only five awards in 1997, and rural pockets of states such as Michigan and Massachusetts which do well overall in the program but get the concentration of awards in university towns or the largest city.

Because founders of hi-tech companies are often more scientific inventors than business experts, the mentor companies could help with management assistance, proposal writing, commercialization or venture capital networking. The mentor companies would be volunteers, but would be eligible for reimbursement of out-of-pocket expenses, authorized travel and reasonable bills for telephone calls and faxes. And like the volunteers in SBA's successful volunteer business counselor program, the Service Corps of Retired Executives (SCORE), SBIR mentor volunteers would get automatic liability coverage.

I know the Committee on Small Business will have a roundtable on August 4th to discuss with program managers, SBIR companies and SBIR advocates how to increase the low number of awards given in certain states, and I look forward to hearing comments on this bill and on any alternative programs.

Mr. President, in closing, I want to thank Senator LEVIN for his work on this bill and ask that a letter of support from the Small Business Technology Coalition be included for the RECORD.

The letter follows:

SMALL BUSINESS TECHNOLOGY COALITION,
Washington, DC, July 16, 1999.

Senator JOHN KERRY,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR KERRY: The Small Business Technology Coalition (SBTC) urges you to cosponsor Senator Levin's amendment to the reauthorization of the Small Business Innovation Research (SBIR) Program. The amendment would provide much needed support to small businesses applying for grants under the SBIR program.

Senator Levin's amendment would establish a competitively bid volunteer mentoring grant program for the SBIR. The Small Business Administration would be responsible for administering the program. Organizations representing SBIR awardees could apply for grants ranging from $50,000 to $500,000 to participate in the program. Qualifying organizations would match small businesses new to the SBIR process with CEOs and other of small, high-technology companies that have been successful SBIR award winners. These ''volunteer mentors'' would be reimbursed only for their out-of-pocket expenses incurred while mentoring, not for their time. The program would be authorized at $1 million per year to cover administration of the program and reimbursement of volunteer mentors for their out-of-pocket expenses.

As the nation-wide trade association of small high tech business CEOs, SBTC can attest to the value of a mentoring program to help small businesses new to the SBIR process. SBTC members have hands-on experience and know the importance of expert technical assistance in locating venture capital, seeking Phase III partners and commercialization. SBTC speaks for the small high tech business community and knows through experience that mentoring is a key to success in the SBIR process.

The anticipated result of Senator Levin's amendment would be an increase in SBIR awards to businesses in states which traditionally have had low numbers of awards. With the passage of this amendment, businesses in certain states that do not have access to research or venture capital for example, could connect with companies with demonstrated expertise in those areas. Successful mentoring in these states would broaden the geographic and demographic distribution of SBIR awards.

As the leading industry association representing the interest and needs of small, emerging, research-intensive, technology-based companies, we urge you to cosponsor Senator Levin's amendment and help businesses in rural areas compete in the SBIR program.

Sincerely,

JEFF NOAH,
Executive Director.●

By Mr. CONRAD:

S. 1436. A bill to amend the Agricultural Marketing Transition Act to provide support for United State agricultural producers that is equal to the support provided agricultural producers by the European Union, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

AMENDING THE AGRICULTURAL MARKETING TRANSITION ACT

Mr. CONRAD. Mr. President, I rise to introduce new, permanent farm legislation. I think virtually everyone from farm country understands that our farmers have been hit by a triple whammy—the triple whammy of bad prices, bad weather, and bad policy. The results are catastrophic.

In my home State of North Dakota, one of the most agricultural States in the Nation, our farmers are being pressured as never before. They are in a cost price squeeze that is almost unprecedented. The results will be the loss of thousands of farm families unless there is a Federal response.

I think most of us know we need to have a disaster response because prices have collapsed, and adverse weather conditions continue across the country. So it is critically important that we take short-term steps to address what is happening in farm country.

A disaster bill is not enough. We need more than that. We also need to respond with a long-term change in farm policy.

If I could direct the attention of my colleagues and others who might be watching to this chart, when I talk about the triple whammy of bad prices, bad weather, and bad policy, this shows what has happened to prices over the last 53 years. The blue line shows what has happened to wheat prices; the red line to barley. As a viewer can see, we are now at the lowest level for these commodities in constant dollars in 53 years.

