S. 2189. A bill to suspend temporarily the duty on Pigment Yellow 147; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2190. A bill to suspend temporarily the duty on Solvent Blue 67; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2191. A bill to suspend temporarily the duty on Pigment Yellow 199; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2192. A bill to suspend temporarily the duty on Cibacron Brilliant Blue FN–G; to the Committee on Finance.

By Mr. EDWARDS (for himself and Mr. HELMS):

S. 2193. A bill to suspend temporarily the duty on Pigment Blue 60; to the Committee on Finance.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 2194. A bill to direct the Secretary of the Interior to provide assistance in planning and developing a regional heritage center in Calais, Maine; to the Committee on Energy and Natural Resources.

By Mr. REID:

S. 2195. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Truckee watershed reclamation project for the reclamation and reuse of water; to the Committee on Energy and Natural Resources.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 2196. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 2197. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. MOYNIHAN:

S. 2198. A bill to provide for the reliqiudation of certain entries of vanadium carbides and vanadium carbonitride; to the Committee on Finance.

By Mr. MOYNIHAN:

S. 2199. A bill to suspend temporarily the duty on synthetic quartz or synthetic fused silica; to the Committee on Finance.

By Mr. MOYNIHAN:

S. 2200. A bill to suspend temporarily the duty on N-Cyclopropyl-N'-(1, 1-dimethylethyl)-6-(methylthio)-1, 3, 5-triazine-2, 4-diamine; to the Committee on Finance.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 2201. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 2202. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 2203. A bill to amend title 26 of the Taxpayer Relief Act of 1986 to allow income averaging for fishermen without negative Alternative Minimum Tax treatment, for the creation of risk management accounts for fishermen and for other purposes; to the Committee on Finance.

By Mr. THURMOND:

S. 2204. To suspend temporarily the duty on high molecular, very high molecular, homopolymer, natural color, virgin polymerized powders; to the Committee on Finance.

By Mr. THURMOND:

S. 2205. To suspend temporarily the duty on Cyclooctene (COE); to the Committee on Finance.

By Mr. THURMOND:

S. 2206. To suspend temporarily the duty on Cyclohexadecadlenel,9 (CHDD); to the Committee on Finance.

By Mr. THURMOND:

S. 2207. To suspend temporarily the duty on Cyclohexadec-8-en-1-one (CHD); to the Committee on Finance.

By Mr. THURMOND:

S. 2208. To suspend temporarily the duty on Neo Heliopan MA (Menthyl Anthranilate); to the Committee on Finance.

By Mr. THURMOND:

S. 2209. To suspend temporarily the duty on 2,6 dichlorotoluene; to the Committee on Finance.

By Mr. THURMOND:

S. 2210. To suspend temporarily the duty on 4-bromo-2-fluoroacetanilide; to the Committee on Finance.

By Mr. THURMOND:

S. 2211. To suspend temporarily the duty on propiophenone; to the Committee on Finance.

By Mr. THURMOND:

S. 2212. To suspend temporarily the duty on metachlorobenzaldehyde; to the Committee on Finance.

By Mr. MACK (for himself and Mr. GRAHAM):

S. 2213. A bill to provide for the liquidation or reliquidation of certain entries in accordance with a final decision of the Department of Commerce under the Tariff Act of 1930; to the Committee on Finance.

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 Mr. MCCAIN (for himself, Mr. HAGEL, Mr. THOMPSON, and Mr. DEWINE)):

S. Res. 266. A resolution designating the month of May every year for the next 5 years as ''National Military Appreciation Month''; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI (for himself, Mr. HATCH, Mr. CRAIG, Mr. CRAPO, Mr. INHOFE, and Mr. SMITH of Oregon):

S. 2184. A bill to amend chapter 3 of title 28, United States Code, to divide the ninth judicial circuit of the United States into two circuits, and for other purposes; read the first time.

THE NINTH CIRCUIT COURT OF APPEALS REORGANIZATION ACT OF 2000

Mr. MURKOWSKI. Mr. President, soon we are going to be debating judicial nominations in this body. I want to take this opportunity to address what I consider a grave problem affecting the administration of justice in our Nation.

I am referring to the unwieldy Ninth Circuit Court of Appeals. Some will prefer the status quo, and I hope after my presentation this morning they will share in the recognition that the Ninth Circuit demands reform. The Ninth Circuit has grown so large and has drifted so far from prudent legal reasoning, that sweeping change is in order.

Congress has already recognized that change is needed. In 1997, we commissioned a report on structural alternatives for the Federal courts of appeals. The Commission, chaired by former Supreme Court Justice Byron White, found numerous faults within the Ninth Circuit. In its conclusion, the Commission recommended major reforms and a drastic reorganization of the Circuit.

For this reason, I, along with my distinguished colleague from Washington, Senator SLADE GORTON, introduced S. 253, the Federal Ninth Circuit Reorganization Act of 1999, which would in effectuate the recommendations of the White commission.

The bill would reorganize the Ninth Circuit into three regional divisions, designed as the northern, middle, and southern divisions, and a nonregional circuit division. Ideally, a more cohesive judicial body would emerge—one that reflects the community it serves, and holds a greater master of applicable, but unique, state law and state issues.

Some in this body were not too happy with the divisional realignment. Perhaps a more direct and simplified solution to the problems of the Ninth Circuit is in order. For this reason, I, along with my colleague, Senator HATCH of Utah, introduced a new bill this morning, the Ninth Circuit Court of Appeals Reorganization Act of 2000. We are joined by Senator CRAIG, Senator CRAPO, Senator INHOFE, and Senator SMITH of Oregon.

This bill will divide the Ninth Circuit into two independent circuits. The new Ninth Circuit would contain Arizona, California, and Nevada. A new Twelfth Circuit would be composed of Alaska, Hawaii, Idaho, Montana, Oregon, Washington, Guam, and the Northern Mariana Islands. Immediately upon enactment, the concerns of the White Commission will be addressed, and a more cohesive, efficient, and predictable judiciary will emerge.

