

ongoing issue in New England since 1996. Several of my Senate colleagues, including Senators SNOWE, KENNEDY, GREGG, and COLLINS, have asked the agency to ban aircraft in the past. Unfortunately Mr. President, because aircraft do not catch fish, our legal system has determined that the agency cannot regulate these aircraft. Let me point out that the fisheries service has gone through two rounds of public rule-making on this issue and in both instances an overwhelming number of public comments were in support of this ban. The Atlantic bluefin tuna fishery is one of the last open fisheries in New England, and spotter aircraft provide an unfair competitive advantage to those fishermen who use them. Banning spotter aircraft will level the playing field and provide the opportunity for thousands of New Englanders to experience the thrill of landing a 400 pound bluefin tuna that, depending on the quality of the fish, can easily be worth \$10,000.

Mr. President, H.R. 3417 also includes an authorization for the Secretary of Commerce to acquire fishery research vessels in 2002, 2003, and 2004 at a cost of \$60 million. These state-of-the-art fishery research vessels will replace a fleet of vessels that are becoming technologically obsolete and reaching the end of their useful lives. In New England, the primary vessel used for our stock assessments is the 38-year old Albatross IV. Over the years NOAA has assumed increased responsibilities for managing our marine resources under the Magnuson-Stevens Fisheries Conservation and Management Act, the Marine Mammal Protection Act, and the Endangered Species Act. It is absolutely imperative that we give NOAA scientists the tools necessary to carry out the mandates Congress has given them.

Mr. President, I sincerely hope that the House will move to pass this legislation. This is a very reasonable proposal. Indeed, it includes several proposals the House has initiated and passed. We have made every effort to act on their priorities and we ask that they do the same with our priorities.

#### ATLANTIC STRIPED BASS CONSERVATION ACT

Mr. SMITH of New Hampshire. Mr. President, I rise today to applaud my colleague from Arizona, Senator MCCAIN, on his efforts to reauthorize the Atlantic Striped Bass Conservation Act in a package of oceans and fisheries legislation. I would also like to reaffirm the continued interest of the Committee on Environment and Public Works in this important legislation, over which our two committees have traditionally shared jurisdiction. As my colleague knows, this legislation is critically important to the northeast.

The populations of striped bass, which can be found all along the east coast, began to decline dramatically during the 1970s. In 1979, Congress responded by authorizing the Emergency Striped Bass Study as part of the Anadromous Fish Conservation Act.

And in 1984, Congress enacted the Atlantic Striped Bass Conservation Act. This Act promotes a coordinated Federal-State partnership for striped bass management. The National Marine Fisheries Service and the U.S. Fish and Wildlife Service have been jointly responsible for working with State agencies to recover the fishery. Their efforts have been very successful. The commercial catch of striped bass peaked in 1998 at 19 million pounds, which is a dramatic increase from 1983 when the catch was 2.9 million pounds.

Historically, both the Environment and Public Works Committee, which I chair, and the Commerce, Science, and Transportation Committee, which is chaired by Senator MCCAIN, have shared jurisdiction over the conservation of striped bass. Because both the Department of Commerce and the Department of the Interior are involved in the conservation of the fishery, legislation to reauthorize the 1984 Atlantic Striped Bass Conservation Act has always been of interest to both the Commerce Committee and the Environment and Public Works Committee. The most recent reauthorizing legislation, the Atlantic Striped Bass Conservation Act Amendments of 1997, was sequentially referred, by unanimous consent, to the Environment and Public Works Committee after the Commerce Committee ordered the bill to be reported. The Environment Committee then amended and reported the bill. It was signed into law on December 16, 1997.

In order to facilitate passage of reauthorizing legislation this year, I have agreed to the language being offered by Senator MCCAIN in H.R. 3417, as amended, the Pribilof Islands Transition Act, and will not request sequential referral. However, I want to reaffirm, with the agreement of my colleague, that this in no way affects the future jurisdiction of the Environment and Public Works Committee over the Atlantic Striped Bass Conservation Act.

Mr. MCCAIN. As the Senator from New Hampshire stated, the Commerce Committee and the Environment and Public Works Committee have historically shared jurisdiction over the Atlantic Striped Bass Conservation Act. Our two committees have in the past always worked together to reauthorize and amend the Atlantic Striped Bass Conservation Act. I expect that relationship to continue.

In order to facilitate the passage of this year's Atlantic Striped Bass reauthorization, Subtitle A of Title III of H.R. 3417, as amended, reauthorizes the Atlantic Striped Bass Conservation Act. Although the Pribilof Islands Transition Act and the other provisions in this legislation are under the sole jurisdiction of the Commerce Committee, I understand that my colleague from New Hampshire has reviewed and approved the language contained in Title III; therefore, the shared jurisdiction of the Commerce Committee and the Environment and Public Works

Committee over the conservation of Atlantic Striped bass should not be altered.