We are witnessing a price collapse that is almost unprecedented. That is putting enormous pressure on our producers.

In addition to that, in my State we have been hit by almost a 5-year pattern now of bad weather—weather that is overly wet in my State; other parts of the country it is overly dry. In North Dakota, we have 3 million acres that have not even been planted this year. On top of bad prices and bad weather, we are also hit by bad policy because the last farm bill put us at a very severe disadvantage with our major competitors, the Europeans.

The EU trumps the U.S. in farm support. This chart shows just with respect to wheat and corn for 1999—the red bar is what the Europeans provide their producers on wheat; the blue bar what we are doing in the United States. You can see, they are trumping us by 38 percent. In other words, their support is 38 percent higher in wheat, 46 percent higher in corn.

It does not end there because the Europeans are also badly outspending us with respect to export subsidy. This shows for 1998—the last year for which we have full figures—this is the European Union in red: $5 billion a year of support for subsidies. This is the United States: $104 million.

For that 1 year alone, the Europeans are outspending us, are outgunning us, 50 to 1. It is no wonder that our farmers are at a disadvantage. We, in effect, are saying to our farmers: You go out there and compete against the French farmer, the German farmer; and while you're at it, you take on the French Government and the German Government, as well.

That is not a fair fight.

If we look worldwide at agricultural export subsidies, what we see is that the European Union accounts for 84 percent of agriculture subsidies worldwide. The United States has 1.4 percent. We are outgunned 60 to 1 by that measure.

Whether it is 50 to 1 or 60 to 1, the hard reality is, the U.S. producers are not in a fair fight. Something must be done to respond.

If we look back at the policy change that was made in the farm bill—our last farm bill—what we see is there was a dramatic cut in the level of support for our producers.

Under the previous farm bill, the 1990 farm bill, we were getting on average $10 billion a year of support for our farmers. That was cut in half to $5 billion—that at the very time our major competitors are spending $50 billion a year to support their producers. So $50 billion for Europe; $5 billion for the United States.

It is not a fair fight. The result is, our farmers are losing the battle. I call this ''unilateral disarmament.'' We would never do that in a military confrontation. Why have we done it in a trade confrontation? The results are the same: They win; we lose. The chief negotiator for the Europeans told me several years ago: Senator, we believe we are in a trade war in agriculture with the United States. He said: Senator, we believe at some point there will be a cease-fire. We believe there will be a cease-fire in place, and we want to occupy the high ground. And the high ground is market share.

How well that strategy and plan are working, because the Europeans, in just the last few years, have moved from being major importers to being major exporters. They have gone from being the biggest importing region in the world to being the biggest exporting region in the world, and they have done it the old-fashioned way—they have gone out and bought these markets.

In the last 10 years alone, they have spent $500 billion, and now they are starting to get a return on that investment, because in the last trade negotiation, what happened? Europeans have a higher level of support than we do. They are at a higher level. We are at a lower level. Was there a closing of the gap? Not at all. Instead, the conclusion was equal percentage reductions on both sides—36 percent in export subsidies, 24 percent in domestic support. The result is that our farmers were again left in a second position.

If it happens again in the trade talks that are to begin this fall, our farmers will be put in a position of perhaps falling off the cliff, being put in a position that they cannot possibly survive.

Some say let's let the market work. I am all for letting the market work. But that is not what is happening in world agriculture. What is happening in world agriculture is, the Europeans are spending enormous sums of money to win a dominant position. They believe that is a position they can preserve because they think the United States is unwilling to fight back.

We have to prove them wrong. We have to demonstrate that the United States is not going to roll over, is not going to surrender, is not going to give up, that we intend to fight for these markets to achieve a level playing field so our farmers have a chance to compete. Our farmers can compete against anyone anywhere, but they can't compete against the governments of the European Union. That is not a fair fight.

We can see the pattern because while we have cut support for our producers and the Europeans have had a 50- to 60-to-1 edge on us with respect to export subsidy, the value of our farm exports has dropped like a rock. We have gone from $60 billion a year as recently as 1996 to, this last year, $49 billion. At the same time, if we look at the European pattern, we see they have gone from being a major importer to a major exporter. They have a strategy; they have a plan. It is working. If we don't fight back, we are going to wake up after this next round of negotiations and we are going to find that the United States is falling off the cliff. We are going to find literally thousands of our farm families consigned to failure. That is the message I have received in farm meeting after farm meeting all across my State.