In this debate, let us not forget why change is in order. The Ninth Circuit extends from the Arctic Circle to the Mexican border. It spans the tropics of Hawaii and across the International Dateline to Guam and the Mariana Islands. Encompassing some 14 million square miles, the Ninth Circuit, by any means of measure, is the largest of all our U.S. courts of appeal. It is larger than the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Circuits combined.

Let me refer to chart one because I think it makes the point that the Ninth Circuit serves a population of more than 50 million, almost 60 percent more than are served by the next largest circuit court. By the year 2010, the Census Bureau estimates the Ninth Circuit population will be more than 63 million. Mind you, it is now 50 million—63 million. That is an increase of 26 percent in just 10 years.

I wonder how many people this court has to serve before Congress will realize the court is simply overwhelmed by its population. That is a fact.

I must confess our efforts in this case are not novel. Calls to split the Ninth Circuit Court have been heard since 1891. More to the point, Congress has attempted to reorganize the Ninth Circuit since World War II!

Congressional Members are not alone in advocating a split. In 1973, the Congressional Commission on the Revision of the Federal Court of Appellate System recommended that Congress split the Ninth Circuit. That was 1973. Unfortunately, Congress never effectuated the recommendations. Over the years, many legislative efforts have been made to correct the Ninth Circuit problems. Still, no solution. Now, in a new millennium, the problems of the Ninth Circuit still exist and have even grown worse.

Mr. President, justice bears the price for Congress' inaction. The time for action is long overdue.

Because of the circuit's massive size, there is a natural decrease in the ability of the judges to keep abreast of legal developments within the Ninth Circuit. I encourage my colleagues to contact some of those judges—they will be the first to admit they cannot follow the number of cases pending before the court. It simply is too great a load. Inconsistent decisions and improper constitutional interpretations are not unusual.

Let's look at the next chart. In the 1996–1997 session alone, an astounding 95 percent of the cases reviewed by the Supreme Court were overturned. This number should raise more than a few eyebrows. That is from 1996 and 1997. Again, 95 percent of cases reviewed by the Supreme Court were overturned.

Looking at chart 2, over the past 3 years, 33 percent of all cases reversed by the U.S. Supreme Court arose from this troubled Ninth Circuit. That is three times the number of reversals for the next nearest circuit court, and 33 times higher than the reversal rate for the Tenth Circuit.

There you have it. Compare the courts, caseloads, and the question of promptness in justice.

What are these reversal cases? These are people who had their cases wrongly decided. They are people who had to incur great expense, wait unnecessary lengths of time, and risk adverse legal rulings in order to receive justice. No American should have to receive substandard legal attention based, solely on what State they live in.

But we cannot fault the judges of the Ninth Circuit alone. We, in Congress, have allowed this circuit to grow to staggering proportions. In 1998, there were over 9,450 cases filed. It is this number that makes adjudication of claims unacceptably slow. Consequently justice suffers.

Mr. President, we should listen to the voices of the judges who attempt to serve this region. Ninth Circuit Judge Diramuid O'Scannlain described the problem as follows:

> An appellate court must function as a unified body, and it must speak with a unified voice. It must maintain and shape a coherent body of law. . . . As the number of opinions increase, we judges risk losing the ability to keep track of precedent and the ability to know what our circuit's law is.

''The ability to know what our circuit's law is''—that is part of the problem. These judges acknowledge they don't know, and they cannot possibly know, because the caseload is too great.

He said:

> In short, bigger is not necessarily better.

He further stated:

> We [the Ninth Circuit] cannot grow without limit. . . . As the number of opinions increase, we judges risk losing the ability to know what our circuit's law is.

That is the key. It has grown so fast, they don't know what the circuit law is.

> In short, bigger is not necessarily better. The Ninth Circuit will ultimately need to be split. . . .

Judge O'Scannlain is not alone. The very Supreme Court Justices we entrust to guide our Nation's jurisprudence have acknowledged and recommended reform for this troubled court.

Justice Kennedy continued that:

> We have very dedicated judges on that circuit, very scholarly judges . . . but I think institutionally, and from the collegial standpoint, that it is too large to have the discipline and control that is necessary for an effective circuit.

Judge Stevens notes:

> Arguments in favor of dividing the Circuit in either two or three smaller circuits overwhelmingly outweigh the single serious objection to such a change.

But now, with this new bill we can fix the problem. And in turn, we can ensure that all Americans receive swift and fair adjudication of their claims. While I may believe even more sweeping changes are in order, I strongly urge this body address this crisis in our judiciary system.

Mr. President, it is the 50 million residents of the Ninth Circuit who suffer from our inaction. These Americans wait years before their cases are heard. And after these unreasonable delays, justice may not even be served in an overstretched and out-of-touch judiciary.

Mr. President, Congress has known about the problem in the Ninth Circuit for a long time. Justice has been delayed too long. The time for reform has come, and I urge action on this bill.

I yield to my friend who has been recognized.

I yield the floor.

Mr. HATCH. Mr. President, I rise to speak this morning to discuss legislation that I have introduced with Senator MURKOWSKI that would divide the Ninth Circuit into two manageable circuits.

I have been told of a children's song that, with its circular and repetitious melody, is called ''the song without an end.'' And that might be an apt description of our efforts to reach some resolution with the nagging problem of the Ninth Circuit's boundaries.

Indeed, I am told that calls to reexamine the boundaries of what is presently called the Ninth Circuit were first made more than a century ago. In more recent history:

A congressional commission—the Hruska Commission—recommended a split of the Ninth Circuit—not just the Fifth Circuit— in 1973;

In 1995 I held a hearing before the Judiciary Committee to examine a proposal to split the circuit;

In 1997, as part of the Commerce, Justice, State Appropriations bill, the Senate passed a split proposal which was ultimately replaced with a provision creating a commission to report on structural alternatives for the Federal Courts of Appeals—and the Ninth Circuit in particular; and

Last year, Senator MURKOWSKI, and others, introduced legislation to implement the recommendation of that commission, which would have maintained the circuit's structural boundaries, but partitioned its Court of Appeals into three semi-autonomous divisions.

