

still instill the same values into their students as did Ms. Kessler, Mrs. Coetzer, and Mrs. Baum: learning two different sets of three R's, not only the traditional writing, reading, and arithmetic, but also rights, responsibility, and respect.

To this end, Wayne Elementary School encourages parents and other members of the community to become involved with the education of their children. In 1998, working in cooperation with the Greening of Detroit and the Ford Motor company volunteers, the children planted trees, bushes and wild flowers during the month of May. The habitat area now serves as an outdoor classroom and each spring the students intend to plant more trees, bushes and flowers.

Two other important programs have recently been developed at Wayne Elementary School. Academic Games, started by Ms. Nicole Stewart, encourages learning achievement while at the same time demonstrating to students that learning can indeed be fun. And in 1995, two chess teams were formed by Mr. Carter and Mr. Cook, a primary team (K-3) and an upper elementary team of fourth and fifth graders. On May 11, these teams will send ten students to Dallas, Texas, to compete against the nation's best elementary school chess players. I would like to wish them the best of luck in that competition.

Mr. President, I applaud all of the teachers, parents, students and administrators whose hard work over the years has made this anniversary possible. On behalf of the entire United States Senate, I wish Anthony Wayne Elementary School a happy 70th birthday, and continued success in the coming years.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Thomas, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

(The nomination received today is printed at the end of the Senate proceedings.)

#### THE FISCAL YEAR 2000 BUDGET REQUEST FOR THE DISTRICT OF COLUMBIA COURTS—A MESSAGE FROM THE PRESIDENT—PM 103

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

*To the Congress of the United States:*

In accordance with the District of Columbia Code, as amended, I am

transmitting the FY 2001 Budget Request of the District of Columbia Courts.

The District of Columbia Courts have submitted a FY 2001 budget request for \$104.5 million for operating expenses, \$18.3 million for capital improvements to courthouse facilities, and \$41.8 for Defender Services in the District of Columbia Courts. My FY 2001 budget includes recommended funding levels of \$98.0 million for operations, \$5.0 million for capital improvements, and \$38.4 million for Defender Services. My transmittal of the District of Columbia Courts' budget request does not represent an endorsement of its contents.

This transmittal also includes information on grants and reimbursements forwarded by the Courts in response to the request in Conference Report H. Rept. 106-479.

I look forward to working with the Congress throughout the FY 2001 appropriations process.

WILLIAM J. CLINTON.  
THE WHITE HOUSE, May 8, 2000.

#### MESSAGES FROM THE HOUSE

At 1:16 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 673. An act to authorize the Administrator of the Environmental Protection Agency to make grants to the Florida Keys Aqueduct Authority and other appropriate agencies for the purpose of improving water quality throughout the marine ecosystem of the Florida Keys.

H.R. 1106. An act to authorize the Administrator of the Environmental Protection Agency to make grants to State agencies with responsibility for water source development for the purpose of maximizing available water supply and protecting the environment through the development of alternative water sources.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 317. Concurrent resolution expressing the sense of the Congress on the death of John Cardinal O'Connor, Archbishop of New York.

The message further announced that pursuant to the provisions of 22 U.S.C. 276h, the Speaker has appointed the following Members of the House to the Mexico-United States Interparliamentary Group, in addition to Mr. KOLBE of Arizona, Chairman, appointed on February 14, 2000: Mr. BALLENGER of North Carolina, Vice Chairman, Mr. DREIER of California, Mr. BARTON of Texas, Mr. EWING of Illinois, Mr. BILBRAY of California, Mr. STENHOLM of Texas, Mr. PASTOR of Arizona, Mr. FILNER of California, Ms. ROYBAL-ALLARD of California, and Mr. FALEOMAVAEGA of American Samoa.

At 3:34 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks,

announced that the Speaker has signed the following enrolled bills:

S. 1744. An act to amend the Endangered Species Act of 1973 to provide that certain species conservation reports shall continue to be submitted.

S. 2323. An act to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the Act.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

#### MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 673. An act to authorize the Administrator of the Environmental Protection Agency to make grants to the Florida Keys Aqueduct Authority and other appropriate agencies for the purpose of improving water quality throughout the marine ecosystem of the Florida Keys; to the Committee on Environment and Public Works.

H.R. 1106. An act to authorize the Administrator of the Environmental Protection Agency to make grants to State agencies with responsibility for water source development for the purpose of maximizing available water supply and protecting the environment through the development of alternative water sources; to the Committee on Environment and Public Works.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 8, 2000, he had presented to the President of the United States, the following enrolled bills:

S. 1744. An act to amend the Endangered Species Act of 1973 to provide that certain species conservation reports shall continue to be required to be submitted.

S. 2323. An act to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the act.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-491. A joint resolution adopted by the Legislation of the State of Idaho relative to the Northern Rockies Protection Act; to the Committee on Energy and Natural Resources.

#### HOUSE JOINT MEMORIAL NO. 6

Whereas, on February 2, 1999, H.R. 488, known as the "Northern Rockies Ecosystem Protection Act," was introduced in the U.S. House of Representatives;

Whereas, the Act is far reaching and would designate wilderness, wild and scenic rivers, national park and preserve study areas, wildland recovery areas, and biological connecting corridors in five northwest states: Idaho, Montana, Oregon, Washington and Wyoming;

Whereas, the Act would create over eight million acres of new wilderness alone, approximately five million acres of which would be in Idaho, more than in any other state;

Whereas, the Act also designates over a million acres along the Idaho-Oregon border as the Hells Canyon/Chief Joseph National Preserve;

Whereas, the Act, a concept presented by the Montana-based environmental group, the

Alliance for the Wild Rockies, was first introduced in 1992 to oppose a bill designating wilderness areas only in the state of Montana;

Whereas, the members of the Idaho congressional delegation opposed the Act in 1992 and continue to oppose it now;

Whereas, the Act is also opposed by the majority of representatives in the Congress from the other affected states: Montana, Oregon, Washington and Wyoming;

Whereas, the lands addressed by the Act closely resemble those at issue in President Clinton's current roadless lands initiative, which is also opposed by the state of Idaho and the Idaho congressional delegation;

Whereas, setting aside so much acreage in Idaho as wilderness, wild and scenic rivers, national park and preserve study areas, wildland recovery areas, and biological connecting corridors would severely reduce employment and income in many areas of the state in which it is difficult to replace the lost money by other means, and would landlock thousands of acres of state endowment land, thereby reducing funds for public education in Idaho. Now, therefore, be it

*Resolved* by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Congress of the United States to oppose H.R. 488, known as the "Northern Rockies Ecosystem Protection Act." Be it further

*Resolved*, that the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Congress of the United States to oppose H.R. 488, known as the "Northern Rockies Ecosystem Protection Act." Be it further

*Resolved*, that the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, support natural resource planning and environmental management featuring site-specific management decisions made by local decision-makers, local citizens and parties directly and personally affected by land and resource management decisions. Be it further

*Resolved* that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the state of Idaho in the Congress of the United States.