I asked our Trade Representative: What is our leverage in the next round of trade talks? The truth is, we have no leverage because the Europeans are occupying the high ground. They are waiting for the cease-fire, the cease-fire in place. They are waiting to win this victory. They are confident the United States will not fight back. We have to prove them wrong. We have to demonstrate that the United States is not willing to cede these markets.

This chart shows what has happened to just one commodity, wheat. This blue line is European exports; the red line is American exports. You can see the trend line for the United States is down, down, down—lots of zigzags along the way, but the trend line is straight down; the European trend line, straight up. They have had a little setback recently, but you can see they have gone from being in a totally inferior position, a more than two-to-one gap between us to our advantage, to their now being in the dominant position, and they have accomplished this in less than 20 years.

That is what my FITE legislation is all about. It says: Let's fight back. Let's send a message the United States is not going to wave the white flag of surrender. The United States intends to fight for these markets. The United States intends to give our farmers a fair chance to compete. That is what this legislation does.

These charts show it. FITE levels the playing field for wheat. Under our proposal, as I described before, Europe is at $5.20 in wheat, we are at $3.22. We would level the playing field. If they are going to provide $5.20, we will provide $5.20. We do the same thing on corn. We even the score on corn. They are at $4.85 today. We are at $2.25 a bushel on corn. If they want to stay at $4.85, we will match them; we will meet them in the competition. We will take them on head to head, dollar for dollar, so we don't surrender these markets and find ourselves in an inferior position.

Not only do we even the score with respect to support to producers, we even the score with respect to export subsidy, because in the FITE bill we provide $4 billion a year of support for export subsidy, because we believe that will send a message to the Europeans that the United States intends to fight. This would put us in a strong position for the talks this fall because right now we have no leverage.

The question is, How do we respond?

I have a series of letters from groups endorsing the FITE legislation. I ask unanimous consent to have them printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NORTH DAKOTA ASSOCIATION OF RURAL ELECTRIC COOPERATIVES,
Mandan, ND, July 26, 1999.

Senator KENT CONRAD,
Hart Office Building, Washington, DC.

SENATOR CONRAD: As president of the North Dakota Association of Rural Electric Cooperatives, I want to commend you for bringing forth your "FITE" proposal in response to the current farm crisis.

In our program, we know this ag crisis is real. We deal, every month, with the stranded assets of people leaving the land—giving up the dream of making their living and raising their families on the land.

Your Farm Income and Trade Equity Act is a thoughtful, fair and solid response to the crisis. You've correctly identified in this proposal that unfair trade subsidies and rock-bottom commodity prices are at the root of this crisis. Your FITE proposal provides a solution to this problem.

You can count on North Dakota's RECs to help get this legislation through the Congress and on the President's desk for his signature. We need action, and this FITE proposal makes a great deal of sense to us. We'll help however we can.

Sincerely,

ADOLPH FEYEREISEN,
President.

NORTH DAKOTA NATIONAL FARMERS ORGANIZATION,
Marion, ND, July 21, 1999.

Senator KENT CONRAD,
U.S. Senate, Washington, DC.

DEAR SENATOR CONRAD: The North Dakota National Farmers Organization is happy to endorse your introduction of FITE (Farm Income and Trade Equity Act of 1999).

I must also add that on behalf of NDNFO members, we appreciate your efforts to help correct the severe income problems we are experiencing in rural America and particularly in North Dakota.

Good luck and thanks,

RALPH DANUSER,
President.

U.S. DURUM GROWERS ASSN.,
July 23, 1999.

Senator KENT CONRAD,
Hart Senate Office Building,
Washington, DC.

SENATOR CONRAD: The US Durum Growers Association would like to congratulate and thank you for introducing the Farm Income and Trade Equity Fairness Investment Transition Act farm package. Your work in developing a comprehensive farm program that would finally put US producers on equal footing with European farmers is to be complimented.

As you know, commodity prices are extremely low. That is particularly true of durum, which is substantially lower than the average prices of recent years. The low farm prices have pushed the northern plains economy, which is very dependent on durum production, into a near depression-like state. The support levels that you are proposing in the FITE legislation would enhance durum farmers' profitability and in turn, contribute to the revitalization of the rural economy.