Yet here we stand, like Sisyphus with the boulder at his feet, with nothing to show for years of effort.

All the while, the problems perceived in the Ninth Circuit itself have not disintegrated with the passage of time.

Rather, as we look at that circuit's boundaries, what is immediately apparent is its gargantuan size. That factor, in itself, by no means justifies a remedy in the form of a change in boundaries. But it does serve as a necessary starting point from which to explain many of the criticisms that have been lodged against the circuit.

Stretching across nine States and two territories, and constituting some 14 million square miles, the Ninth Circuit serves the largest U.S. population by far—more than 51 million people. The Ninth Circuit is authorized by statute to maintain 28 active Court of Appeals judges. The next largest circuit—the Fifth—has only 17 active judges, and most other circuits have 12 or fewer judges.

Though the size of the circuit is not in itself a reason to modify its boundaries, the problems resulting from the circuit's size are.

Most notably, the massive size of the circuit's boundaries has confronted the circuit's judges with a real difficulty in maintaining the coherence of its circuit law. This is because there are enormous obstacles both, one, to keeping abreast of the circuit's decisions, and, two, to correcting those decisions that stray from the law of the circuit.

With regard to the first concern, various conscientious judges on the Ninth Circuit have stated they are unable to read the number of published decisions being issued by their colleagues, given the sheer volume of such opinions. They have stated that frequently,

there is no time to do anything more than review the head notes of such decisions.

This is a serious problem from which other problems ensue. Absent the ability of each active judge on the Ninth Circuit to read each such published decision, there can be no assurance that calls will be made for en banc review of those cases which judges believe merit rehearing by a larger component of the court.

With regard to the second concern—the ability to correct decisions that stray from the circuit law—the large size of the Ninth Circuit presents a tremendous impediment. At present, a special exception has been made by Congress to better enable the Ninth Circuit to review 3-judge decisions en banc, and that process—known as limited en banc—involves the empaneling of only 11 judges, rather than the circuit's full complement of 28 judges.

In my view, this system is being utilized with insufficient frequency. And the result is that the stated aim of Federal Rule of Appellate Procedure 35—to secure or maintain uniformity of the court's decisions—is being thwarted.

Moreover, the mechanism is imperfect, and simple math proves the point. It is entirely conceivable that a limited en banc decision could be handed down by an 11-to-0 vote, and yet not reflect the views of a majority of the circuit's judges. Nor is it any answer to say that the Ninth Circuit's rules allow for full en banc hearings with all 28 judges, since no such hearing has ever taken place.

The problems with the lack of internal decisional consistency within the Ninth Circuit have become all too obvious. Three terms ago, the Ninth Circuit's reversal rate before the U.S. Supreme Court exceeded 95 percent. It is no cause for celebration to note that during the last two terms, the Ninth Circuit reversal rate averaged 77 percent, and this term I have noted that the Ninth Circuit is not faring particularly well, with a record of 0 to 7 before the Supreme Court. What is really wrong is there are literally thousands of cases they hear that they are probably making the wrong decisions on that will never go to the Supreme Court because the Court doesn't have time to listen to thousands of cases from the Ninth Circuit Court of Appeals. So we are having all kinds of injustice out there just because of judges who are out of control, who are activist judges ignoring the law itself.

I believe these problems will be corrected when we streamline the circuit, leaving two more manageable circuits in place to more carefully and exactingly do the work currently undertaken by one. I believe the system of error correction and the assurance of coherence of circuit law will be a more manageable task in two circuits where the judges of each will have one-half as many of their colleagues' opinions to read for compliance with and correction of their circuit law.

To this end, Senator MURKOWSKI and I have drafted a measure we believe reflects sound public policy. It would continue to denominate as part of the Ninth Circuit the States of California, Nevada, and Arizona, as well as the island territories currently within the Ninth Circuit. The proposal would place Hawaii and the Northwest States within a new Twelfth Circuit. Such a proposal results in a logical split. Indeed, the contours of this very proposal were set out as an alternative option in the final report of the Commission on Structural Alternatives. And it maintains geographic coherence by avoiding the type of gerrymandered circuit that would have resulted from the split proposal passed by the Senate in 1997, although I could very easily go for that as well.

As a final word, I express for the record my appreciation for the very substantial work performed by the members and staff of the Commission on Structural Alternatives. Its final work product is a most capable report, and the Commission's work under Justice White will truly become part of the history of relations in this country before the Congress and the Judiciary.

With that thanks, I will close my remarks on this by urging my colleagues to act on this sensible proposal to solve a problem that has persisted for far too long. There are some of our colleagues who are very upset at the Ninth Circuit Court of Appeals and its record of reversal by the Supreme Court. I just raised the issue that there may be thousands of cases that need to be reversed, but the Supreme Court doesn't have time to do that. I think they would be much more concerned about voting for and passing this split of the Ninth Circuit than they would attacking some of the judges who are up for nominations.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 2194. A bill to direct the Secretary of the Interior to provide assistance in planning and developing a regional heritage center in Calais, Maine; to the Committee on Energy and Natural Resources.

ST. CROIX ISLAND HERITAGE ACT

Ms. COLLINS. Mr. President, I rise today to introduce the St. Croix Island Heritage Act, legislation that will help develop a regional heritage center in Calais, ME, in time to commemorate an event of great historical and international significance: the 400th anniversary of one of the earliest settlements in North America, at St. Croix Island. I am pleased to have my senior colleague from Maine, Ms. SNOWE, as a cosponsor of my legislation.

Planning for the regional heritage center is well underway. The residents of the St. Croix River Valley and organizations such as the St. Croix Economic Alliance and the Sunrise County Economic Council have worked hard to move the project forward. They commissioned a consulting firm to evaluate the market potential of the heritage center and to prepare preliminary exhibit and operating plans. They secured planning and seed money from the U.S. Forest Service, the city of Calais, local businesses, and others. And they have hired a full-time project coordinator to oversee development of the heritage center. Now they need assistance from the National Park Service, assistance that this bill would provide.