POM-492. A joint resolution adopted by the Legislature of the State of Idaho relative to additional de facto wilderness in Idaho; to the Committee on Energy and Natural Resources.

#### HOUSE JOINT MEMORIAL NO. 7

Whereas, Idaho is a state which has sixty-six percent of its landmass controlled by the federal government; and

Whereas, access to Idaho's public lands is a vital part of Idaho's natural resource economy as well as an important part of our citizens heritage, recreation and enjoyment; and

Whereas, Idaho currently has 4,081,315 acres of wilderness which is sufficient; and

Whereas, President Clinton has proposed to establish another nine million acres of defacto wilderness in Idaho by declaring certain public lands in the state to be roadless; and

Whereas, Idaho Governor Dirk Kempthorne requested a longer comment period for Idaho citizens to study and comment on the roadless plan and his request was summarily denied by the United States Forest Service; and

Whereas, the state of Idaho has been compelled to initiate a lawsuit to protect its in-

terests in Idaho land designated as public; and

Whereas, roadless areas prevent access to the forests of Idaho and negatively affect forest health by preventing intervention in disease, insect infestations and fire suppression. Now, therefore, be it

*Resolved* by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Congress of the United States is urged to pass legislation negating any Presidential Executive Order President Clinton may issue regarding additional defacto wilderness and instructing the United States Forest Service and the Bureau of Land Management to maintain roads and access into the public lands in Idaho. Be it further

*Resolved* that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-493. A joint resolution adopted by the Legislature of the State of Idaho relative to extending the deadline on the notice of intent to solicit comments on two draft environmental impact statements, one set of draft rules and a draft environmental assessment; to the Committee on Energy and Natural Resources.

#### SENATE JOINT MEMORIAL NO. 105

Whereas, on October 19, 1999, the United States Forest Service announced a vast "rulemaking process to propose the protection of the remaining roadless areas within the National Forest System." 64 FR 56306. This rulemaking purportedly includes two draft environmental impact statements, at least one set of draft rules, and a draft environmental assessment; and

Whereas, the Notice of Intent (NOI) solicits comments "on the scope of the analysis that should be conducted" and "on the identification of alternatives to the proposal" that will be set out in this multitude of documents. The NOI then provides prospective commentators with slightly more than sixty days to comment on this enormous and poorly defined proposal. The NOI is an unacceptable affront to the promise of meaningful public participation that is the centerpiece of the National Environmental Policy Act (NEPA); and

Whereas, more than forty million acres of land in the West could be affected by the actions contemplated in the NOI. A permanent moratorium on Forest Service road development will have a devastating impact on timber communities in the West. The proposed moratorium will destroy attempts to develop recreational economies in the West and deny access to huge areas of the West to all but the able-bodied. The sum, the moratorium will deny thousands of citizens the opportunity to use, enjoy and benefit from the land; and

Whereas, the process used by the Forest Service to consider such a potentially severe decision must reflect absolute fairness and deliberation. The NOI demonstrates neither of those traits. No specific proposals are identified. No preliminary findings are referenced; and

Whereas, these failures violate one of NEPA's primary objectives of encouraging and facilitating "public involvement in decisions which affect the quality of the human environment." 40 CFR 1500.2(d); and

Whereas, the NOI states that it "initiates the scoping process." 64 FR 56307. However, the NOI does not identify "the significant

issues related to [the] proposed action," as is required by federal regulations. 40 CFR 1501.7. The NOI does does not encourage "the participation of affected federal, state and local agencies" and the regulations implementing NEPA anticipate. 40 CFR 1501.7(a)(1); and

Whereas, the ambiguity and confusion that characterize the NOI are compounded by the fact that the comment period is so brief. Title II 40 CFR 1501.8(b)(1)(i)-(viii) specifically set out considerations that the Forest Service should be using in determining the time limits for soliciting comments on the NOI.

"(b) The agency may:

(1) Consider the following factors in determining time limits:

(i) Potential for environmental harm.

(ii) Size of the proposed action.

(iii) State of the art of analytic techniques.

(iv) Degree of public need for the proposed action, including the consequences of delay.

(v) Number of persons and agencies affected.

(vi) Degree to which relevant information is known and if not known the time required for obtaining it.

(vii) Degree to which the action is controversial.

(viii) Other time limits imposed on the agency by law, regulations or executive order."; and

Whereas, it should be obvious that all of these factors support a careful, deliberate, consideration of the environmental impacts of the proposed permanent moratorium. The expedited deadline in the NOI is completely inconsistent with 40 CFR 1501.8(b); and

Whereas, in an October 28, 1999, letter to forest service managers, Mike Dombeck, Chief of the U.S. Forest Service suggested that the Forest Service is attempting to complete the environmental analysis of a permanent moratorium in a "short time frame." The U.S. Forest Service should not be trying to ramrod a decision that will shut down forty million acres of western lands into "a short time frame." You should be honoring the spirit, not to mention the clear mandate, of NEPA by providing meaningful opportunity for public participation and careful, principled, environmental analysis; and

Whereas, the closing date for public comments was set for December 20, 1999. With decisions on the management of over forty million acres of land in the West at stake, the time is clearly not adequate time for officials to thoroughly review and analyze the proposal, and to provide the Forest Service with informed and substantive comment. Now, therefore, be it

*Resolved* by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request that the U.S. Forest Service extend the deadline to submit comments on the NOI by one hundred twenty days. An expedited consideration of this request is appreciated. Be it further

*Resolved* that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Chief of the United States Forest Service, President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-494. A joint resolution adopted by the Legislature of the State of Idaho relative to a United States Forest Service proposed rule regarding forest service land and resource management planning; to the Committee on Energy and Natural Resources.

## SENATE JOINT MEMORIAL NO. 106

Whereas, the United States Forest Service (USFS) published in the Federal Register on October 5, 1999, a proposed rule regarding forest service land and resource management planning; and

Whereas, the Legislature of the State of Idaho advocates improvements to the forest planning regulations; and

Whereas, the USFS needs to simplify, clarify and otherwise improve the planning process as well as reduce the burdensome and costly procedural requirements, and strengthen collaborative relationships with the public and other governmental entities; and

Whereas, the USFS organic act calls for multiple use in managing the national forests with meaningful public input; and

Whereas, the proposed rules are inconsistent with the legislative direction for multiple uses and high-level sustained yield outputs of the renewable timber resource; and

Whereas, timber production must remain a primary use in the National Forest System; and

Whereas, the proposed rules would alter the multiple use and sustained yield mandate prescribed by Congress. Moreover, they reverse the multiple use priorities set by Congress by subordinating timber production to achievement of biological diversity and similar ecosystem goals; and

Whereas, no other law provides authority for the Forest Service to alter the course of management and primary purposes set by Congress for management of the National Forest System; and

Whereas, the proposed rules lack commitment to carrying out economic multiple uses; and