Mr. LOTT. I ask unanimous consent the bill be read a third time and passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 3417), as amended, was read the third time and passed.

#### PROMOTING THE DEVELOPMENT OF THE COMMERCIAL SPACE TRANSPORTATION INDUSTRY

Mr. LOTT. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of H.R. 2607, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2607) to promote the development of the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, to authorize appropriations for the Office of Space Commercialization, and for other purposes.

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

AMENDMENT NO. 4321

Mr. LOTT. Mr. President, Senators MCCAIN and FRIST have an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] for Mr. MCCAIN, for himself and Mr. FRIST, proposes an amendment numbered 4321.

The amendment is as follows:

(Purpose: To promote the development of the commercial space transportation industry, and for other purposes)

Strike out all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Commercial Space Transportation Competitiveness Act of 2000".

#### SEC. 2. FINDINGS.

The Congress finds that—

(1) a robust United States space transportation industry is vital to the Nation's economic well-being and national security;

(2) enactment of a 5-year extension of the excess third party claims payment provision of chapter 701 of title 49, United States Code, (Commercial Space Launch Activities) will have a beneficial impact on the international competitiveness of the United States space transportation industry;

(3) space transportation may evolve into airplane-style operations;

(4) during the next 3 years the Federal Government and the private sector should analyze the liability risk-sharing regime to determine its appropriateness and effectiveness, and, if needed, develop and propose a new regime to Congress at least 2 years prior

to the expiration of the extension contained in this Act;

(5) the areas of responsibility of the Office of the Associate Administrator for Commercial Space Transportation have significantly increased as a result of—

(A) the rapidly expanding commercial space transportation industry and associated government licensing requirements;

(B) regulatory activity as a result of the emerging commercial reusable launch vehicle industry; and

(C) the increased regulatory activity associated with commercial operation of launch and reentry sites; and

(6) the Office of the Associate Administrator for Commercial Space Transportation should continue to limit its promotional activities to those which support its regulatory mission.

### SEC. 3. OFFICE OF COMMERCIAL SPACE TRANSPORTATION.

(a) AMENDMENT.—Section 70119 of title 49, United States Code, is amended to read as follows:

#### “§ 70119. Office of Commercial Space Transportation.

“There are authorized to be appropriated to the Secretary of Transportation for the activities of the Office of the Associate Administrator for Commercial Space Transportation—

“(1) \$12,607,000 for fiscal year 2001; and

“(3) \$16,478,000 for fiscal year 2002.”.

(b) TABLE OF SECTIONS AMENDMENT.—The item relating to section 70119 of the table of sections of chapter 701 of title 49, United States Code, is amended to read as follows:

“70119. Office of Commercial Space Transportation.”.

### SEC. 4. OFFICE OF SPACE COMMERCIALIZATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce for the activities of the Office of Space Commercialization—

(1) \$590,000 for fiscal year 2001;

(2) \$608,000 for fiscal year 2002; and

(3) \$626,000 for fiscal year 2003.

(b) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall transmit to the Congress a report on the Office of Space Commercialization detailing the activities of the Office, the materials produced by the Office, the extent to which the Office has fulfilled the functions established for it by the Congress, and the extent to which the Office has participated in interagency efforts.

### SEC. 5. COMMERCIAL SPACE TRANSPORTATION INDEMNIFICATION EXTENSION.

(a) IN GENERAL.—If, on the date of enactment of this Act, section 70113(f) of title 49, United States Code, has not been amended by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, then that section is amended by striking “December 31, 2000” and inserting “December 31, 2004”.

(b) AMENDMENT OF MODIFIED SECTION.—If, on the date of enactment of this Act, section 70113(f) of title 49, United States Code, has been amended by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, then that section is amended by striking “December 31, 2001” and inserting “December 31, 2004”.

### SEC. 6. TECHNICAL AMENDMENT TO SECTION 70113 OF TITLE 49.

(a) Section 70113 of title 49, United States Code, is amended by striking “\_\_\_\_\_, 19\_\_\_\_,” in subsection (e)(1)(A) and inserting “\_\_\_\_\_, 20\_\_\_\_.”.

(b) The amendment made by subsection (a) takes effect on January 1, 2000.

### SEC. 7. LIABILITY REGIME FOR COMMERCIAL SPACE TRANSPORTATION.

(a) REPORT REQUIREMENT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Transportation shall transmit to the Congress a report on the liability risk-sharing regime in the United States for commercial space transportation.

(b) CONTENTS.—The report required by this section shall—

(1) analyze the adequacy, propriety, and effectiveness of, and the need for, the current liability risk-sharing regime in the United States for commercial space transportation;

(2) examine the current liability and liability risk-sharing regimes in other countries with space transportation capabilities;

(3) examine the appropriateness of deeming all space transportation activities to be “ultrahazardous activities” for which a strict liability standard may be applied and which liability regime should attach to space transportation activities, whether ultrahazardous activities or not;

(4) examine the effect of relevant international treaties on the Federal Government's liability for commercial space launches and how the current domestic liability risk-sharing regime meets or exceeds the requirements of those treaties;

(5) examine the appropriateness, as commercial reusable launch vehicles enter service and demonstrate improved safety and reliability, of evolving the commercial space transportation liability regime towards the approach of the airline liability regime;

(6) examine the need for changes to the Federal government's indemnification policy to accommodate the risks associated with commercial spaceport operations; and

(7) recommend appropriate modifications to the commercial space transportation liability regime and the actions required to accomplish those modifications.