The regional center will preserve and chronicle the region's cultural, natural, and historical heritage. The Interior Department's role in the planning and development of the heritage center stems from the close proximity of the proposed site to St. Croix Island, the only international historic site in the National Park System.

In 2004, the United States, Canada, and France will celebrate the 400th anniversary of the first settlement at St. Croix Island. We have only 4 more years to prepare for a celebration of this historic event.

I have spoken before on the Senate floor about the historical significance of the settlement of St. Croix Island. It is a remarkable and little-known story that bears retelling. The story dates to the summer of 1604, when a French nobleman, accompanied by a courageous group of adventurers that included Samuel Champlain, landed on St. Croix Island and set about to construct a settlement. They cleared the island, planted crops, dug a well, and built houses, fortifications, and public buildings. In the process, they were aided by Native peoples who made temporary camps on the island. At the same time, Samuel Champlain undertook a number of reconnaissance missions from the island. On one, he found and named Mount Desert Island, now the home to Acadia National Park.

By October of 1604, the settlement was ready. But the Maine winter was more than the seventy-nine settlers had bargained for. By winter's end, nearly half had died, and many others were seriously ill.

The spring brought relief from the harsh weather. The colony was relocated to Port Royal in what is now Nova Scotia and, in 1608, Champlain and his fellow explorers founded Quebec.

According to the National Park Service, the French settlement on St. Croix Island in 1604 and 1605 was the first and ''most ambitious attempt of its time to establish an enduring French presence in the 'New World' '' and ''set a precedent for early French claims in New France.'' Many view the expedition that settled on St. Croix Island in 1604 as the beginning of the Acadian culture in North America. This rich and diverse culture spread across the continent, from Canada to Louisiana, where French-speaking Acadians came to be known as ''Cajuns.''

Mr. President, thousands of people attended the celebration that marked the 300th anniversary of the settlement

of St. Croix Island. The consul general of France and the famous Civil War hero General Joshua Chamberlain were among those who spoke at the event.

In four years, another century will have passed since the last commemoration, and we will celebrate St. Croix Island's 400th anniversary. There is much work to be done. In 1996, the U.S. National Park Service and Parks Canada agreed to ''conduct joint strategic planning for the international commemoration [of the St. Croix Island], with a special focus on the 400th anniversary of settlement in 2004.'' For its part, Parks Canada constructed an exhibit in New Brunswick overlooking St. Croix Island. The exhibit uses Champlain's first-hand accounts, period images, updated research, and custom artwork to tell the compelling story of the settlement.

The U.S. National Park Service, on the other hand, still has a ways to go. In October 1998, the Park Service did complete a general management plan for the St. Croix Island International Historic Site.

From a variety of alternatives, the Park Service settled on a plan that envisions an interpretive trail and ranger station at Red Beach, Maine and exhibits located in the regional heritage center up the road in Calais.

The bill I introduce today directs the National Park Service to facilitate the development of the regional heritage center in time for the 400th anniversary of the St. Croix Island settlement. It empowers the Secretary of Interior to enter into cooperative agreements with State and local agencies and nonprofit organizations to assist in this effort and authorizes $2.5 million for this purpose.

Mr. President, this bill authorizes and commits the National Park Service to follow a plan it has already endorsed to help commemorate a 1604 settlement of enormous historical significance. I believe that the 400th anniversary celebration and the heritage center in Calais will be a source of pride to all Americans of French ancestry.

I am very pleased to see that the distinguished chairman of the Energy Committee is on the floor. It is to his Committee that this legislation, I believe will be referred. I hope that it will be favorably reported and enacted this year.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MURKOWSKI. Mr. President, I compliment Senator COLLINS for her introduction of the St. Croix heritage bill. I look forward to receiving that in my Energy Committee, and I will attempt to take it up at an early opportunity for a hearing and report it out. I want to commend her and her colleague from Maine, as well.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 2196. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

S. 2197. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. MOYNIHAN:

S. 2198. A bill to provide for the reliquidation of certain entries of vanadium carbides and vanadium carbonitride; to the Committee on Finance.

S. 2199. A bill to suspend temporarily the duty on synthetic quartz or synthetic fused silica; to the Committee on Finance.

S. 2200. A bill to suspend temporarily the duty on N-Cycloproply-N'-(1, 1-dimethylethyl)-6-(methylthio)-1, 3,5-triazine-2, 4-diamine; to the Committee on Finance.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 2201. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

S. 2202. A bill to reliquidate certain entries of tomato sauce preparation; to the Committee on Finance.

MISCELLANEOUS TARIFF BILLS

Mr. MOYNIHAN. Mr. President, I rise today to introduce two bills that temporarily suspend duties on certain imports of goods not produced in the United States and five bills to reliquidate specific entries of vanadium and tomato sauce preparations.

The first bill will temporarily suspend the duty on imports of silica substrate. Silica substrates are produced only in Japan and imported for use in the domestic production of semiconductors. Currently, semiconductors enter the United States duty-free while imports of silica substrate are subject to a 4.9 per cent duty. As a result of this tariff inversion, there is a competitive imbalance which favors foreign production of semiconductors. My bill would extend the current suspension on duties of silica substrates until 2004.

The second bill will temporarily suspend the duty on imports of an environmentally friendly chemical paint additive. The product safely replaces mercury-based chemicals (which were banned a number of years ago) used in ''anti-fouling'' boat paint, intended to prevent fouling of underwater structures. It is also the only EPA-registered algicide for use in the architectural paint market. There is no known production of this chemical in the United States.

The third bill reliquidates thirty-seven entries of vanadium carbide and vanadium carbonitride. Vanadium is used primarily as a strengthening agent in steel and can only be imported from South Africa. The bill seeks to recover duties paid since July 1, 1998, the original date of a competitive need limit waiver by USTR, through December 23, 1999, when the waiver actually took effect.