Whereas, the proposed rules fail to provide direction on which plan revisions and amendments require environmental impact statements. Procedures and standards should be revised for significant plan amendments; and

Whereas, the proposed rules provide no effective date for the adoption of an amendment or plan revision. Now, therefore, be it

*Resolved* by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we request the United States Forest Service not move forward with final rule based on the October 5, 1999, proposal. Ecological sustainability must start looking at current conditions of the national forests and determining the desired future conditions, which should be healthy forests for the American people to use and enjoy. There should be aggressive, active management, rather than passive management, to restore the health of all land identified as being high risk to insect and disease infestation and/or catastrophic wildfire. Prohibiting management puts our forests at risk to insects, diseases and fire. These proposed rules will cause greater damage to our forests in the long run. Be it further

*Resolved*, that the Legislature of the State of Idaho encourages the agency to readdress its entire approach to ecosystem management. The agency needs to streamline and clarify the forest planning and decision-making processes, strengthen relationships with the public, ensure long-term sustainability of forest ecosystems, and promote adaptive management. The proposed rules cannot accomplish these critical goals in its current form. Ecosystem management and forest planning cannot be successful if the process becomes the goal. Ecosystem management must instead be considered a tool to accomplish the goals which are set in law and through the development of forest plans. Be it further

*Resolved* that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-495. A joint resolution adopted by the Legislature of the State of Idaho relative to the Bureau of Land Management actions relating to grazing in Owyhee County; to the Committee on Energy and Natural Resources.

## SENATE JOINT MEMORIAL NO. 107

Whereas, a developing scenario in Owyhee County has been brought to the attention of the Legislature, and it is appropriate that public attention be drawn to this situation as representative of other similar events occurring in Idaho; and

Whereas, the Bureau of Land Management is charged with management of lands in Owyhee County known as the Cliffs Allotment; and

Whereas, the BLM has notified holders of grazing permits in the Cliffs Allotment that the grazing season will be reduced by two and one-half months which is a 53% reduction in the grazing allotment; and

Whereas, the area is managed to meet a requirement of six inch stubble height at the end of the grazing season, a goal which the BLM says has not been met despite photographic evidence and independent monitoring to the contrary; and

Whereas, federal law requires one year's notice before any significant reduction in grazing is ordered, a requirement which has clearly not been met in this case; and

Whereas, a reduction of the size now contemplated would effectively put five ranching families, with a long history in the Cliffs Allotment and evidence of management efforts which have actually improved the conditions of the allotment, out of business; and

Whereas, the BLM is acting with callous disregard of the local economy, the law, and the best interests of the land and the people of Idaho; and

Whereas, the BLM must be brought to recognize and consider all of the interests which are indigenous to the locale including the legitimate goals of citizens who make their living off the land. Now, therefore, be it

*Resolved* by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we join together with the citizens of Owyhee County in their grievance against the untenable action of the Bureau of Land Management in limiting grazing permits with a reduction of the grazing season by two and one-half months. Further, we urge thoughtful reconsideration not only of this decision, but the accumulating body of management decisions made by the Bureau of Land Management which are resulting in further reductions in the resources available to Idahoans who live off the land. Be it further

*Resolved* that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the Director of the Idaho Office of the Bureau of Land Management, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-496. A joint resolution adopted by the Legislature of the State of Idaho relative to agreements made at the Idaho-Canada Summit regarding agriculture; to the Committee on Finance.

## HOUSE JOINT MEMORIAL NO. 9

Whereas, on January 19 and 20, 2000, an agricultural summit was held in Boise, Idaho, involving representatives from the governments of the United States and Canada, the provinces of Alberta, Manitoba, and Saskatchewan, and the states of Idaho, Oregon, Washington and Montana, and representatives from the beef and potato industries of those provinces and states; and

Whereas, through discussions, and the exchange of information and briefings from government and industry, a dialogue was initiated and consensus reached in certain areas of mutual concern; and

Whereas, both the Alberta and Idaho conference attendees agreed that they would communicate points of agreement to their national governments through a formal communication, which this memorial embodies and constitutes. Now, therefore, be it

*Resolved*, by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support the agreements made at the Idaho-Canada Summit, and urge the United States Congress and the United States trade representative to meet with the Canadian government to review and reconcile their statistics concerning the cattle and beef industry, so that the industries on both sides of the border have access to accurate, comparable and timely data. Be it further

*Resolved*, That the states and provinces involved in the Pacific Northwest Cattle Project meet and develop a consistent set of cattle statistics and a single methodology for gathering and reporting these statistics, and also improve communication through regional meetings, tours and exchanges. Be it further

*Resolved*, That the United States Department of Agriculture and Agriculture Canada work towards the removal of federal certificates and federal endorsement requirements for the movement of cattle between Canada and the United States within the Northwest region. Be it further

*Resolved*, That the states and provinces involved should be encouraged to expand the Pacific Northwest Cattle Project for feeder cattle from six months to twelve months access and expand the project to include other classes of cattle. Be it further

*Resolved*, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-497. A joint resolution adopted by the Legislature of the State of Idaho relative to shipments of potatoes between the United States and Canada; to the Committee on Finance.

## HOUSE JOINT MEMORIAL NO. 8

Whereas, on January 19 and 20, 2000, an agricultural summit was held in Boise, Idaho, involving representatives from the governments of the United States and Canada, the provinces of Alberta, Manitoba and Saskatchewan, and the states of Idaho, Oregon, Washington and Montana, and representatives from the beef and potato industries of those provinces and states;

Whereas, through discussions, the exchange of information and briefings from government, industry and university personnel, a dialogue was initiated and consensus reached in certain areas of mutual concern;

Whereas, both the Alberta and Idaho conference attendees agreed that they would

communicate points of agreement to their national governments through a formal communication, which this memorial embodies and constitutes. Now, therefore, be it

*Resolved, by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein,* That we support the agreements made at the Idaho-Canada Summit, and urge the United States Congress and the United States trade representative to urge the government of Canada to remove the prohibition on bulk shipment of potatoes between the United States and Canada; and to recognize that United States Department of Agriculture marketing orders should be considered as a quality assurance measure and not as a technical trade barrier. Be it further

*Resolved,* That the United States government should make every effort to quickly harmonize and equalize laboratory testing of potatoes so that there is mutual acceptance of each country's respective test results. Be it further

*Resolved,* That the dialogue initiated during these meetings should be continued through further meetings of smaller working groups comprised of industry, state and provincial representatives and that their recommendations should be given great weight by their respective national governments. Be it further

*Resolved,* That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the state of Idaho in the Congress of the United States.

POM-498. A joint resolution adopted by the Legislature of the State of Idaho relative to full deductibility from federal income taxes of health insurance premiums for individuals, the self-employed small groups; to the Committee on Finance.