The USDGA has a long standing policy in support of increasing marketing loans and we are pleased that your farm program proposal offers that as a base of support. The additional payment over the loan rate to equalize the subsidies received by US and European producers helps ensure a competitive environment in the world trade of durum.

The FITE is the only proposal to date that puts US producers at a competitive position with the farmers in the European Union. The support offered by this bill will provide the US with negotiating power needed in this fall's WTO talks.

Thank you for your work in formulating and introducing the bill, the US Durum Growers Association pledges to work with you to gain acceptance for this bill in Congress.

Sincerely,

MARK BIRDSALL,
President.

MILK PRODUCERS ASSOCIATION OF NORTH DAKOTA, INC.,
Manning, ND, July 22, 1999.

Senator KENT CONRAD.

DEAR SENATOR CONRAD: We the Milk Producers Association of N.D. support your effort to make positive changes in Congress to help our Nations family farmers. Although this bill does not intend to help the Dairy Industry directly, we believe that indirectly it will benefit us by strengthening our family farm economy.

Needless to say, time is running out for many of our family farmers and we urge you to work hard in the next few months to get this bill passed through Congress.

Sincerely,

DOUG DUKART.

AMERICAN RENEWABLE OIL ASSOCIATION,
Bismarck, ND, July 23, 1999.

Senator KENT CONRAD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR CONRAD: The American Renewable Oil Association (AROA), represents North Dakota's 350 plus crambe growers. The AROA appreciates the efforts you have made to try and address the inequities in the US farm program. We support farmer assistance equal to that of other countries.

In order for the American producer to survive in the global market, producers must be on an equal playing field with all trading partners. The 'FITE' bill addresses these inequities. The AROA has not been able to schedule a board meeting to take an official stance on the bill. I do see a potential problem with base acres and land diversion.

Please forward me a full draft when possible so I may review it with the full AROA board. I look forward to working with you on this bill.

Sincerely,

RAY FEGLEY,
President.

NORTH DAKOTA
BANKERS ASSOCIATION,
Bismarck, ND, July 23, 1999.

Hon. KENT CONRAD,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR CONRAD: On Thursday I surveyed the NDBA Board of Directors and Ag Committee to determine their level of support for the Farm Income and Trade Equity Act (FITE) to be introduced on Monday.

I received 16 responses and all indicated that NDBA should endorse the concept embodied in the legislation and support your efforts on this issue. Kirby Josephson, chairman of the NDBA Ag Committee from Litchville, ND, stated that ''ag lenders in North Dakota will support your efforts to improve farm income. It is time we do something to address the ag crisis our North Dakota farmers are facing. Senator Conrad is taking a bold approach to restoring farm income.''

Respondents indicated that they believe the Export Enhancement Program has been under utilized. However, some concerns were expressed with the 10 percent conservation set aside and the fact that this legislation may encourage overproduction and discourage crop diversification.

Please keep NDBA advised of your efforts and the status of this legislation and please feel free to call if you need any further clarification on the position taken by the North Dakota Bankers Association.

Cordially,

JAMES D. SCHLOSSER,
Executive Vice President.

CENTRAL POWER ELECTRIC COOPERATIVE
BOARD OF DIRECTORS RESOLUTION #1999–06

FARM INCOME AND TRADE EQUITY ACT OF 1999

Whereas, American farmers are the world's most efficient and productive, but heavy farm subsidies in competing countries have put U.S. producers at an unfair advantage, and

Whereas, Senator Kent Conrad (D–ND) has introduced the Farm Income and Trade Equity Act of 1999 (''FITE'') to level the playing field beetween U.S. farmers and their primary competitors in Europe by matching European Union subsidies dollar-for-dollar, and

Whereas, Central Power Electric Cooperative is sensitive to the economic crisis currently facing farmers.

Now therefore be it *Resolved,* That the Board of Directors of Central Power Electric Cooperative hereby supports the FITE legislation and its goals to address the current agricultural crisis and protect American agriculture in future trade negotiations.

Dated: July 21, 1999.