The final four bills seek to reliquidate entries of canned tomatoes, used to prepare tomato sauce, by four separate companies. The imports were incorrectly subjected to 100 percent ad valorem retaliatory duties beginning in 1989 due to a Harmonized Tariff Schedule misclassification; the retaliation stemmed from a GATT case against the European Union. Treliquidation covers entries not originally included in a decision by the Court of International Trade, which ruled the products had been incorrectly classified and were, therefore, not subject to the retaliatory duties.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 2203. A bill to amend title 26 of the Taxpayer Relief Act of 1986 to allow income averaging for fishermen without negative Alternative Minimum Tax treatment, for the creation of risk management accounts for fishermen and for other purposes; to the Committee on Finance.

FAIR TAX TREATMENT FOR FISHERMAN ACT OF 2000

• Mr. MURKOWSKI. Mr. President, today I am introducing legislation that will ease the financial hardships that fisherman endure because of the uncertainties of their industry. I am very pleased that Senator STEVENS has joined me in co-sponsoring this legislation.

Mr. President, in 1986 when Congress rewrote the tax law and cut the number of tax brackets from 11 to two, one of the provisions of prior law that was repealed was income averaging. The purpose of income averaging was to ameliorate the tax burden on individuals whose incomes varied from year to year. It ensured that an individual whose income increased significantly in one year and then dropped significantly in the next year could average the tax brackets for the two years. With only two brackets, many believed that income averaging was no longer needed.

However, in the 14 years since the 1986 tax reform, we have added three additional brackets to the tax code. And with five brackets there is a clear need for income averaging, especially for individuals who are in occupations where the predictability of income is uncertain. In 1997, we adopted income averaging for farmers because we recognized that weather conditions can significantly impact what a farming family earns in any particular year.

In this legislation we are introducing today, we are adding fishermen to the category eligible for income averaging. Just as farmers cannot predict the weather, fisherman are unable to predict how large or small their catch will be.

Let me give you an example of how the fishermen in Bristol Bay in my home state of Alaska have fared in recent years. Between 1995 and 1998, the fish run dropped from 244 million to barely 58 million last year. At the same time their income has dropped from $188 million to $69 million.

Quite frankly, income averaging is fair for farmers and is equally justified for fishermen.

In addition, our legislation establishes risk management savings accounts which fishermen will be able to draw down when fishing runs are low. Under this proposal, fishermen could set aside up to 20 percent of their income in special savings accounts. Interest earned in the account would be taxable, but withdrawals would only be taxable in the year of the withdrawal.

Mr. President, a recent fishery failure in Alaska resulted in the federal government allocate $50 million to assist the fishermen and their local communities. With these special risk management accounts, fishermen will be less dependent on federal assistance and will be able to more easily survive fishing downturns.

Mr. President, it is my hope that when we consider a tax bill later this year, these modest proposals will be included in that bill.

I ask unanimous consent that the full text of the bill be printed in the RECORD.●

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

S. 2203

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be referred to as the ''Fair Tax Treatment for Fishermen Act of 2000''.

SEC. 2. INCOME AVERAGING FOR FISHERMEN WITHOUT INCREASING ALTERNATIVE MINIMUM TAX LIABILITY.

(a) IN GENERAL.—Section 55(c) (defining regular tax) is amended by redesignating paragraph (2) as paragraph (3) and by inserting after paragraph (1) the following:

''(2) COORDINATION WITH INCOME AVERAGING FOR FISHERMEN.—Solely for purposes of this section, section 1301 (relating to averaging of fishing income) shall not apply in computing the regular tax.''.

(b) ALLOWING INCOME AVERAGING FOR FISHERMEN.—

(1) IN GENERAL.—Section 1301(a) is amended by striking ''farming business'' and inserting ''farming business or fishing business,''.

(2) DEFINITION OF ELECTED FARM INCOME.—

(A) IN GENERAL.—Clause (i) of section 1301(b)(1)(A) is amended by inserting ''or fishing business'' before the semicolon.

(B) CONFORMING AMENDMENT.—Subparagraph (B) of section 1301(b)(1) is amended by inserting ''or fishing business'' after ''farming business'' both places it occurs.

(3) DEFINITION OF FISHING BUSINESS.—Section 1301(b) is amended by adding at the end the following new paragraph:

''(4) FISHING BUSINESS.—The term 'fishing business' means the conduct of commercial fishing (as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802, P.L. 94–265 as amended).)''.

SEC. 3. FISHING RISK MANAGEMENT ACCOUNTS.

(a) IN GENERAL.—Subpart C of part II of subchapter E of chapter 1 (relating to taxable year for which deductions taken) is amended by inserting after section 468B the following:

''SEC. 468C. FISHING RISK MANAGEMENT ACCOUNTS.

''(a) DEDUCTION ALLOWED.—In the case of an individual engaged in an eligible commercial fishing activity, there shall be allowed as a deduction for any taxable year the amount paid in cash by the taxpayer during the taxable year Fishing Risk Management Account (hereinafter referred to as the 'FisheRMen Account').

''(b) LIMITATION.—

''(1) CONTRIBUTIONS.—The amount which a taxpayer may pay into the FisheRMen Account for any taxable year shall not exceed 20 percent of so much of the taxable income of the taxpayer (determined without regard to this section) which is attributable (determined in the manner applicable under section 1301) to any eligible commercial fishing activity.

''(2) DISTRIBUTION.—Distributions from a FisheRMen Account may not be used to purchase, lease, or finance any new fishing vessel, add capacity to any fishery, or otherwise contribute to the overcapitalization of any fishery. The Secretary of Commerce shall implement regulations to enforce this paragraph.

''(c) ELIGIBLE BUSINESSES.—For purposes of this section—

''(1) COMMERCIAL FISHING ACTIVITY.—The term 'commercial fishing activity' has the meaning given the term 'commercial fishing' by section (3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802, P.L. 94–265 as amended) but only if such fishing is not a passive activity (within the meaning of section 469(c)) of the taxpayer.