#### SENATE JOINT MEMORIAL NO. 108

Whereas, the Health Insurance Premiums Task Force was established to identify, explore and address causes of the alarming increase in the costs of health insurance; and

Whereas, in the course of its examination the task force received extensive information, data and testimony from consumers, employers and representation of the health care industry, including carriers, agents, pharmaceutical manufacturers, pharmacists, hospitals, physicians and other health care providers; and

Whereas, the task force found that federal and state reforms and mandates, including those requiring guaranteed issue of insurance policies in the individual and small group insurance markets, have created a segment of high risk individuals who must be insured, causing the entire population, and particularly the healthy, to pay much more for health insurance; and

Whereas, the task force further found that the dramatic increase in premium rates has driven expanding numbers of healthy individuals into the ranks of the uninsured, resulting in even greater costs to insurers to provide required coverage for the high risk unhealthy population, and greater costs to the remaining insured population; and

Whereas, the task force also determined that costs to provide health care and treatment for uninsured individuals is another significant factor in the high cost of health insurance; and

Whereas, the task force concluded that among other possible solutions, providing full deductibility from federal income taxes of health insurance premiums for individ-

uals, the self-employed and small employers would bring the healthy back into the insured market, lower costs to employers who must provide coverage, reduce the uninsured population, and restore a balance of risk in the market that will make health insurance more affordable and accessible. Now, therefore, be it

*Resolved by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein,* That federal legislation be enacted providing full deductibility from federal income taxes of health insurance premiums for individuals, the self-employed and small groups. Be it further

*Resolved,* That the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this memorial to the President and Vice President of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the state of Idaho in the Congress of the United States, the President of the Senate and the Speaker of the House of Representatives of each State Legislature, and to the presidential candidates.

POM-499. A resolution adopted by the Senate of the General Assembly of the State of Illinois relative to Social Security; to the Committee on Finance.

#### SENATE JOINT RESOLUTION NO. 32

Whereas, Social Security provides American workers and their families with universal, contributory, wage-related, inflation-adjusted benefits in the event of the retirement, disability or death of a wage earner; and

Whereas, Social Security is more than a retirement program, it is a family program; without Social Security, about 54 percent of the population aged 65 and over, and more than 15 million beneficiaries overall, would be living in poverty; about 98 percent of children under age 18 can count on monthly cash benefits if a working parent dies; seven and a half million Americans with disabilities currently benefit from the program; and

Whereas, throughout its existence as a federal program, Social Security's trustees and administrators have carefully modified the benefit and financing structure to ensure the program's viability in light of demographic and economic developments; and

Whereas, congressional leaders and the President are seeking to engage the American people in a dialogue about Social Security that could lead toward enactment of bipartisan legislation ensuring Social Security's long-term solvency; and

Whereas, Social Security is not in crisis and, without any changes, could pay full benefits until 2032 and 75 percent of benefits thereafter based on the most recent projections of the Social Security Board of Trustees; and

Whereas, the long-term solvency of Social Security can be ensured for future generations with measured and timely adjustments to the program made by Congress; and

Whereas, the federal Medicare program provides health care for the nation's citizens who qualify for Medicare benefits; and

Whereas, Medicare benefits are the subject of reform discussions in the United States Congress; and

Whereas, participants in the federal Medicare program do not currently enjoy full coverage for prescription medication; therefore, be it

*Resolved, by the Senate of the ninety-first general assembly of the State of Illinois, the House of Representatives concurring herein,* That the Congress of the United States of America is hereby petitioned to preserve So-

cial Security as a contributory social insurance system where risk is pooled among all workers and participation is mandatory within a covered group; and be it further

*Resolved,* That the Congress of the United States of America be urged to ensure the long-term financial viability of Social Security, as described above, and restore public confidence in the future of the program; and be it further

*Resolved,* That Social Security must continue as a federal program, having a unified program allows for the portability of benefits, disability and family support protections, and maximum retirement security for low and moderate wage earners; and be it further

*Resolved,* That we urge the Congress of the United States of America to provide full benefit coverage for prescription medication under the federal Medicare program; and be it further

*Resolved,* That suitable copies of this resolution be delivered to the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Illinois congressional delegation.

POM-500. A concurrent resolution adopted by the Legislature of the State of West Virginia relative to the Internal Revenue Code; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 68

Whereas, The State of West Virginia has an aggregate unfunded liability in its pension programs of some four billion dollars; and

Whereas, The Governor of West Virginia has proposed to the West Virginia Legislature and the West Virginia Legislature has enacted Senate Bill 175 providing for the issuance of pension bonds to fund the retirement plans of the State of West Virginia and to fix the amortization of the current, unfunded liability; and

Whereas, If all of the bonds to be issued pursuant to this legislation could be issued as "tax-exempt" bonds, so that the income received therefrom by the holders of said bonds were exempt from federal income taxes, then the bonds could be issued at substantially lower interest rates than they will pay as taxable bonds, resulting in the savings of tens of millions of dollars to the citizens of West Virginia; and

Whereas, In this area of large federal budgetary surpluses, it seems reasonable that the United States of America could take this modest action to assist West Virginia, whose citizens, while being patriotic Americans, still enjoy lower per capita incomes than do the citizens of most other sister states; therefore, be it

*Resolved by the Legislature of West Virginia:* That the West Virginia Legislature does hereby respectfully request that the United States Congress will enact appropriate legislation to amend the Internal Revenue Code to permit the pension bonds to be issued and sold as "tax-exempt" bonds, so that the income received from said bonds by the holders thereof would be exempt from federal income taxes; and, be it

*Further Resolved,* That the Clerk of the West Virginia House of Delegates is directed to forward copies of this resolution to the Clerk of the United States Senate and the Clerk of the United States House of Representatives and to the members of the West Virginia Congressional Delegation including The Honorable Robert C. Byrd, The Honorable John D. Rockefeller, IV, The Honorable Alan B. Mollohan, The Honorable Robert E. Wise, Jr. and The Honorable Nick Joe Rahall, II.

POM-501. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to Mortgage Revenue Bonds; to the Committee on Finance.