SQUARE BUTTE ELECTRIC COOPERATIVE,
RESOLUTION NO. 242

Whereas, American farmers are the World's most efficient and productive, but heavy farm subsidies in competing countries have put U.S. producers at an unfair advantage; and

Whereas, Senator Kent Conrad (D–ND) has introduced the Farm Income and Trade Equity Act of 1999 (''FITE'') to level the playing field between U.S. farmers and their primary competitors in Europe by matching European Union subsidies dollar-for-dollar; and

Whereas, Square Butte Electric Cooperative is sensitive to the economic crisis currently facing farmers;

Now therefore be it *Resolved,* That the Board of Directors of Square Butte Electric Cooperative hereby supports the FITE legislation and its goals to address the current agricultural crisis and protect American agriculture in future trade negotiations.

NORTH DAKOTA RURAL
DEVELOPMENT COUNCIL,
Bismarck ND, July 22, 1999.

Senator KENT CONRAD,
Senate Office Building,
Washington, DC.

DEAR SENATOR CONRAD: The North Dakota Rural Development Council is a relatively new organization with the focal contention that the future depends most heavily upon the vitality of our communities. Hence, one of the primary objectives is to strive for the elimination of barriers which are known to hinder effective rural development efforts.

As eloquently expressed in the Overview section of the Farm Income and Trade Equity Act of 1999, the heavy farm subsidies available to commodity producers in competing foreign countries, places our farmers at a tremendous and untenable disadvantage.

Please consider this correspondence as a tangible indication of support for FITE, and, a written endorsement for the introduction of such timely and all-important farm and rural community survival and preservation legislation. Thank you for your untiring and meaningful efforts and demonstrated commitment, as further evidenced by the Farm Income and Trade Equity Act of 1999.

Sincerely,

CORNELIUS P. GRANT,
Executive Director.

NORTH DAKOTA SCHOOL
BOARDS ASSOCIATION, INC.,
Bismarck, ND, July 23, 1999.

Senator KENT CONRAD,
Hart Senate Building, Washington, DC.

DEAR SENATOR CONRAD: The North Dakota School Boards Association is favorable to The Farm Income and Trade Equity Act of 1999. As you know our rural agriculture communities are struggling to keep their family farms going. This, of course, impacts the resources available to support their public schools.

NDSBA supports your efforts to assist the family farmers and the rural economy of North Dakota.

We would also like to thank you for your continued support of locally controlled public schools.

Sincerely,

MIKE ZIMMERMAN,
President.

54TH ANNUAL MEETING OF THE MIDWESTERN LEGISLATIVE CONFERENCE OF THE COUNCIL OF STATE GOVERNMENTS, JULY 18–21, 1999

RESOLUTION ON FAIR MARKETS FOR AMERICAN AGRICULTURAL PRODUCTS

Whereas, the U.S. stock market continues to reach record highs almost daily and the American economy experiences unprecedented expansion and growth; and

Whereas, farm commodity prices continue to plummet while agricultural production costs steadily rise, forcing American farmers and agribusiness into bankruptcy while the rest of the economy prospers; and

Whereas, American farmers and ranchers, who are recognized as the most efficient and productive in the world, are at a considerable disadvantage in competing in the world markets because of the heavy subsidies their primary competitors, the members of the European Union, receive; and

Whereas, this extreme imbalance in our economy and the unfair competition with the European Union cannot be corrected without our government's intervention; now therefore be it

Resolved, that Midwestern Legislative Conference favors legislation that would include support to American producers which would put prices received for crops on even per with those of our European Union competitors; and be it further

Resolved, that Midwestern Legislative Conference favors sensible legislation that would allow our agriculture producers to compete in the global economy while providing an abundance of reasonably priced food for our domestic market; and be it further

Resolved, that the Midwestern Legislative Conference urges the Administration and Congress to secure measures to protect American producers now and in the future from unfair competition so that the citizens of the United States can continue to enjoy the benefits of high quality food at reasonable prices.

Mr. CONRAD. We have support from the North Dakota Farmers Union, the North Dakota Association of Rural Electric Co-ops, the North Dakota NFO, the U.S. Duram Growers Association, the Milk Producers Association of North Dakota, the American Renewable Oil Association, the North Dakota Bankers Association, the Central Power Electric Cooperative Board of Directors, the Square Butte Electric Cooperative, the North Dakota Rural Development Council, and even a resolution of support from the Midwestern Legislative Conference of the Council of State Governments that, while not endorsing the specifics of this legislation, specifically endorsed the concept in which they say:

> The Midwestern Legislative Conference favors legislation that would include support to American producers which would put prices received for crops on an even par with those of our European Union competitors.