''(d) FISHERMEN ACCOUNT.—For purposes of this section—

''(1) IN GENERAL.—The term 'FisheRMen Account' means a trust created or organized in the United States for the exclusive benefit of the taxpayer, but only if the written governing instrument creating the trust meets the following requirements:

''(A) No contribution will be accepted for any taxable year in excess of the amount allowed as a deduction under subsection (a) for such year.

''(B) The trustee is a bank (as defined in section 408(n)) or another person who demonstrates to the satisfaction of the Secretary that the manner in which such person will administer the trust will be consistent with the requirements of this section.

''(C) The assets of the trust consist entirely of cash or of obligations which have adequate stated interest (as defined in section 1274(c)(2)) and which pay such interest not less often than annually.

''(D) All income of the trust is distributed currently to the grantor.

''(E) The assets of the trust will not be commingled with other property except in a common trust fund or common investment fund.

''(2) ACCOUNT TAXED AS GRANTOR TRUST.—The grantor of a FisheRMen Account shall be treated for purposes of this title as the owner of such Account and shall be subject to tax thereon in accordance with subpart E of part I of subchapter J of this chapter (relating to grantors and others treated as substantial owners).

''(e) INCLUSION OF AMOUNTS DISTRIBUTED.—

''(1) IN GENERAL.—Except as provided in paragraph (2), there shall be includable in the gross income of the taxpayer for any taxable year—

''(A) any amount distributed from a FisheRMen Account of the taxpayer during such taxable year, and

''(B) any deemed distribution under—

''(i) subsection (f)(1) (relating to deposits not distributed within 5 years),

''(ii) subsection (f)(2) (relating to cessation in eligible commercial fishing activities), and

''(iii) subparagraph (A) or (B) of subsection (f)(3) (relating to prohibited transactions and pledging account as security).

''(2) EXCEPTIONS.—Paragraph (1)(A) shall not apply to—

''(A) any distribution to the extent attributable to income of the Account, and

''(B) the distribution of any contribution paid during a taxable year to a FisheRMen Account to the extent that such contribution exceeds the limitation applicable under subsection (b) if requirements similar to the requirements of section 408(d)(4) are met.

For purposes of subparagraph (A), distributions shall be treated as first attributable to income and then to other amounts.

''(f) SPECIAL RULES.—

''(1) TAX ON DEPOSITS IN ACCOUNT WHICH ARE NOT DISTRIBUTED WITHIN 5 YEARS.—

''(A) IN GENERAL.—If, at the close of any taxable year, there is a nonqualified balance in any FisheRMen Account—

''(i) there shall be deemed distributed from such Account during such taxable year an amount equal to such balance, and

''(ii) the taxpayer's tax imposed by this chapter for such taxable year shall be increased by 10 percent of such deemed distribution.

The preceding sentence shall not apply if an amount equal to such nonqualified balance is distributed from such Account to the taxpayer before the due date (including extensions) for filing the return of tax imposed by this chapter for such year (or, if earlier, the date the taxpayer files such return for such year).

''(B) NONQUALIFIED BALANCE.—For purposes of subparagraph (A), the term 'nonqualified balance' means any balance in the Account on the last day of the taxable year which is attributable to amounts deposited in such Account before the 4th preceding taxable year.

''(C) ORDERING RULE.—For purposes of this paragraph, distributions from FisheRMen Account (other than distributions of current income) shall be treated as made from deposits in the order in which such deposits were made, beginning with the earliest deposits.

''(2) CESSATION IN ELIGIBLE BUSINESS.—At the close of the first disqualification period after a period for which the taxpayer was engaged in an eligible commercial fishing activity, there shall be deemed distributed from the FisheRMen Account of the taxpayer an amount equal to the balance in such Account (if any) at the close of such disqualification period. For purposes of the preceding sentence, the term 'disqualification period' means any period of 2 consecutive taxable years for which the taxpayer is not engaged in an eligible commercial fishing activity.

''(3) CERTAIN RULES TO APPLY.—Rules similar to the following rules shall apply for purposes of this section:

''(A) Section 220(f)(8) (relating to treatment on death).

''(B) Section 408(e)(2) (relating to loss of exemption of account where individual engages in prohibited transaction).

''(C) Section 408(e)(4) (relating to effect of pledging account as security).

''(D) Section 408(g) (relating to community property laws).

''(E) Section 408(h) (relating to custodial accounts).

''(4) TIME WHEN PAYMENTS DEEMED MADE.—For purposes of this section, a taxpayer shall be deemed to have made a payment to a FisheRMen Account on the last day of a taxable year if such payment is made on account of such taxable year and is made on or before the due date (without regard to extensions) for filing the return of tax for such taxable year.

''(5) INDIVIDUAL.—For purpose of this section, the term 'individual' shall not include an estate or trust.

''(6) DEDUCTION NOT ALLOWED FOR SELF-EMPLOYMENT TAX.—The deduction allowable by reason of subsection (a) shall not be taken into account in determining an individual's net earnings from self-employment (within the meaning of section 1402(a)) for purposes of chapter 2.

''(g) REPORTS.—The trustee of a FisheRMen Account shall make such reports regarding such Account to the Secretary and to the person for whose benefit the Account is maintained with respect to contributions, distributions, and such other matters as the Secretary may require under regulations. The reports required by this subsection shall be filed at such time and in such manner and furnished to such persons at such time and in such manner as may be required by such regulations.'.

(b) TAX ON EXCESS CONTRIBUTIONS.—

(1) Subsection (a) of section 4973 (relating to tax on excess contributions to certain tax-favored accounts and annuities) is amended by striking ''or'' at the end of paragraph (3), by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following:

''(4) a FisheRMen Account (within the meaning of section 468C(d)), or''.