#### SENATE RESOLUTION NO. 139

Whereas, State and local governments sell tax-exempt Mortgage Revenue Bonds (MRBs) and pass on the interest savings in discount mortgages to low income first-time home buyers for rehabilitation and energy improvements for existing homes, and to older home owners to use to draw on their home equity for living costs; and

Whereas, Each state's annual supply of MRBs is grouped under a more than 12-year-old limit with tax-exempt bonds for industrial development, public-private partnerships for municipal services, redevelopment of blighted areas, and student loans. This limit is \$50 per state resident and has never been adjusted for inflation. Last session, the federal Omnibus Appropriations Act contained partial, phased-in cap relief, but it does not take full effect until 2007; and

Whereas, Since 1986, when the limit was enacted, the economy has doubled in size, home prices for first-time buyers have nearly doubled, and inflation has increased by 50 percent. As a result, MRBs have lost nearly 50 percent of their purchasing power. Moreover, the bond limit is curtailing Michigan's ability to meet its housing needs; and

Whereas, More than 67 percent of low and moderate income renters desperately want to own their own homes. Yet, millions of teachers, fire fighters, police officers, and industrial, service, and agriculture workers are denied the opportunity of home ownership because their incomes are insufficient; and

Whereas, MRBs have made first-time home ownership possible for 2 million low-income families, about 125,000 every year. A typical MRB mortgage saves as much as \$100 a month in comparison to a conventional mortgage. MRBs also provide low-income workers with down payment and closing cost assistance; and

Whereas, Raising the bond limit would cost just over \$1 billion of the \$143 billion budget surplus the Congressional Budget Office projects over the next 5 years. These additional bonds will create thousands of jobs and generate billions in wages and tax revenues, paying back a significant portion of their cost to the United States Department of Treasury; now, therefore, be it

*Resolved by the Senate*, That we memorialize the Congress of the United States to enact legislation to increase the state ceiling on Mortgage Revenue Bonds and index it in accordance with the Consumer Price Index; and be it further

*Resolved*, That a copy of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, and members of the Michigan congressional delegation.

POM-502. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia relative to protecting senior assets from liquidation to meet the eligibility requirements for federal medical and long-term care benefits; to the Committee on Finance.

#### SENATE JOINT RESOLUTION NO. 163

Whereas, throughout our nation's history, older generations of Americans have contributed greatly to the prosperity of the United States; and

Whereas, older Americans have always recognized the value of the economic freedoms that our forefathers fought to ensure; and

Whereas, older Americans have always been leaders in the realms of business and industry, serving as mentors and teachers to

ensure that younger generations would have the knowledge and skills to carry on; and

Whereas, throughout their toil and enduring commitment to the principles of freedom, older Americans have laid the foundation for the economic prosperity and financial security of all Americans; and

Whereas, during the early years of the twentieth century, the current generation of older Americans have worked hard to ensure that their families and communities could continue to enjoy this financial security for generations to come; and

Whereas, they endured the struggle of the Great Depression, undergoing countless hardships as they rebuilt this nation, by the sweat of their brows, both economically and spiritually; and

Whereas, they fought in wars to preserve the liberties that have enabled our nation to earn its place as the economic leader in the world; and

Whereas, throughout those hardships, the current generation of older Americans learned to appreciate the importance of preserving assets—the homes, land, durable goods, and “nest eggs” they had managed to hold onto despite the economic challenges they had faced; and

Whereas, today, these personal assets help them maintain the dignity, independence, and health they so cherish as Americans; and

Whereas, with nursing home care now costing an average of \$40,000 to \$50,000 per year, long-term care expenses can have a catastrophic effect on families, wiping out a lifetime of savings; and

Whereas, steps need to be taken to inform the public about the financial risks posed by rapidly increasing long-term care costs and about the need for families to plan for their long-term care; and

Whereas, the federal laws governing the rules of qualification for federal medical and long-term care benefits force many older Americans to liquidate their assets, including their homes and life savings; and

Whereas, these confiscatory policies impose unjust and inequitable burdens on older Americans who have contributed so much to our economic security; and

Whereas, widespread use of private long-term care insurance has the potential to protect families from the catastrophic costs of long-term care services while, at the same time, easing the burden on the federal government to provide medical and long-term care benefits; now, therefore, be it

*Resolved by the Senate, the House of Delegates concurring*, That the Congress of the United States be urged to protect senior assets from liquidation to meet the eligibility requirements for federal medical and long-term care benefits; and be it

*Resolved further*, That the Congress of the United States be urged to ensure that persons who purchase long-term care insurance policies will be able to protect their assets equal in value to the policy purchased; and be it

*Resolved finally*, That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia Congressional Delegation in order that they may be apprised of the sense of the General Assembly of Virginia in this matter.

POM-503. A joint resolution adopted by the Legislature of the State of Idaho relative to increased Medicare reimbursements; to the Committee on Finance.

#### SENATE JOINT MEMORIAL NO. 109

Whereas, alarming increases in the costs of health care and health insurance have caused a health care crisis of epidemic proportions;

Whereas, the Idaho Health Insurance Premiums Task Force was established to identify, explore and address the causes of this crisis; and

Whereas, in the course of its examination the task force received extensive information, data and testimony from consumers, employers, and representatives of the health care industry, including carriers, agents, pharmaceutical manufacturers, pharmacists, hospitals, physicians and other health care providers; and

Whereas, the task force found that among the factors contributing to inflated health care and insurance costs are an aging population, new and more expensive technologies, advancements in drug therapy and greater reliance upon costly designer pharmaceuticals, as well as increasing consumer demand, utilization and expectations with respect to health care services; and

Whereas, the task force further determined that reimbursements to providers for health care services furnished to patients receiving Medicare are significantly below the actual costs to the provider to furnish these health care services; and

Whereas, providers are finding it necessary to recoup losses incurred to serve Medicare patients from other sources, including shifting costs to non-Medicare patients, which leads to higher claims expenses to insurers and increased premium rates to the insured; and

Whereas, some providers are no longer taking Medicare patients because of the providers' inability to recover their costs, thus reducing provider availability and limiting access to health care for many who are most in need of health care services. Now, therefore, be it

*Resolved by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein*, That federal legislation be enacted to increase Medicare reimbursements to levels allowing providers to fully recover the actual costs of providing necessary health care services to Medicare eligible patients. Be it further

*Resolved*, That the members of the Idaho Legislature respectfully suggest that if the President and Congress are sincere in their resolve to find solutions to the health care crisis they should start by funding Medicare at appropriate levels. Be it further

*Resolved*, That the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this memorial to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of Congress, to the congressional delegation representing the state of Idaho in the Congress of the United States, to the President of the Senate and the Speaker of the House of Representatives of each State Legislature, and to the presidential candidates.

POM-504. A joint resolution adopted by the Legislature of the State of Idaho relative to the Coeur d'Alene Basin; to the Committee on Environment and Public Works.