(c) SECTIONS.—The report required by this section shall contain sections expressing the views and recommendations of—

(1) interested Federal agencies, including—

(A) the Office of the Associate Administrator for Commercial Space Transportation;

(B) the National Aeronautics and Space Administration;

(C) the Department of Defense; and

(D) the Office of Space Commercialization; and

(2) the public, received as a result of notice in Commerce Business Daily, the Federal Register, and appropriate Federal agency Internet websites.

### SEC. 8. AUTHORIZATION OF INTERAGENCY SUPPORT FOR GLOBAL POSITIONING SYSTEM.

The use of interagency funding and other forms of support is hereby authorized by Congress for the functions and activities of the Interagency Global Positioning System Executive Board, including an Executive Secretariat to be housed at the Department of Commerce.

Mr. LOTT. Mr. President, I ask unanimous consent that the amendment be agreed to.

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

The amendment (No. 4321) was agreed to.

Mr. LOTT. I ask unanimous consent the bill be read a third time and passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 2607), as amended, was read the third time and passed.

### MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 2000

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 841, H.R. 4868.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4868) to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment to strike out all after the enacting clause and insert the part printed in italic.

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Tariff Suspension and Trade Act of 2000”.*

#### SEC. 2. TABLE OF CONTENTS.

*The table of contents of this Act is as follows:*

*Sec. 1. Short title.*

*Sec. 2. Table of contents.*

#### TITLE I—TARIFF PROVISIONS

*Sec. 1001. Reference; expired provisions.*

*Subtitle A—Temporary Duty Suspensions and Reductions*

#### CHAPTER 1—NEW DUTY SUSPENSIONS AND REDUCTIONS

- Sec. 1101. HIV/AIDS drug.*
- Sec. 1102. HIV/AIDS drug.*
- Sec. 1103. Triacetoneamine.*
- Sec. 1104. Instant print film in rolls.*
- Sec. 1105. Color instant print film.*
- Sec. 1106. Mixtures of sennosides and mixtures of sennosides and their salts.*
- Sec. 1107. Cibacron Red LS-B HC.*
- Sec. 1108. Cibacron brilliant Blue FN-G.*
- Sec. 1109. Cibacron scarlet LS-2G HC.*
- Sec. 1110. Mub 738 INT.*
- Sec. 1111. Fenbucanazole.*
- Sec. 1112. 2,6-Dichlorotoluene.*
- Sec. 1113. 3-Amino-3-methyl-1-pentyne.*
- Sec. 1114. Triazamate.*
- Sec. 1115. Methoxyfenozide.*
- Sec. 1116. 1-Fluoro-2-nitrobenzene.*
- Sec. 1117. PHBA.*
- Sec. 1118. THQ (toluhydroquinone).*
- Sec. 1119. 2,4-Dicumylphenol.*
- Sec. 1120. Certain cathode-ray tubes.*
- Sec. 1121. Other cathode-ray tubes.*
- Sec. 1122. Certain raw cotton.*
- Sec. 1123. Rhinovirus drug.*
- Sec. 1124. Butralin.*
- Sec. 1125. Branched dodecylbenzene.*
- Sec. 1126. Certain fluorinated compound.*
- Sec. 1127. Certain light absorbing photo dye.*
- Sec. 1128. Filter Blue Green photo dye.*
- Sec. 1129. Certain light absorbing photo dyes.*
- Sec. 1130. 4,4'-Difluorobenzophenone.*
- Sec. 1131. A fluorinated compound.*
- Sec. 1132. DiTMP.*
- Sec. 1133. HPA.*
- Sec. 1134. APE.*
- Sec. 1135. TMPDE.*
- Sec. 1136. TMPDE.*
- Sec. 1137. Tungsten concentrates.*
- Sec. 1138. 2-Chloro Amino Toluene.*
- Sec. 1139. Certain ion-exchange resins.*
- Sec. 1140. 11-Aminoundecanoic acid.*
- Sec. 1141. Dimethoxy butanone (DMB).*
- Sec. 1142. Dichloro aniline (DCA).*
- Sec. 1143. Diphenyl sulfide.*
- Sec. 1144. Trifluralin.*
- Sec. 1145. Diethyl imidazolidinone (DMI).*
- Sec. 1146. Ethalfuralin.*
- Sec. 1147. Benfluralin.*
- Sec. 1148. 3-Amino-5-mercaptop-1,2,4-triazole (AMT).*