(2) Section 4973 is amended by adding at the end the following:

''(g) EXCESS CONTRIBUTIONS TO FISHERMEN ACCOUNTS.—For purposes of this section, in the case of a FisheRMen Account (within the meaning of section 468C(d)), the term 'excess contributions' means the amount by which the amount contributed for the taxable year to the Account exceeds the amount which may be contributed to the Account under section 468C(b) for such taxable year. For purposes of this subsection, any contribution which is distributed out of the FisheRMen Account in a distribution to which section 468C(e)(2)(B) applies shall be treated as an amount not contributed.''.

(e) The section heading for section 4973 is amended to read as follows:

''SEC. 4973. EXCESS CONTRIBUTIONS TO CERTAIN ACCOUNTS, ANNUITIES, ETC.''.

(4) The table of sections or chapter 43 is amended by striking the item relating to section 4973 and inserting the following:

''Sec. 4973. Excess contributions to certain accounts, annuities, etc.''.

(c) TAX ON PROHIBITED TRANSACTIONS.—

(1) Subsection (c) of section 4975 (relating to tax on prohibited transactions) is amended by adding at the end the following:

''(6) SPECIAL RULE FOR FISHERMEN ACCOUNTS.—A person for whose benefit a FisheRMen Account (within the meaning of section 468C(d)) is established shall be exempt from the tax imposed by this section with respect to any transaction concerning such account (which would otherwise be taxable under this section) if, with respect to such transaction, the account ceases to be a FisheRMen Account by reason of the application of section 468C(f)(3)(A) to such account.''

(2) Paragraph (1) of section 4975(e) is amended by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and by inserting after subparagraph (D) the following.

''(E) a FisheRMen Account described in section 468C(d).''.

(d) FAILURE TO PROVIDE REPORTS ON FISHERMEN ACCOUNTS.—Paragraph (2) of section 6693(a) (relating to failure to provide reports on certain tax-favored accounts or annuities) is amended by redesignating subparagraph (C) and (D) and (E), respectively, and by inserting after subparagraph (B) the following:

''(C) section 468C(g) (relating to FisheRMen Accounts),''.

(e) CLERICAL AMENDMENT.—The table of sections for subpart C of part II of subchapter E of chapter 1 is amended by inserting after the item relating to section 468B the following:

''Sec. 468C. Fishing Risk Management Accounts.''.

SECTION 4. EFFECTIVE DATE.

(a) The changes made by this Act shall apply to taxable years beginning after December 31, 2000.●

● Mr. STEVENS. Mr. President, I am pleased to join my colleague from Alaska in introducing this important piece of legislation. As a member of the Senate Finance Committee he is all too aware of the need for equity in our tax system and simplicity in our Tax Code.

The first portion of the bill we introduce today would allow fishermen to average income and would not penalize that election with the alternative minimum tax. Up until 1986, individuals, including farmers and fishermen, could elect to average income under section 1301. That choice was no longer available after Congress repealed section 1301 in 1986. Later, in 1997, Congress inserted a new version of section 1301 with a modified form of income averaging for farmers. Section 1301 currently allows farmers engaged in an eligible farming business to average income for tax purposes. This allows farmers to take the fluctuations of their markets, prices and crop conditions into account when calculating income taxes. Fishermen should be afforded the same opportunities as farmers—they are the farmers of the sea and should be treated as such under the Tax Code.

A provision similar to this was included in the Taxpayer Refund Act of 1999 that was vetoed by the President last year. It is not a controversial measure, and its impact on the Treasury is minimal. The Joint Committee on Tax estimated last summer that this provision would cost approximately $5 million over the next ten years. This is a small price to pay to create equity and fairness in our Tax Code and to ensure fishermen receive the same benefits as farmers. While this is one step toward equal treatment for our fishermen, it is an important part of ensuring the long-term sustainability of our fishing industry.

The second portion of the bill we introduce today would allow fishermen to establish tax deferred risk management savings accounts to help them through downturns in the market. The Taxpayer Refund Act of 1999 included similar language. These new risk management accounts would be used to let fishermen set aside up to 20 percent of their income on a tax deferred basis. The money could be held for up to five years, then it would have to be withdrawn from the individual's account. Once the money is withdrawn from the account, the fishermen would pay tax on the amount that was originally deferred. Any interest earned on the money in the account would be taxed in the year that it was earned.

This approach to encouraging fishermen to set some money aside for downturns in the market makes sense. The Joint Committee on Taxation estimated last year that allowing fishermen to set aside 20 percent of their income into these tax deferred accounts would cost only $18 million over 10 years. This is a small price to pay to encourage fishermen to be pro-active in planning for downturns rather than having to be reactive when markets collapse or fishing stocks are weak.

In previous years we have had to bail out fishing areas that have been hit hard by fishery failures. A recent fishery failure in Alaska, and the impact of that failure on families and communities, is still being felt today. We were forced to allocate $50 million to bail out those fishermen and the local communities. This provision, at a cost of $18 million over ten years, is a farsighted way to let fishermen play a part in a disaster recovery and preserve the proud self-reliance that marks their industry.

I thank my colleague from Alaska, Senator MURKOWSKI, for his support of this bill and I encourage all Senators to support these provisions.●

By Mr. THURMOND:

S. 2204. To suspend temporarily the duty on high molecular, very high molecular, homopolymer, natural color, virgin polymerized powders; to the Committee on Finance.

S. 2205. To suspend temporarily the duty on Cyclooctene (COE); to the Committee on Finance.

S. 2206. To suspend temporarily the duty on Cyclohexadecadlenel,9 (CHDD); to the Committee on Finance.

S. 2207. To suspend temporarily the duty on Cyclohexadec-8-en-1-one (CHD); to the Committee on Finance.

S. 2208. To suspend temporarily the duty on Neo Heliopan MA (Menthyl Anthranilate); to the Committee on Finance.

S. 2209. To suspend temporarily the duty on 2,6 dichlorotoluene; to the Committee on Finance.

S. 2210. To suspend temporarily the duty on 4-bromo-2-fluoroacetanilide; to the Committee on Finance.

S. 2211. To suspend temporarily the duty on propiophenone; to the Committee on Finance.

S. 2212. To suspend temporarily the duty on metachlorobenzaldehyde; to the Committee on Finance.

BILLS TO SUSPEND THE DUTY ON CERTAIN CHEMICALS USED IN THE MANUFACTURING INDUSTRY

Mr. THURMOND. Mr. President, I rise today to introduce nine bills which will suspend the duties imposed on certain chemicals that are important components for a wide array of applications. Currently, these chemicals are imported for use in the United States because there are no known domestic producers or readily available substitutes. Therefore, suspending the duties on these chemicals would not adversely affect domestic industries.