#### SENATE JOINT MEMORIAL NO. 111

Whereas, the United States Environmental Protection Agency (EPA) continues to engage in unilateral actions regarding efforts to expand the existing twenty-one square mile Superfund site to include the entire 1,500 square mile Coeur d'Alene River Basin; and

Whereas, the EPA staff members working on Coeur d'Alene Basin issues continue to disregard the views of Idaho's citizens and elected officials; and

Whereas, the EPA has already spent many millions of dollars in the Coeur d'Alene

Basin outside the existing Superfund site without any meaningful cleanup to date; and

Whereas, the EPA has undertaken the steps to complete a Remedial Investigation/Feasibility Study (RI/FS) even though the basin is not listed on the national priorities list; and

Whereas, the state of Idaho has been previously granted the leadership role in the Human Health Risk Assessment portion of the RI/FS; and

Whereas, the EPA efforts to bifurcate the RI/FS process appear detrimental to current settlement discussions among all of the parties; and

Whereas, the state of Idaho, the Governor and the Director of the Department of Environmental Quality, have taken the leadership role in development of a plan to remediate the problems in the basin and have actively gained support of local units of government, local citizens, tribal members and responsible parties. Now, therefore, be it

*Resolved by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein,* That we strongly support efforts by the Idaho Department of Environmental Quality to assert and maintain the leadership role in designing and implementing a solution to the multiple dilemmas in the Coeur d'Alene Basin. Be it further

*Resolved,* That we request the Environmental Protection Agency to use its authority to support efforts by the Idaho Department of Environmental Quality to resolve this problem and to refrain from any strategic delays, unilateral decisions or media manipulation. Be it further

*Resolved,* That we request a letter be sent from the Administrator of the Environmental Protection Agency to the Region 10 office of the EPA instructing the region to fully support and cooperate with the Governor of the State of Idaho and the Director of the Idaho Department of Environmental Quality in reaching a settlement in these matters. Be it further

*Resolved,* That the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, to the Administrator of the United States Environmental Protection Agency, to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-505. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia relative to the Southern Dairy Compact and the federal Clean Water Act; to the Committee on Environment and Public Works.

#### SENATE JOINT RESOLUTION NO. 255

Whereas, the dairy industry is an essential agricultural activity of the South, and dairy farms and associated suppliers, marketers, processors, and retailers are an integral component of the region's economy; and

Whereas, the ability of dairy producers to provide a stable, local supply of pure, wholesome milk is a matter of great importance to the health and welfare of the Commonwealth and region; and

Whereas, milk is Virginia's number two livestock commodity in terms of cash receipts, and dairy farms are an integral part of the Commonwealth's rural communities; and

Whereas, the United States has lost two-thirds of its dairy farms since 1975; and

Whereas, because of the perishable nature of milk and the fact that milk production is capital intensive and generates a low profit

margin based on equity, dairy farmers are uniquely vulnerable to fluctuations in market prices; and

Whereas, the price of milk dropped forty percent on one month during the spring of 1999; and

Whereas, recognizing the interstate character of the southern dairy industry, Virginia and several other southern states have enacted the Southern Dairy Compact, for the purpose of taking such steps as are necessary to ensure the continued viability of dairy farming in the South, and to assure consumers of an adequate, local supply of pure and wholesome milk; and

Whereas, Congress has not yet approved the Southern Dairy Compact; and

Whereas, the federal Clean Water Act requires states to develop Total Maximum Daily Loads (TMDLs), which must be approved by the United States Environmental Protection Agency (EPA); and

Whereas, TMDLs are written plans and analyses established to ensure that a particular impaired water body will attain and maintain water quality standards; and

Whereas, the EPA may require that Virginia's TMDLs impose requirements on farmers to control nonpoint source pollution; and

Whereas, both the failure of Congress to approve the Southern Dairy Compact and the threat of environmental regulation of farms add to the uncertain future of dairy farming in Virginia; now, therefore, be it

*Resolved by the Senate, the House of Delegates concurring,* That Congress be urged to protect Virginia's dairy industry by approving the Southern Dairy Compact and ensuring that the federal Clean Water Act is implemented in a way that does not place an undue burden on farmers; and, be it

*Resolved further,* That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia Congressional Delegation in order that they may be apprised of the sense of the General Assembly of Virginia in this matter.

POM-506. A joint resolution adopted by the Legislature of the State of Idaho relative to water quality goals; to the Committee on Environment and Public Works.

#### HOUSE JOINT MEMORIAL NO. 10

Whereas, the state of Idaho is fully committed to achieving and maintaining water quality for public use and recreation and the protection and aquatic ecosystem; and

Whereas, substantial progress has already been made toward this objective nationwide through the investment of almost one trillion dollars by the municipal and industrial sectors of the economy and an effective federal, state and local partnership with the private sector, in which the states have primary and lead authority; and

Whereas, the state's direct experience demonstrates that achievement of water quality goals depends upon the use of sound science and quality of data, an interactive approach to water quality management, a commitment to accommodating economic development, and careful investment of limited resources to maximize environmental benefits, and broad-based public support; and

Whereas, the state's direct experience also demonstrates that the remaining water quality challenges are complex, difficult and site-specific, requiring tailored solutions, better science and monitoring data; and

Whereas, the state has many effective regulatory and cooperative programs underway that are achieving better and greater protection of water quality that can be achieved with a prescriptive federal approach; and

Whereas, Section 303(d) of the Clean Water Act, pertaining to total maximum daily

loads (TMDLs), is but one of the many tools that the state and local government have to assure effective water quality management and is not always the most efficient and effective; and

Whereas, the U.S. Environmental Protection Agency's recently proposed TMDL regulations exceed their authority; impose upon the states many new prescriptive, costly, unattainable and often unnecessary requirements; position the U.S. Environmental Protection Agency to arbitrarily take over state program activities; and halt economic development in many waters far into the future; and

Whereas, the proposed regulations impose "unfunded mandates" on the state agencies; and

Whereas, the proposed regulations circumvent the state-based best management practices approach under Section 319 of the Clean Water Act to managing nonpoint source runoff from land-based activities, such as forestry, and superimpose a federal regulatory program on millions of landowners, reversing more than two decades of precedent under the Clean Water Act; and

Whereas, the proposed regulations contain inconsistent and vague terminology that will lead to more state and federal litigation and misallocation of resources while stifling creativity and development of more cost-effective approaches at the state level. Now, therefore, be it

*Resolved by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein,* That the United States Environmental Protection Agency should, in partnership with the states, reconsider and significantly revise its TMDL proposed regulations and guidance, while taking a more reasonable approach that:

1. Recognizes the limits of the TMDL statutory tool and relies on the many effective approaches states have undertaken under the Clean Water Act and other statutory authorities in partnership with local government, federal agencies and the private sector;

2. Uses Section 303(e) rather than Section 303(d) to inventory water quality generally and establishes a more focused basis for listing of waters under Section 303(d);

3. Provides states the ability to deal, in the most reasonable, cost-effective manner possible, with complex or difficult water quality situations, such as where legacy pollutants, air deposition and nonpoint sources contribute to impairment;

4. Provides fair and workable procedures for issuing new or renewed permits, which allow flexibility in making reasonable progress in reducing loadings, without imposing unnecessary restrictions stifling economic growth;

5. Postpones the April 2000 listing of 303(d) waters for which TMDLs will be required until two years after promulgation of changes to the existing regulations;

6. Is performance based, enabling states to take alternative "functionally equivalent" approaches through regulatory and other means states deem appropriate so long as their water quality standards will be achieved; and

7. Focuses the federal government on the priority need for better funding of state monitoring and watershed technical assistance. Be it further

*Resolved* That we request the congressional authorizing committees and other interested committees to conduct comprehensive hearings on the proposed rules and the Section 303(d) program in general, and ensure that a comprehensive analysis of the economic and program impacts of the entire TMDL program is completed; and be it further



*Resolved* That due to the continued proliferation of lawsuits, court orders and consent decrees that are placing an onerous burden on many states, the U.S. Environmental Protection Agency should support state efforts to renegotiate those requirements based on improvements made to the national program. Be it further

*Resolved* That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the state of Idaho in the Congress of the United States.