Mr. President, the Midwest Council of State Governments has it right. We simply cannot permit our farmers to be left at a competitive disadvantage. We must fight back. That is what the FITE legislation will do.

We have had an unprecedented outpouring of support in North Dakota. In addition to those who have sent written comments, the North Dakota Wheat Commission has gone on record supporting this legislation. We have many more who are considering resolutions of support. I am hopeful that this will start a ground swell that will spread across the country and send a message that the United States does not intend to give up our agricultural dominance. That would be a mistake. It would be one we would live to regret. We are very close now to these negotiations this fall. If we don't alter dramatically the negotiating environment, we are going to lose. Make no mistake about it. We are going to lose.

It doesn't have to be that way. It should not be that way. But it is in our hands. We have a choice to make. Do we fight back, or do we give up?

At a time of unprecedented economic prosperity in this country, it would be a travesty for us to have lost the world agricultural trade battle because we were unwilling at this critical moment to respond. I hope we don't let this opportunity pass us by.

Some people watching me say: Well, why should we help farmers?

I believe farm families are the backbone of strength for this country. They are absolutely fundamental to America's success. They have long been the dominant source of our trade surpluses. Overall, we run massive trade deficits. But in agriculture, we have run trade surpluses. It has been one of two sectors of this economy that has run trade surpluses, and we are right at the brink of losing that. That would be a tragedy for this country—not just because of the dollars or just because of the economics, but because of what it would mean to the fundamental strength of this country.

In Europe, they made a decision. They decided they wanted to have people out across the land. They didn't want everybody forced into the cities, so they made it possible for people to prosper in the rural parts of Europe. Perhaps their being hungry twice before informed those decisions. But whatever the reason, you can travel through the French countryside and the German countryside and it is prosperous; they are doing well. But go through the countryside of my State and what you see is an area that is in economic decline. It is not just in North Dakota; it is all across the heartland of America.

The question is, Are we going to let it go? You know, it would be one thing if it were a fair competition. It would be one thing if it were simply the fact that our farmers weren't as competitive or as efficient as our competitors. But that is not the case. It is not the case. The fact is, our farmers are as competitive and as efficient as any in the world. What is hurting them is that other nations are willing to fight for their producers, and we have been in retreat.

We have to decide what kind of country we want to have. Do we want everybody to move to town? Or do we want people out across the land? Europe has made a decision that they want people out across the countryside, and they have made it possible economically to be there. Now the choice comes to us. The hour is late because these negotiations will start this fall, and if we don't do something to change the rules of the game, our side is going to lose. It doesn't have to be that way. It should not be that way. But we have choices to make in this Chamber, and across in the other Chamber, about what is going to be the policy of America, what is going to be our position.

I hope very much that we will decide we are going to give our farmers a fighting chance. I hope very much that we are going to make a decision that the best policy is to have people out across the land, not to have everybody come to the cities. I hope very much we are going to conclude that it is in our national interest, just as the Europeans have concluded that it is in their interest, to give farmers a fighting chance. There is no way they are going to win this battle when the odds are stacked against them: 10-to-1, 50-to-1, that is the unevenness of the fight our farmers are in now. It is in our hands; it is our decision.

I hope very much that we can start across this country a move to say: Let's fight back. Let's put our farmers on a level playing field. Let's rearm our negotiators. Let's prepare for this battle. Let's not lose. Let's win a victory that would make a difference for hundreds of thousands of farm families across America and the cities and towns that are dependent upon them and, at the end of the day, for a country that needs them.

I yield the floor.

By Mr. MOYNIHAN:

S. 1437. A bill to protect researchers from compelled disclosure of research in Federal courts, and for other purposes; to the Committee on the Judiciary.

THOMAS JEFFERSON RESEARCHER'S PRIVILEGE ACT OF 1999

Mr. MOYNIHAN. Mr. President, it is with great pleasure that I rise today to introduce the Thomas Jefferson Researcher's Privilege Act. This bill protects the rights of researchers in their work. This is an issue that Professor Robert O'Neil of the University of Virginia Law School has done much to advance, and I am extremely grateful for all his assistance.