This bill would temporarily suspend the duty on meta-chlorobenzaldehyde; propiophenone; 4-bromo-2-

fluoroacetanilide; 2, 6-dichlorotoluene; menthyl anthranilate; cyclooctene; cyclohexadeca-1, 9-diene; cyclohexadec-8-en-1-one; and high molecular weight polymerized powders, which are used as intermediate chemicals in the manufacturing of a number of products including, but not limited to, fragrances, agricultural inputs, pharmaceuticals, water filters elements, surgical orthopedic hip and knee implants, and fibers used to make bullet-proof vests.

Mr. President, suspending the duty on these chemicals will benefit the consumer by stabilizing the costs of manufacturing the end-use products. Further, these suspensions will allow domestic producers to maintain or improve their ability to compete internationally. I hope the Senate will consider these measures expeditiously.

I ask unanimous consent that the text of these bills be printed in the RECORD.

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

S. 2204

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

SECTION 1. HIGH MOLECULAR, VERY HIGH MOLECULAR, HOMOPOLYMER, NATURAL COLOR, VIRGIN POLYMERIZED POWDERS.

(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:

"	9902.38.00	High molecular, very high molecular, or ultra high molecular weight, homopolymer, natural color, virgin polymerized powders with a specific gravity of < 940 g/liter and molecular weight of 500,000-6,000,000 (as defined by ASTM D4020) containing a maximum nominal 500 ppm calcium stearate with low bulk densities (200–350 g/l) and/or complying with ASTM F648, Types 1,2, and ISO 5834, Types 1, 2, and/or extremely fine or coarse particle sizes (<70 or >250 microns) and/or special dissolution properties. (CAS No. 9002-88-4) (provided for in subheading 3901.20.00)	Free	Free	No change	On or before 12/31/2002	".

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

S. 2205

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

SECTION 1. CYCLOOCTENE (COE).

(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:

"	9902.28.11	Cyclooctene (COE) (provided for in subheading 2902.90.80)	Free	Free	No change	On or before 12/31/2003	".

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

S. 2206

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

SECTION 1. CYCLOHEXADECADLENEL,9 (CHDD).

(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:

"	9902.28.12	Cyclohexadecadlenel,9 (CHDD) (provided for in subheading 2902.90.80)	Free	Free	No change	On or before 12/31/2003	".

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

S. 2207

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

SECTION 1. CYCLOHEXADEC-8-EN-1-ONE (CHD).

(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:

"	9902.28.13	Cyclohexadec-8-en-1-one (CHD) (provided for in subheading 2914.29.00)	Free	Free	No change	On or before 12/31/2003	".

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

S. 2208

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

SECTION 1. NEO HELIOPAN MA (MENTHYL ANTHRANILATE).

(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:

"	9902.08.10	Neo Heliopan MA (Menthyl Anthranilate) (CAS No. 134-09.8) (provided for in subheading 2922.49.27)	Free	Free	No change	On or before 12/31/2003	".

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

S. 2209

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

SECTION 1. 2,6 DICHLOROTOLUENE.

(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:

"	9902.28.08	2,6 Dichlorotoluene (CAS No. 118-69-4) (provided for in subheading 2903.69.70)	Free	No change	No change	On or before 12/31/2003	".

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

S. 2210

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

SECTION 1. 4-BROMO-2-FLUOROACETANILIDE.

(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:

"	9902.28.08	4-Bromo-2-Fluoroacetanilide (CAS No. 326-66-9) (provided for in subheading 2924.21.50) ..	Free	No change	No change	On or before 12/31/2003	".

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

S. 2211

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

SECTION 1. PROPIOPHENONE.

(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:

"	9902.28.08	Propiophenone (CAS No. 93-55-0) (provided for in subheading 2914.39.90)	Free	No change	No change	On or before 12/31/2003	".

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

S. 2212

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

SECTION 1. META-CHLOROBENZALDEHYDE.

(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:

"	9902.28.08	Meta-Chlorobenzaldehyde (CAS No. 587-04-2) (provided for in subheading 2913.00.40)	Free	No change	No change	On or before 12/31/2003	".

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

ADDITIONAL COSPONSORS

S. 484

At the request of Mr. CAMPBELLL, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 484, a bill to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

S. 622

At the request of Mr. KENNEDY, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 622, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 717

At the request of Ms. MIKULSKI, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 717, a bill to amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

S. 1109

At the request of Mr. MCCONNELL, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1109, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1128

At the request of Mr. KYL, the names of the Senator from Georgia (Mr. CLELAND) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 1128, a bill to amend the Internal Revenue Code of 1986 to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers, to provide for a carryover basis at death, and to establish a partial capital gains exclusion for inherited assets.

S. 1133

At the request of Mr. GRAMS, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1133, a bill to amend the Poultry Products Inspection Act to cover birds of the order Ratitae that are raised for use as human food.

S. 1333

At the request of Mr. WYDEN, the names of the Senator from Georgia (Mr. CLELAND) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 1333, a bill to expand homeownership in the United States.

S. 1361

At the request of Mr. STEVENS, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 1361, a bill to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation, relief, and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes.

S. 1630

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1630, a bill to amend title III of the Public Health Service Act to include each year of fellowship training in geriatric medicine or geriatric psychiatry as a year of obligated service under the National Health Corps Loan Repayment Program.

S. 1755

At the request of Mr. DORGAN, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Georgia (Mr. CLELAND), and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of S. 1755, a bill to amend the Communications Act of 1934 to regulate interstate commerce in the use of mobile telephones.