POM-507. A joint resolution adopted by the Legislature of the State of Idaho relative to the establishment of an Idaho State Veterans Cemetery; to the Committee on Veterans' Affairs.

#### HOUSE CONCURRENT RESOLUTION NO. 46

Whereas, Idaho is the only state in the nation without a state or federally-supported cemetery for its wartime veterans; and

Whereas, Thirty-two states currently have, or are planning, the construction of a state cemetery; and

Whereas, Idaho World War II veterans are dying at an alarming rate and deserve to be laid to rest in a field of honor befitting their sacrifices; and

Whereas, the federal government will commit funding for one hundred percent of planning, construction and support equipment costs for the establishment of a state veterans cemetery for Idaho; and

Whereas, the state of Idaho is obligated to provide the land and perpetual funding for operation and maintenance of the cemetery; and

Whereas, a land donor has committed sufficient acreage in the Hidden Hollow subdivision of Boise, Idaho, located north of Dry Creek Cemetery, west of old Highway 55; and for the purposes of applicable taxes, the real property, when accepted by the state of Idaho, shall be considered a gift with the understanding that the property shall revert to the donor if a veterans cemetery is not constructed on such property; and

Whereas, funding for the continued operation and maintenance of the state veterans cemetery shall be derived from veterans motor vehicle license plates; and

Whereas, preliminary estimates gained through proposed bids for operation and maintenance of the cemetery are less than one hundred thousand dollars annually. Now, therefore, be it

*Resolved* by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, That we support the establishment and perpetual maintenance and operation of an Idaho state veterans cemetery. Be it further

*Resolved* That it is the intent of the Legislature that two hundred thousand dollars be appropriated for fiscal year 2001 for cemetery design, and that such amount be reimbursed to the state of Idaho by the federal Veterans Administration. Be it further

*Resolved* That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this resolution to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the state of Idaho in the Congress of the United States.

POM-508. A joint resolution adopted by the Legislature of the State of Washington relative to the National World War II Veterans' Memorial; to the Committee on Veterans' Affairs.

Whereas, The people of the State of Washington, have dedicated a wonderful World War II memorial to honor our committed citizens who lived and died through this period of history to ensure freedom and prosperity to future generations; and

Whereas, The people of the State of Washington wish to participate with the Congress at the national level to add their sincere thanks to all American veterans of World War II for their courage, patriotism, and sacrifice;

Now, therefore, Your Memorialists respectfully pray that the Congress accept the support of the people of the State of Washington for the National World War II Veterans' Memorial, a most well-deserved and worthy project.

*Be it resolved*, That copies of this Memorial be immediately transmitted to the Honorable William J. Clinton, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-509. A resolution adopted by the Council of the City of Cincinnati, Ohio relative to redefinition of Federal Aviation Administration district boundaries; to the Committee on Commerce, Science, and Transportation.

POM-510. A resolution adopted by the Counsel of the City of Cincinnati, Ohio relative to implementation of voluntary noise mitigation measures at the Kenton County Airport; to the Committee on Commerce, Science, and Transportation.

POM-511. A resolution adopted by the Counsel of the City of Cincinnati, Ohio relative to implementation of noise mitigation measures in historic structures, places of worship, education and public accommodation in the Ohio/Kentucky/Indiana region; to the Committee on Commerce, Science, and Transportation.

POM-512. A resolution adopted by the Senate of the General Assembly of the State of Illinois relative to submission to the states for their ratification an amendment to the Constitution to restrict the ability of the Supreme Court to mandate any state or political subdivision of the state to levy or increase taxes; to the Committee on the Judiciary.

#### SENATE RESOLUTION NO. 216

Whereas, Unfunded mandates by the United States Congress and the executive branch of the federal government increasingly strain already tight state government budgets if the states are to comply; and

Whereas, To further compound this assault on state revenues, federal district courts, with the blessing of the United States Supreme Court, continue to order states to levy or increase taxes to supplement their budgets to comply with federal mandates; and

Whereas, The court's actions are an intrusion into a legitimate legislative debate over state spending priorities and not a response to a constitutional directive; and

Whereas, The Constitution of the United States of America does not allow, nor do the states need, judicial intervention requiring tax levies or increases as solutions to potentially serious problems; and

Whereas, This usurpation of legislative authority begins a process that over time could threaten the fundamental concept of separation of powers that is precious to the preservation of the form of our government embodied by the Constitution of the United States of America; and

Whereas, Fifteen states, including Alabama, Alaska, Arizona, Colorado, Delaware, Louisiana, Massachusetts, Michigan, Mis-

souri, Nevada, New York, Oklahoma, South Dakota, Tennessee and Utah, have petitioned the United States Congress to propose an amendment to the Constitution of the United States of America that reads as follows:

"Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision thereof, or an official of such state or political subdivision, to levy or increase taxes."; therefore, be it

*Resolved*, by the Senate of the Ninety-First General Assembly of the State of Illinois, That this legislative body respectfully requests and petitions the Congress of the United States to propose submission to the states for their ratification an amendment to the Constitution of the United States of America to restrict the ability of the United States Supreme Court or any inferior court of the United States to mandate any state or political subdivision of the state to levy or increase taxes; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, and the members of the Illinois Congressional delegation.

POM-513. A resolution adopted by the Senate of the General Assembly of the State of Illinois relative to the 2000 Census; to the Committee on Government Affairs.

#### SENATE RESOLUTION NO. 39

Whereas, The U.S. Constitution requires an actual enumeration of the population every ten years, and entrusts Congress with overseeing all aspects of each decennial enumeration; and

Whereas, The sole constitutional purpose of the decennial census is to apportion the seats in Congress among the several states; and

Whereas, An accurate and legal decennial census is necessary to properly apportion U.S. House of Representatives seats among the 50 states and to create legislative districts within the states; and

Whereas, An accurate and legal decennial census is necessary to enable states to comply with the constitutional mandate of drawing state legislative districts within the states; and

Whereas, Article 1, Section 2 of the U.S. Constitution, in order to ensure an accurate count and to minimize the potential for political manipulation, mandates an "actual enumeration" of the population, which requires a physical headcount of the population and prohibits statistical guessing or estimates of the population; and

Whereas, Title 13, Section 195 of the U.S. Code, consistent with this constitutional mandate, expressly prohibits the use of statistical sampling to enumerate the U.S. population for the purpose of reapportioning the U.S. House of Representatives; and

Whereas, Legislative redistricting conducted by the states is a critical subfunction of the constitutional requirement to apportion representatives among the states; and