Two points, followed by a coda, if I may. The first point is that the Thomas Jefferson Act gets to the heart of the first amendment and the principles that our nation was founded on. This Act would protect researchers from the compelled disclosure of their research, studies, data, surveys, etc. Too often researchers are forced to turn over this information in open courts. This interrupts their research and makes it nearly impossible for them to finish and publish their research. If researchers are unable to publish their findings, then the flow and dissemination of information are choked off. This runs counter to the essence of the first amendment.

We need a uniform standard that protects the work of researchers. Some courts have ruled in favor of researchers while others have ruled against them. We need consistency in this field, where researchers feel comfortable to produce their research and do not have to fear that it will be taken from them. This bill will provide that consistency and comfort.

To the second point. We have reached a time in our society where we have to decide between what should be shared and what should be protected. In this case, it is very important to society as a whole to protect a researcher's notes and data before they are ready to be released. It is from these data and research that ideas and thoughts are formed, ideas that will eventually help man and society progress. If a researcher's data are released prematurely, then their ideas may never bear fruit. In the long run, protecting a researcher's data will only lead to more information and ideas in the future. This is what the first amendment is all about.

No one describes the utility of free speech and the dissemination of original ideas better than John Stuart Mill. In *On Liberty*, he argues that neither government nor a public acting informally may legitimately use coercion to stifle free expression, and the reason he gives is a utilitarian, or at least a consequentialist one. If the opinion is right, the human race is deprived of it; if wrong, they are deprived of the opportunity to reinforce—through surviving a challenge—their understanding of what is right. The quashing of opinion is therefore, a much more far-reaching evil than the mere loss of something valuable to the individual, for it deprived society at large of something of benefit. This is exactly what happens when researchers are forced to turn over their work prematurely and prevented from developing and sharing their thoughts. The Thomas Jefferson Bill would help rectify just this situation.

I conclude by saying that I could think of no better namesake for this bill than Thomas Jefferson, our third president and author of the Declaration of Independence. A philosophical statesman rather than a political philosopher, he contributed to democracy and liberalism a faith rather than a body of doctrine. By his works alone he must be adjudged one the greatest of all Americans, while the influence of this energizing faith cannot be measured.

One of Jefferson's greatest contributions to our nation was his protection and advocacy of free speech. From the Declaration of Independence to the Virginia Statute for Religious Freedom to the founding of the University of Virginia, he was a passionate proponent of education, human liberty, and free thought. He wrote: ''If nature has made any one thing exclusive property, it is the idea, which an individual may exclusively possess . . .; but the moment it is divulged, it forces itself into the possession of everyone . . .'' Jefferson, always a step or several steps ahead of his age, understood the importance of the freedom of speech in the development of an individual and a nation.

It is only appropriate that the Thomas Jefferson Researcher's Privilege Act be introduced in the month of July, when our nation declared its independence, and be named after Thomas Jefferson, one of our greatest political thinkers and one of our greatest advocates of the free mind.

I ask unanimous consent that the Thomas Jefferson Researcher's Privilege Act be printed in the RECORD.

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

S. 1437

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 ''Thomas Jefferson Researcher's Privilege Act of 1999''.

SEC. 2. FREEDOM OF INFORMATION REQUESTS.

Section 552(b)(4) of title 5, United States Code, is amended—

(1) by inserting ''(A)'' after ''(4)''; and

(2) by adding at the end the following:

''(B) data, records, or information, including actual research documents, collected or produced in the conduct of or as a result of study or research on academic, commercial, scientific, or technical issues, including—

''(i) unpublished lecture notes, unpublished research notes, data, processes, results or other confidential information from research which is in progress, unpublished or not yet verified; or

''(ii) any other information related to research, the disclosure of which could affect—

''(I) the conduct or outcome of the research;

''(II) the likelihood of similar research in the future;

''(III) the ability to obtain patents or copyrights from the research; or

''(IV) any other proprietary rights any entity may have in the research or results of the research;''.

SEC. 3. FEDERAL RULES OF CIVIL PROCEDURE.