Whereas, The United States Supreme Court, in No. 98-404, Department of Commerce, et al. v. United States House of Representatives, et al., together with No. 98-564, Clinton, President of the United States, et al. v. Glavin, et al. ruled on January 25, 1999, that the Census Act prohibits the Census Bureau's proposed uses of statistical sampling in calculating the population for purposes of apportionment; and

Whereas, In reaching its findings, the United States Supreme Court found the use

of statistical procedures to adjust census numbers would create a dilution of voting rights for citizens in legislative redistricting, thus violating legal guarantees of "one-person, one-vote"; and

Whereas, Consistent with this ruling and the constitutional and legal relationship of legislative redistricting by the states to the apportionment of the U.S. House of Representatives, the use of adjusted census data would raise serious questions of vote dilution and violate "one-person, one-vote" legal protections, thus exposing the State of Illinois to protracted litigation over legislative redistricting plans at great cost to the taxpayers of the State of Illinois, and likely result in a court ruling invalidating any legislative redistricting plan using census numbers that have been determined in whole or in part by the use of random sampling techniques or other statistical methodologies that add or subtract persons to the census counts based solely on statistical inference; and

Whereas, Consistent with this ruling, no person enumerated in the census should ever be deleted from the census enumeration; and

Whereas, Consistent with this ruling, every reasonable and practical effort should be made to obtain the fullest and most accurate count of the population as possible, including appropriate funding for state and local census outreach and education programs, as well as a provision for post census local review; therefore, be it

*Resolved, by the Senate of the Ninety-First General Assembly of the State of Illinois, That we call on the Bureau of the Census to conduct the 2000 decennial census consistent with the aforementioned United Supreme Court ruling and constitution mandate, which require a physical headcount of the population and bars the use of statistical sampling to create or in any way adjust the count; and be it further*

*Resolved, That the Illinois Senate opposes the use of P.L. 94-171 data for state legislative redistricting based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add or subtract persons to the census counts; and be it further*

*Resolved, That the Illinois Senate demands that it receive P.L. 94-171 data for legislative redistricting identical to the census tabulation data used to apportion seats in the U.S. House of Representatives consistent to the aforementioned United States Supreme Court ruling and constitutional mandate, which require a physical headcount of the population and bars the use of statistical sampling to create or in any way adjust the count; and be it further*

*Resolved, That the Illinois Senate urges Congress, as the branch of government assigned the responsibility of overseeing the decennial enumeration, to take whatever steps are necessary to ensure that the 2000 decennial census is conducted fairly and legally; and be it further*

*Resolved, That a copy of this resolution be presented to the Speaker of the U.S. House of Representatives, the Majority Leader of the U.S. Senate, the Vice President of the United States, and the President of the United States.*

POM-514. A resolution adopted by the Council of Bar Harbor Village, Florida relative to the redevelopment of Homestead Air Force Base as Homestead Regional Airport; to the Committee on Armed Services.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THURMOND (for himself and Mr. BIDEN):

S. 2516. A bill to fund task forces to locate and apprehend fugitives in Federal, State, and local felony criminal cases and give administrative subpoena authority to the United States Marshals Service; to the Committee on the Judiciary.

By Mr. ASHCROFT:

S. 2517. A bill to amend the Individuals with Disabilities Education Act and the Gun-Free Schools Act of 1994 to allow school personnel to apply appropriate discipline measures to all students in cases involving weapons, illegal drugs, and assaults upon teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCAIN:

S. 2518. A bill to provide for the technical integrity of the FM radio band, and for other purposes; to the Committee on Commerce, Science, and Transportation.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THURMOND (for himself and Mr. BIDEN):

S. 2516. A bill to fund task forces to locate and apprehend fugitives in Federal, State, and local felony criminal cases and give administrative subpoena authority to the United States Marshals Service; to the Committee on the Judiciary.

### FUGITIVE APPREHENSION ACT OF 2000

Mr. THURMOND. Mr. President, I rise today to introduce legislation on behalf of myself and Senator BIDEN that will help address the growing problem of fugitives by giving the U.S. Marshals Service tools they need to apprehend fugitives from justice. Senator BIDEN and I have worked together many times over the years in support of Federal law enforcement.

Fugitives are those who the courts have found warrant prosecution or have already been found guilty, but are attempting to beat the system. These are individuals who, by their conduct, have indicated a complete lack of respect for our Nation's criminal justice system. This situation represents not only an outrage to the rule of law but also a threat to the safety and security of Americans. Fugitives from justice often continue to commit additional crimes while running free on the streets.

According to some estimates, there are approximately 45,000 fugitives from justice in Federal felony cases. The number of serious Federal offense warrants received by the U.S. Marshals Service has increased each year for the past 4 years. Also, over one-half million fugitives in State and local felony cases have been entered into the database of the National Crime Information Center or NCIC. This number is up from 340,000 reported in 1990. Also, the NCIC receives only about 20 percent of

all outstanding State and local felony warrants in the country. If the NCIC estimates are correct, then there could be over 2.5 million State local fugitive warrants in felony cases alone. This does not even include misdemeanor warrants.

Mr. President, this is a serious problem. We must do more to address the growing threat of fugitives on the State and Federal level. It is critical to our fight against crime.

Task forces have been shown to be successful in tracking fugitives. This legislation would create more multi-agency task forces around the country to locate and apprehend the enormous number of fugitives nationwide. The marshals involved would be directed by headquarters, so they would not be diverted to tasks such as courtroom security. Also, the task forces would be a joint effort, staffed by U.S. Marshals and State and local law enforcement authorities. These task forces would share case workload and intelligence to locate and apprehend fugitives wanted in their jurisdictions.

Fugitives are the one investigative priority of the U.S. Marshals Service. Because of this expertise, the marshals have been able to specialize their personnel and investigative techniques to deal with this one critical mission. Conducting an investigation to make a criminal case against someone is nothing like trying to find a person who does not want to be found. The same techniques used to conduct criminal investigations cannot be used successfully in fugitive investigations. This puts the majority of law enforcement agencies at a disadvantage, especially State and local law enforcement, who are forced to put their resources into a wide variety of normal police duties. These task forces can help State and local law enforcement develop greater expertise in this area so they can be more efficient and successful in tracking fugitives.

Fugitive investigations are very fluid and time sensitive. The difference between locating and apprehending a fugitive or missing the individual can be merely a matter of minutes.

The time-sensitive nature of these investigations often creates problems under current Federal law. As a general matter, if there is no intent to indict the fugitive for escape, which is true in most fugitive cases, investigators may not use a grand jury subpoena to obtain information on the fugitive. Although investigators can get information through application to the court, the time necessary in seeking Federal court orders can make the difference between apprehension and further flight of the fugitive.

This bill would remedy this deficiency in the law by providing the U.S. Marshals Service administrative subpoena authority in fugitive investigations. This subpoena authority is based on the same authority current law already provides to the Drug Enforcement Administration in drug investigations.