Rule 45(c)(3) of the Federal Rules of Civil Procedure is amended—

(1) in subparagraph (A)—

(A) in clause (iv) by striking the period and inserting a comma and ''or''; and

(B) by adding at the end the following:

''(v) requires disclosure of data, records, or information, including actual research documents, collected or produced in the conduct of or as a result of study or research on academic, commercial, scientific, or technical issues, including—

''(I) unpublished lecture notes, unpublished research notes, data, processes, results or other confidential information from research which is in any progress, unpublished or not yet verified, or

''(II) any other information related to research, the disclosure of which could affect the conduct or outcome of the research, the likelihood of similar research in the future, the ability to obtain patents or copyrights from the research, or any other proprietary rights any entity may have in the research or results of the research.''; and

(2) in subparagraph (B)—

(A) in clause (iii) by inserting ''or'' after the comma; and

(B) by inserting after clause (iii) the following:

''(iv) requires disclosure of data, records, or information, including actual research documents, collected or produced in the conduct of or as a result of study or research on academic, commercial, scientific, or technical issues, including—

''(I) unpublished lecture notes, unpublished research notes, data, processes, results or other confidential information from research which is in any progress, unpublished or not yet verified, or

''(II) any other information related to research, the disclosure of which could affect the conduct or outcome of the research, the likelihood of similar research in the future, the ability to obtain patents or copyrights from the research, or any other proprietary rights any entity may have in the research or the results of the research.''.

SEC. 4. FEDERAL RULES OF EVIDENCE.

Article V of the Federal Rules of Evidence is amended by adding after rule 501 the following:

''Rule 502. Privilege for research information

''A person engaged in the study or research of academic, commercial, scientific, or technical issues may claim the privilege to refuse to disclose data, records, or information, including actual research documents, concerning that study or research. Such person may refuse to disclose unpublished lecture notes, unpublished research notes, data, processes, results, or other confidential information from research which is in any progress, unpublished or not yet verified, and any other information related to research, the disclosure of which could affect the conduct or outcome of the research, the likelihood of similar research in the future, the ability to obtain patents or copyrights from the research, or any other proprietary rights any entity may have in the research or the results of the research.''.

SEC. 5. REPEAL OF REQUIREMENT REGARDING DATA PRODUCED UNDER FEDERAL GRANTS AND AGREEMENTS AWARDED TO INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS.

The fifth and sixth provisos under the subheading ''SALARIES AND EXPENSES'' under the heading ''OFFICE OF MANAGEMENT AND BUDGET'' under title III of the Treasury and General Government Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–495) are repealed.

ADDITIONAL COSPONSORS

S. 9

At the request of Mr. DASCHLE, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 9, a bill to combat violent and gang-related crime in schools and on the streets, to reform the juvenile justice system, target international crime, promote effective drug and other crime prevention programs, assist crime victims, and for other purposes.

S. 10

At the request of Mr. DASCHLE, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 10, a bill to provide health protection and needed assistance for older Americans, including access to health insurance for 55 to 65 year olds, assistance for individuals with long-term care needs, and social services for older Americans.

S. 17

At the request of Mr. DODD, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 17, a bill to increase the availability, affordability, and quality of child care.

S. 71

At the request of Ms. SNOWE, the names of the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 71, a bill to amend title 38, United States Code, to establish a presumption of service-connection for certain veterans with Hepatitis C, and for other purposes.

S. 307

At the request of Mr. WYDEN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 307, a bill to amend title XVIII of the Social Security Act to eliminate the budget neutrality adjustment factor used in calculating the blended capitation rate for Medicare + Choice organizations.

S. 457

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 457, a bill to amend section 922(t) of title 18, United States Code, to require the reporting of information to the chief law enforcement officer of the buyer's residence and to require a minimum 72-hour waiting period before the purchase of a handgun, and for other purposes.

S. 632

At the request of Mr. DEWINE, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 632, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 662

At the request of Mr. CHAFEE, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 664

At the request of Mr. CHAFEE, the names of the Senator from North Carolina (Mr. HELMS) and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 666

At the request of Mr. LUGAR, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 666, a bill to authorize a new trade and investment policy for sub-Saharan Africa.

S. 765

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 765, a bill to ensure the efficient allocation of telephone numbers.

S. 777

At the request of Mr. FITZGERALD, the names of the Senator from Kentucky (Mr. MCCONNELL), the Senator from Wisconsin (Mr. FEINGOLD), and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 777, a bill to require the Department of Agriculture to establish an electronic filing and retrieval system to enable the public to file all required paperwork electronically with the Department and to have access to public information on farm programs, quarterly trade, economic, and production reports, and other similar information.